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**North Coventry Township
Chester County, Pennsylvania**

ORDINANCE No. XX-2026 Driveways

**AN ORDINANCE OF NORTH COVENTRY TOWNSHIP, CHESTER COUNTY,
PENNSYLVANIA, AMENDING CHAPTER 312 STREETS AND SIDEWALKS IN
NORTH COVENTRY TOWNSHIP BY ADDING ARTICLE V. DRIVEWAYS
ADDING DEFINITIONS, PROVIDING REGULATIONS, PROVISIONS,
VIOLATIONS AND PENALTIES.**

WHEREAS, North Coventry Township is a duly organized Township of the second class, existing and operating in accordance with the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the North Coventry Township Board of Supervisors has determined that the Code of Ordinances of North Coventry Township shall be amended for the health, safety, and general welfare of the Township and inhabitants thereof

BE IT ENACTED AND IT IS HEREBY ENACTED, in accordance with the provisions hereof that the North Coventry Township Ordinance is hereby amended, reconfirmed, and readopted as follows:

Chapter 312 Streets and Sidewalks is hereby amended to add “Article V. Driveways” as follows:

Article V.

Section 312 – 40 Preamble and Intent

The North Coventry Board of Supervisors intends to promote the proper installation of driveways by providing regulations that regulate the construction or substantial improvement of driveways in a manner to prevent adverse stormwater runoff impacts and protect the public health, safety, and general welfare.

Section 312-41 Definitions

BOARD — The Board of Supervisors of North Coventry Township, Chester County, Pennsylvania.

CARTWAY — The paved or improved portion of a street or alley intended for public use.

CODE ENFORCEMENT OFFICER — The official designated by the Board to enforce the provisions of this chapter.

CONTRACTOR — The person who or which installs, constructs, and performs repairs to a driveway including all agents, officers, or employees of said person.

DRIVEWAY — A private means of vehicular access between a public or private street to a single lot.

ENGINEER- An individual licensed and registered under the laws of the Commonwealth to engage in the practice of engineering and having training and experience in the specific field in which he or she is practicing.

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OWNER — The owner, his heirs and assigns, of the land upon which the proposed driveway will be located or an existing driveway is located.

PAVEMENT – A permanent wearing road surface, such as blacktop/asphalt or concrete, or any combination thereof, but not including a dirt stone, or gravel surface.

PENNDOT — The Department of Transportation of the Commonwealth of Pennsylvania and any successor agency.

RIGHT-OF-WAY- Land reserved or dedicated for use as a street, alley, interior wall, or for other public or private purpose.

ROAD or PUBLIC ROAD — Any road, street, alley paved or unpaved or other thoroughfare owned or maintained by the Township as part of its public road system or offered for dedication to the Township.

Section 312-42 General Requirements

- A. No driveway, or any part thereof, shall be laid out, located, constructed, erected, installed, opened/or altered except in the strict conformance of this chapter, including, without limitation, applying for and obtaining a permit paying and making deposits for fees and costs as set forth in this chapter.

Section 312-43 Permit required.

- A. No person, owner and/or contractor shall hereafter install a driveway or any portion thereof without first obtaining a permit from the Township or PennDOT.
- B. A driveway permit is required for the construction of a new driveway, or replacement of an existing driveway, expansion of an existing driveway, driveway resurfacing, paving of an existing stone driveway, or patching of an existing driveway, when any of these or other similar activities occurs in the Right-of-Way of North Coventry Township.
- C. A permit is not required when crack sealing or seal coating a driveway. No permit is required for the cleaning of an existing driveway pipe. No permit is required for the patching or similar repair to a driveway located outside of the Right-of-Way.

Section 312-44 Design requirements.

- A. All driveways shall be paved within the right-of-way, or to a point fifteen feet from the edge of the cartway, whichever is greater, and constructed in a manner that will not impede or divert the normal flow of stormwater surface drainage. The grade and construction of all driveways shall be in accordance with Township Subdivision and Land Development (SALDO), specifically Sections 320-43 (Driveways) and 320-39 (Sight Distance Requirements), as amended from time to time, and PennDOT standards and specifications as codified at 67 Pa. Code S 441.8
- B. The sight distance for all driveways shall comply SALDO Section 320-39 and with the requirements for state highways prescribed by PennDOT, as codified at 67 Pa. Code § 441.8, any amendments and addenda thereto.
- C. The width of individual residential driveways within the right-of-way of the public road shall be a minimum of 12 feet and shall be a minimum of 10 feet at all other points within property

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line.

