

TOWNSHIP OF BROOKLYN  
SUSQUEHANNA COUNTY, PENNSYLVANIA

ORDINANCE NO. 1989-1

AN ORDINANCE OF THE COUNTY OF SUSQUEHANNA, BROOKLYN TOWNSHIP, PENNSYLVANIA, REQUIRING ALL PERSONS CONNECTING DRIVEWAYS TO PUBLIC ROADS TO OBTAIN PERMITS THEREFORE, REQUIRING THE SUBMISSION OF PLANS PRIOR TO THE ISSUANCE OF SAID PERMITS; AUTHORIZING DISAPPROVAL WHERE THE CONNECTION WOULD RESULT IN DRAINAGE OR OTHER PROBLEMS; REQUIRING THE PAYMENT OF A FEE FOR THE ISSUANCE OF SUCH PERMITS; AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, the Township of Brooklyn has suffered damage to the streets and property owned by the Township as a result of the improper connection of driveways to Township roads which improper connections have caused poor drainage and hazardous driving conditions; and

WHEREAS, the Township deems it necessary for the proper management, care and control of its public road system to regulate the connection of driveways to Township roads.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Brooklyn Township, Susquehanna County, Pennsylvania, as follows:

Section 1. This Ordinance shall be known and hereafter referred to as the Brooklyn Township Driveway Ordinance.

Section 2. For the purposes of this Ordinance, the following terms shall have meanings ascribed thereto, as follows:

(A) Board - The Board of Supervisors of Brooklyn Township, Susquehanna County, Pennsylvania;

(B) Contractor - The party, person, firm, partnership and/or corporation who or which installs a driveway, including all agents, officers or employees of said party, person, firm, partnership and/or corporation;

(C) Driveway - Any area of land designated or to be used as a means of ingress and/or egress for either vehicles and/or pedestrian traffic from a public road to a piece, parcel or tract of land;

(D) Owner - The owner of the land upon which the driveway is located.

(E) Permit - A permit issued by the Board to signify approval of the driveway connection;

(F) Person - Any individual, partnership, company, association, society, corporation or other group or entity;

(G) Public Road - Any road, street, alley or public thoroughfare whether actually maintained by Brooklyn Township as part of its road system, or whether shown on a subdivision or land development plan and intended to be offered or dedicated to Brooklyn Township in the future as part of its road system.

Section 3. No person, owner and/or contractor shall hereafter install, initiate any work, or allow the installation or initiation of any work toward the installation of a driveway without first obtaining a permit therefore from the Board.

Section 4. Any person, owner and/or contractor shall, prior to obtaining a driveway permit, file an application, on an application form supplied by Board, reflecting and showing the location of the driveway relative to the premises and designating the course, grade, structure, materials and drainage facilities, if any, involved in the construction of the driveway. The application shall be reviewed by the Permit Officer/Road Superintendent of the Township. The Permit Officer/Road Superintendent shall determine if the proposed method of constructing or making said connection, as reflected on the application, is such that it will (1) minimized the adverse effect of storm water run-off resulting from said connection, (2) not cause damage to the road to which the driveway is to be connected, and (3) not create or increase hazardous driving conditions for those persons using the road to which the driveway is to be connected. If found satisfactory by the Permit Officer or Road Superintendent, he shall so advise the Board, and the Board will issue, or cause to be issued, the permit. If the plan is found deficient, or if in the opinion of the Permit Officer/Township Road Superintendent the plan could be improved so as to (1) minimize the adverse effect of storm water run-off, (2) lessen drainage to the road to which the driveway is to be connected, or (3) lessen hazardous driving conditions on the road to which the driveway is to be connected, the Permit Officer/Road Superintendent shall, by written communication to the owner, notify him of the changes to be made. The applicant shall immediately make such changes and return the revised plant to the Township. When such plan is in acceptable form, the Board shall approve or cause the same to be approved and the permit issued.

Section 5. The application shall be accompanied by such fee or fees as the Board shall prescribe from time to time not exceeding the approximate reasonable cost of processing and reviewing the application and making any necessary inspections.



Section 6. All construction in any way incidental to the installation of the driveway shall be performed in strict conformance with the approved plans.

Section 7. Each driveway, whether serving the same premises or not, shall require an individual permit.

Section 8. Any owner, person and/or contractor who or which shall violate any of the provisions of this Ordinance shall, upon conviction thereof by summary proceeding before any District Magistrate or District Justice having jurisdiction, be sentenced to pay a fine of not more than Three Hundred and 00/100 (\$300.00) Dollars. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine imposed and the costs, the defendant may be sentenced and committed to the county jail or workhouse for a period not exceeding thirty (30) days. All fines collected for the violation of this Ordinance shall be paid to the Treasurer of the Township for the general use of the Township.

Section 9. If any section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared by any reason to be illegal, unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect or impair the validity of the Ordinance as a whole, or any other section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of the Ordinance. The Board of Township Supervisors hereby declare that it would have adopted this Ordinance and each section, sub-section, provision, regulation, limitation, restriction, sentence, clause, phrase and word thereof, irrespective of the fact that any one or more of the sections, sub-sections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

Section 10. This Ordinance shall repeal any inconsistent Ordinances.

Section 11. This Ordinance shall become effective five (5) days after enacted by the Board of Supervisors of Brooklyn Township.

ORDAINED AND ENACTED this 12 day July, A. D. 1989.

BOARD OF SUPERVISORS OF BROOKLYN  
TOWNSHIP

ATTEST: Sandra Thuch  
Secretary

BY: Edson A. A. A. A.  
Chairman

Harold L. L.