

ORDINANCE NO. 1974 - 1

AN ORDINANCE OF THE TOWNSHIP OF SHENANGO, LAWRENCE COUNTY, PENNSYLVANIA, PROVIDING THAT NO PUBLIC STREETS OF THE TOWNSHIP OF SHENANGO BE OPENED OR CUT BY ANY PERSON, FIRM, CORPORATION OR UTILITY WITHOUT FIRST SECURING A PERMIT IN ACCORDANCE WITH THE TOWNSHIP CODE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

BE IT ORDAINED by the Township of Shenango, Lawrence County, Pennsylvania as follows:

SECTION ONE. In accordance with the provisions of Section 1156 of Article XI of the Second Class Township Code, as amended, no railroad or street railway shall hereafter be constructed upon any township road, nor shall any railroad or street railway crossings, nor any gas pipe, water pipe, electric conduits, or other piping, be laid upon or in, nor shall any telephone, telegraph, or electric light or power poles, or any coal tipples or any other obstructions be erected upon or in, any portion of a township road except under such conditions, restrictions and regulations relating to the installation and maintenance thereof, as may be prescribed in permits granted by the Township for such purpose.

SECTION TWO. The application for a permit shall be on a form prescribed by the Township and submitted to the Township in triplicate. The application shall be accompanied by a fee for processing the application and a first inspection fee in accordance with the Schedule of Fees set forth by the Pennsylvania Department of Transportation, for Highway Occupancy Permits and Restoration Charges. In addition, the applicant shall submit three (3) copies of a sketch showing such dimensions as the location of the intended facility, width of the traveled roadway, right-of-way lines and a dimension to the nearest intersecting street.

SECTION THREE. A permit shall be issued to the applicant after all the aforementioned requirements have been filed.

SECTION FOUR. Upon completion of the work, the applicant shall give written notice thereof to the Township.

SECTION FIVE. Upon completion of the work authorized by the permit, the Township shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit. Where any settlement or defect in the work occurs, if the applicant shall fail to rectify any such settlement or other defect, within sixty (60) days after written notice from the Township to do so, the Township may do the work and shall impose upon the applicant the cost thereof, together with an additional twenty percentum (20%) of such cost.

SECTION SIX. Any person, firm, corporation or utility which shall violate any of the provisions of this Ordinance shall be subject, upon conviction before a District Justice, to pay a fine of not more than \$300.00 and cost of prosecution, and in default of the payment of such fine and costs to imprisonment in the County jail for not more than five (5) days.

SECTION SEVEN. Any ordinance or part of ordinance inconsistent herewith is hereby repealed insofar as it is inconsistent herewith.

SECTION EIGHT. This ordinance shall become effective five (5) days after its passage or adoption.

ENACTED INTO AN ORDINANCE this 13th day of June, A. D., 1974.

BOARD OF SUPERVISORS OF  
SHENANGO TOWNSHIP,  
LAWRENCE COUNTY, PENNSYLVANIA

By

Herbert B. Bristow  
Chairman

Supervisor

Richard B. Bristow  
Supervisor

CHAMBERS, O'NEILL, NICOLLS & BALPH  
ATTORNEYS AT LAW

306 CENTRAL BUILDING  
101 SOUTH MERCER STREET

NEW CASTLE, PENNSYLVANIA  
16101

JAMES E. CHAMBERS  
ELMER D. O'NEILL  
DONALD J. NICOLLS  
WILLIAM R. BALPH, JR.  
SYDNEY W. PAUL

TELEPHONE  
(412) 658-2655

May 30, 1974

Mr. Herbert Bintrim, Chairman  
Shenango Township Supervisors  
900 Allegheny Avenue  
New Castle, Pennsylvania, 16101

Dear Mr. Bintrim:

Enclosed are two copies of the proposed Highway Occupancy Permit Ordinance. I have sent the notice over for advertisement in the newspaper; and as soon as I receive the proof of publication, I shall forward it to you.

The extra copy is for you to show to any resident who may request to see it. In the advertisement, I have stated that the Ordinance may be examined at the township office. I doubt that any one will request to see it, since the full text is included in the advertised notice.

At your meeting on June 13, you should enact the Ordinance; and then by Resolution, the Township Secretary should be appointed to handle the issuance of the Application and Permits.

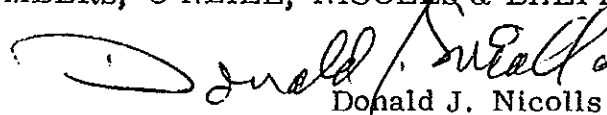
You can secure, from the State Association, pads of the Applications, as well as pads for the Permits. You may wish to order some of them now, so that they will be on hand when you finally pass the Ordinance.

If you should have any questions about any of the above, please let me know.

Very truly yours,

CHAMBERS, O'NEILL, NICOLLS & BALPH

By

  
Donald J. Nicolls

DJN/mm

Enclosures