

UPPER YODER TOWNSHIP  
CAMBRIA COUNTY  
PENNSYLVANIA

ORDINANCE NO. 213

AN ORDINANCE AMENDING THE REQUIREMENTS FOR ACCEPTANCE BY THE TOWNSHIP OF ROADS, STREETS AND ALLEYS AS PUBLIC ROADS, STREETS AND ALLEYS WHEREBY THE TOWNSHIP ASSUMES THE DUTY OF MAINTENANCE THEREOF

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Upper Yoder, County of Cambria and State of Pennsylvania, and it is hereby enacted and ordained by the authority of the same.

SECTION 1 - The Supervisors may accept by resolution roads, streets and alleys as public roads only if the person or persons who request such acceptance comply with the requirements hereinafter set forth:

A. The applicant must have initially complied with the following regulations and requirements whenever applicable.

(1) The land subdivision regulations as set forth in the Upper Yoder Township Subdivision Ordinance.

(2) The requirements of Article XI subsection (i) of the Second Class Township Code as implemented by the Resolution No. 1 of the Township adopted pursuant thereto, and any amendments thereto.

B. Width of Rights-of-Way - The width of streets and roads shall not be less than 40 feet except that the width of streets and roads that have been heretofore dedicated on a plan approved by the Township shall be not less than 33 feet in width, and the width of alleys shall be not less than 15 feet in width.

C. Grades - Grades shall be a maximum 10% for streets; however, if in the judgment of the Supervisors, after a hearing, an increase is determined to be necessary and reasonable under the circumstances, a greater grade may be allowed. Grades shall be a minimum of not less than .75 of 1% in order to facilitate surface drainage. Curves vertically shall be of sufficient length for easy transition; horizontally shall be 100 feet minimum radius for streets; and on reverse shall have a minimum transitional distance

of 100 feet.

D. Berms and Gutters - Berms and gutters shall be at least 4 feet wide and sloped 4 inches from the edge of the street to the center line of ~~the gutter~~. The graded slope of the side of the gutter opposite the berm shall be 1:4 where possible.

E. Service Connections - Whenever possible, all gas mains, water mains and other service connections shall be installed in the bed of the street or berm before laying the base course.

F. Street Grading and Paving -

- (a) All streets shall be graded to the grades shown on the street profile and cross-section plan which must be submitted and approved by the Township. Construction and grades shall be approved by the Township Engineer.
- (b) A slope of no greater than two horizontal, to one vertical, on any roadway side slopes where cut or fill is necessary.
- (c) Prepare subgrade in accordance with Section 210 of the Pennsylvania Department of Transportation Specifications, Publication 408, dated 1987.
- (d) Construct an eight-inch (8") thick compacted aggregate subbase on the prepared subgrade in accordance with Section 350 of the Pennsylvania Department of Transportation Specifications, Publication 408, dated 1987. The aggregate would be PennDOT Number 2A, Type C or better.
- (e) Construct a four-inch (4") thick bituminous concrete or plain cement concrete base course in accordance with Section 305 or 301 respectively of the Pennsylvania Department of Transportation Specifications, Publication 408, dated 1987.
- (f) Construct a one and one-half inch (1-1/2") thick bituminous wearing course or a bituminous surface course such as AT-1 Modified, all in accordance with Pennsylvania Department of Transportation Specifications.
- (g) Shoulders, a minimum of four (4') feet in width, should be constructed on both sides of the street cartway. These shoulders could be constructed with compacted PennDOT No. 2A stone with the surface being sealed and stabilized with bituminous material.



(h) Guide rail shall be installed as required by the criteria set forth by the Pennsylvania Department of Transportation Design Manual, Part 2, Highway Design.

G. Cartway - The cartway or paved portion of any street or road shall be not less than 18 feet in width. The cartway or paved portion of any alley shall be the widest possible portion of the 15 foot width of said alley. The Supervisors may, however, permit a lesser width of cartway for any street, road or alley, if circumstances justify or require such lesser cartway width.

SECTION 2 - Before accepting any dedicated road, street or alley, the Supervisors shall require that all owners of land adjoining the dedicated road, street or alley execute releases of any and all damages of any kind that may be sustained by reason of accepting, improving, maintaining, grading and draining said road, street or alley as a public thoroughfare of the Township. The Supervisors may waive the requirement of releases of damages from adjoining landowners where the Supervisors determine that a road, street or alley has in fact been accepted for public use even though there has been no formal action of acceptance by the Supervisors, or where the Supervisors determine that it would be to the interest of the Township to forego obtaining releases where the majority of the landowners abutting the road, street or alley have signed such releases and a minority of landowners have refused or failed to sign such releases.

SECTION 3 - The applicant for acceptance of a roadway shall submit an application in writing for such acceptance. Such application shall have attached thereto the following items in triplicate:

- A. Legal description of the roadway proposed for acceptance.
- B. Plan or map showing the roadway proposed for acceptance and its adjoining area drawn to a minimum scale of 50 feet to an inch.

