

TOWNSHIP OF WASHINGTON
COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 308

AN ORDINANCE OF WASHINGTON TOWNSHIP, NORTHAMPTON COUNTY, COMMONWEALTH OF PENNSYLVANIA REPEALING ORDINANCE NO. 160, ENACTED ON SEPTEMBER 12, 1977, IN ITS ENTIRETY, AND REQUIRING ALL PERSONS OR ENTITIES TO OBTAIN PERMITS AND SUBMIT PLANS PRIOR TO CONSTRUCTING, CONNECTING, PAVING, OR ALTERING DRIVEWAYS CONNECTING TO PUBLIC ROADS, AND PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, the Board of Supervisors of Washington Township, Northampton County enacted Ordinance No. 160 on September 12, 1977, which required a permit to be obtained before any driveway opening into a street or road is constructed;

WHEREAS, said Ordinance No. 160 did not require a permit before a driveway was altered in certain circumstances;

WHEREAS, altering driveways can change or affect stormwater management systems within Washington Township;

WHEREAS, the requirements and processes enacted in 1977 are in need of revision to conform to current standards; and

WHEREAS, this Ordinance is needed to repeal the aforementioned Ordinance No. 160 and implement a more comprehensive to review plans and permit the construction, connection, paving, or altering of driveways connecting to public roads within Washington Township.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of Washington Township, Northampton County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by the authority of the same, as follows:

SECTION 1: Definitions.

When used in this Ordinance, the following words, terms and phrases shall have the following meanings, unless expressly stated otherwise or unless the context clearly indicates otherwise.

Access Drive – A privately owned, constructed, and maintained vehicular access from a public or private street to four (4) or more off-street parking spaces or to at least one (1) loading space.

Alley – A public or private way (not intended for general traffic circulation) affording only secondary means of access to abutting property.

Driveway – A privately owned, constructed, and maintained vehicular access from a street, alley, or access drive to or from an abutting property.

Owner - The owner of the land upon which the driveway is located and the owner's successors or assigns.

Person - Any natural person, firm, partnership, corporation, entity, association or other group of persons. The singular shall include the plural, and the masculine shall include the feminine and the neuter.

Street - A public or private thoroughfare which affords the principal means of access to abutting property and contains a right-of-way area (in addition to the cartway); including avenue, place, way, parkway, drive, land, boulevard, highway, road and any other thoroughfare except an alley or driveway.

SECTION 2: Requirement of Permit.

A. No person shall install, construct, blacktop, pave, or otherwise alter a driveway upon privately owned land which connects with, intersects with, enters upon, or opens up into any public road or street in the Township until a Driveway Permit has been obtained from the Township.

B. All applications for a Driveway Permit must be accompanied by a plan as is sufficient to show the intended construction and compliance with the provisions of this Ordinance and in conformity with standards promulgated by the Township Engineer.

SECTION 3: Application Procedures.

A. An owner shall, prior to obtaining a Driveway Permit, file an application with the Township on a form furnished by the Township.

B. The application must be signed by all owners of the property and shall be accompanied by such fees as determined by resolution from time to time by the Township's Board of Supervisors.

C. The application shall also be accompanied by a plan which shows the proposed installation, construction, paving, or alteration of the driveway and how the driveway meets the standards established by the Township Zoning Ordinance.

D. The Township's duly authorized representative shall review the application and plan. The Township's duly authorized representative may request the Township Engineer to review an application or plan if there is a question as to whether the application or plan meets the standards established by the Township Code of Ordinances. If the application and plan meet the

standards established by the Township Code of Ordinances to the satisfaction of the Township's duly authorized representative, a Driveway Permit shall be issued.

SECTION 4: Standards for Driveway Permit.

A. The Township Board of Supervisors shall establish standards for driveways which connect with, intersect with, enter upon, or open up into any public road or street in the Township, and may amend and alter those minimum standards from time to time. All minimum standards, and amendments or alterations thereto, must be approved by resolution of the Board of Supervisors before becoming effective.