C. Profile of proposed improvement showing grades, cuts, fills, service connections, storm drainage, etc., drawn to a minimum scale of 50 feet horizontal and 4 feet vertical.

D. Plan for ~~adequate storm~~ drainage of surface waters, showing the method of drainage of adjacent and contiguous territory, the drainage profile of the roadway and the courses, structures, capacity and design of all drainage facilities. The requirements of this paragraph may be combined with the profile submitted in the preceding paragraph.

E. Release of damages by all adjoining landowners as required by Section 2 of this Ordinance, which release need not be submitted in triplicate.

SECTION 4 - Before accepting any dedicated road, street or alley, the Supervisors shall require the following specifications, inspections and approvals:

A. STREETS

(1) Local streets shall be so laid out as to discourage through traffic, but provisions for street connections into and from adjacent areas will generally be required.

(2) Half streets shall be prohibited except to complete an existing half street in an adjacent tract.

(3) Dead-end streets are permitted as temporary stubs for future street extensions into adjoining tracts, or when designed as cul-de-sacs, where the length does not exceed 600 feet and where a turnaround with a right-of-way of 100 feet is provided.

(4) Where Marginal Access Streets are planned, there shall be no vehicular access permitted from individual lots onto existing or new major streets or highways.

B. The grading of the roadway, subgrade preparation, subbase, installation of utilities, storm drainage and the installation of base and surface courses, shall be inspected and approved by the Township Engineer.

C. The finished base course, berm and gutters shall be inspected and approved by the Township engineer.

D. Street Specifications, (a) Width:

(a) <u>Type</u> Major	<u>Right of Way</u> 80 feet	<u>Paving Width</u> Specifications of State Highway Department
Collector and Marginal Access	60 feet	34 feet
Local	40 feet	18 feet

(b) Maximum Allowable Grades:

<u>Type</u> Major	<u>Per Cent</u> 5 per cent
Collector and Marginal Access	7 per cent
Local	10 per cent

(c) Minimum grades on all streets shall be not less than 0.75 per cent in order to facilitate adequate surface drainage.

(d) Vertical curves - All changes in grade for collector and local streets should be corrected by a vertical curve of sufficient length to afford an easy transition.

(e) Horizontal curves - Minimum center line radius for horizontal curves:

<u>Type</u> Major, Collector and Marginal Access	<u>Length</u> 300 feet
Local	100 feet

(f) Streets shall be laid out to intersect as nearly as possible at right angles, and no street should intersect any other street at less than 60 degrees. Where streets cross streets, they shall be offset by at least 125 feet between centerlines.

(g) All gutters and intersections shall be rounded by a minimum radius of at least:

<u>Type</u> Major, Collector and Marginal Access	<u>Radius</u> 20 feet
Local	15 feet



(h) Centerline offsets of less than 125 feet shall be avoided.

(i) Reverse curves shall have a minimum transitional distance between them of at least:

<u>Type</u>	<u>Distance</u>
Major, Collector and Marginal Access	150 feet
Local	100 feet

(j) When streets are not in alignment, street names should not be used which will duplicate existing street names.

SECTION 5 - The Supervisors shall not accept any dedicated road, street or alley unless the base course thereof has been fully and adequately installed. Installation of the wearing course shall be required only when specified by other ordinances of the Township.

SECTION 6 - The Supervisors may, by resolution and upon request, indicate that the Township will accept a new road, street or alley preliminary to actual construction, provided the roadway is constructed in accordance with the application submitted or any modifications thereto required by the Supervisors.

SECTION 7 - Acceptance of any dedicated road, street or alley shall be evidenced by a resolution of the Supervisors. A certified and attested copy of said resolution shall then be filed and recorded with the clerk of the court of quarter sessions. Following such filing, such road, street or alley shall be and become a part of the public road system of the Township, subject to maintenance and repair by the Township. The Supervisors shall also file a copy of the resolution, profile and other data pertinent thereto with the Pennsylvania Department of Transportation.

SECTION 8 - Nothing in this ordinance shall be construed to require the Supervisors to accept any dedicated road, street or alley. Such acceptance shall at all times remain within the discretion of the Supervisors, dependent upon compliance with the requirements of this ordinance, upon the public need for such roadway and upon the financial ability of the Township to complete and maintain such dedicated road, street or alley.

SECTION 9 - The provisions of this ordinance shall be severable and if any of its provisions or any part of any provision shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of the remaining provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included herein.

SECTION 10 - All ordinances or parts of ordinances inconsistent with any of the provisions of this ordinance are hereby repealed.

ORDAINED AND ENACTED this 5<sup>th</sup> day of June, 1990.

THE TOWNSHIP OF UPPER YODER

By Roy M. Shaffer

ATTEST:

Urban W. Shaffer

Mary Kay Make  
Township Secretary

Richard E. Ows

Robert J. Amsted