B. CONSTRUCTION PLAN – The following are minimum standards for any plan submitted with the application:

1. The plan shall be drawn to scale showing property lines, lot size and a north arrow.
2. A dimension to the nearest property to the proposed driveway.
3. The centerline of the driveway, the edge of the existing road, the leveling area and the grade from the leveling area to the building shall be depicted.
4. Show the type of driveway construction within the road right-of-way and outside of the road right-of-way.

C. CONSTRUCTION STANDARDS – The following are the minimum standards for all driveways subject to this Ordinance:

1. Construction of new and modified driveways shall be in accordance with the Washington Township Zoning Ordinance and Subdivision and Land Development Ordinance.
2. The Township Zoning Officer and Road Supervisor must review and approve perpendicular drainage culvert driveway crossings prior to construction.
3. Driveways shall be placed, constructed and improved so as to provide adequate drainage along the roadway so not as to adversely affect neighboring properties or the municipal or state roadway.
4. Driveways shall be a minimum distance of 5 feet from any property line and shall be a minimum of 10 feet in width.

SECTION 5: Completion of Work.

Upon completion of the work authorized by the Driveway Permit, the owner must notify the Township's duly authorized representative within five (5) days.

SECTION 6: Inspection.

Upon completion of the work authorized by the Driveway Permit, the Township's duly authorized representative may inspect the work and, when necessary, require the owner to remedy any non-compliance with the standards established by the Township Engineer. An owner shall correct any non-compliance identified by the Township within sixty (60) days of the date written notice of non-compliance is mailed by first class mail, postage prepaid, to the owner. If the owner fails to correct the non-compliance, the Township may, without limiting any other remedy

SECTION 7: Expiration of Driveway Permit.

A Driveway Permit shall be valid for two (2) years from the date the permit is issued. If the work authorized by the Driveway Permit is not completed within two (2) years of the date the permit is issued, the Driveway Permit shall be invalid, and the owner will be required to file a new application for a Driveway Permit.

SECTION 8: Connection to a State Highway.

In addition to any requirements imposed by this Ordinance, any driveway which opens onto a State highway, as defined by the Pennsylvania State Highway Law, must comply with all laws, rules and regulations, including but not limited to rules and regulations promulgated by the Secretary of the Commonwealth of Pennsylvania in accordance with 36 P.S. § 670-420.

SECTION 9: Penalties.

Any person who violates any provision of this Ordinance shall be subject to a fine or penalty not less than One Hundred and 00/100 (\$100.00) Dollars but not exceeding Five Hundred and 00/100 (\$500.00) Dollars, and the costs of prosecution, and in default of payment of such fine and costs of prosecution, the person convicted may be committed to the County Prison for a period not to exceed thirty (30) days. The cost of prosecution shall include all court costs, reasonable attorney's fees, and reasonable consultant fees incurred by Washington Township. Each day of violation shall constitute a separate offense and be subject to the penalty set forth herein.

SECTION 10: Severability.

A. If any sentence, clause, phrase or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, phrases, sections or parts of this Ordinance.

B. It is hereby declared as the intention of the Board of Supervisors of this Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, phrase, section or part thereof not been included therein.

SECTION 11: Repealer.

Ordinance No. 160, enacted September 12, 1977, is repealed in its entirety. All other Ordinances, or parts of Ordinances, which are inconsistent with the provisions of this Ordinance, are hereby repealed.

SECTION 12: Effective Date.

This Ordinance shall become effective on January 1, 2026.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Washington, County of Northampton, Commonwealth of Pennsylvania, into an Ordinance this 10th day of December, 2025.

WASHINGTON TOWNSHIP
BOARD OF SUPERVISORS

Robert Smith, Chairman

Carl Tolino, Vice Chairman

R. Justin Huratiak

ATTEST:

By: _____

Sharon Cifuentes

Township Secretary/Treasurer