- D. Driveway entrances into multifamily developments (with shared parking areas) or into nonresidential properties shall be no less than 20 feet in width, shall not exceed 36 feet in width at the street line unless provided with a median divider, and shall be clearly defined by the use of curbing. The curbs of these driveway entrances shall be rounded with a minimum radius of 20 feet where they intersect a street.
- E. Driveways on corner lots shall be located at least forty feet from the nearest intersection with a local road, and at least one hundred feet from the nearest intersection with any other road. For any lots other than corner lots, this minimum distance from the nearest intersection shall be one hundred feet. Driveway shall not be located or oriented in a manner that will interfere with the traffic flow at existing intersections.
- F. Driveways to single family residences shall intersect streets at angles of no less than 60 degrees. All other driveways shall intersect streets at right angles, where practicable, and in no case less than 75 degrees. The angle of intersection is the acute angle made by the intersection of the center line of the driveway with the center line of the road.
- G. The maximum slope for any driveway shall be 15%.
- H. The first twenty feet of the driveway shall be sloped no greater than 5%.
- I. Adequate turnaround surface shall be provided on the property so that egress to the street is in a forward direction.
- J. Drainage along the roadside shall be kept continuous by means of a swale constructed as part of the driveway paving. The Township will only permit the use of drainage pipes under a driveway if all of the following conditions are met:
 - (1) It is impossible or impractical to maintain drainage flow without a pipe.
 - (2) Calculations are submitted to the Township showing that the proposed pipe will have a capacity equal to or greater than the existing gutter and such pipe will pass a twenty-five-year storm from the drainage area without flooding the public road. Runoff calculations shall be based upon the United States Department of Agriculture Soil Conservation Service Soil-Cover-Complex method, the Rational Formula of $Q=CIA$, or any other method acceptable to the Township Engineer.
 - (3) The owner agrees in writing to maintain the pipe in good condition free of debris, siltation, and deterioration causing a reduction in hydraulic capacity, or to relocate and/or replace the pipe if at some future date the Township improves or widens the public road requiring such relocation and/or replacement.
- K. The swale should be maintained, or the pipe should be located four feet from the edge of the cartway or as otherwise directed by the Code Enforcement Officer, Roadmaster or Township Engineer.
- L. Paving standard – Minimum of two inches of wearing course asphalt on six inches of 2A crushed stone or recycled concrete. When using concrete, driveways should employ six inches of wire reinforced concrete of 4000 psi on six inches of 2B crushed stone. A combination of a concrete apron and asphalt driveway are permitted.

- M. Any driveway causing stone, silt, or other debris to be deposited into the road shall be required to be paved. Any driveway constructed with a Township issued permit that is sloped 7% or greater shall be paved.

Section 312-45 Application procedure.

- A. An owner shall, prior to obtaining a driveway permit, file an application on an application form supplied and approved by the Township. The applicant shall include with the application form a plan containing the following information:
 - (1) Right-of-way width and cartway width of the public road to which applicant desires to connect the driveway.
 - (2) Location of driveway, including distance from both side property lines.
 - (3) Width of proposed driveway.
 - (4) Sight distance from each direction.
 - (5) Vegetation which will be removed to create a clear sight triangle.
 - (6) Grade of proposed driveway.
 - (7) Construction materials for proposed driveway.
 - (8) All stormwater management facilities to serve the proposed driveway. Supply information pertaining to the stormwater discharge and means of sediment and erosion control during and after proposed work in accordance with North Coventry Township Stormwater Ordinance Chapter 194.
- B. The Township Engineer or Roadmaster shall review the application and notify the applicant and municipality in writing, within 45 calendar days, whether the driveway permit is consistent with the requirements of this chapter. Township Officials will determine if the proposed method of constructing or making said connection, as reflected on the application and plan, is such that it will: 1) not cause an adverse impact of stormwater runoff or surface drainage 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 public road to which the driveway is to be connected. If found satisfactory, Township Officials will issue, or cause to be issued, the permit.
- C. If the plan is found deficient, or if in the opinion of the Township Engineer or Roadmaster, the plan could be modified to: 1) prevent the adverse effect of stormwater runoff; 2) prevent drainage to the public road to which the driveway is to be connected; or 3) prevent hazardous driving conditions on the public road to which the driveway is to be connected, Township Engineer or Roadmaster shall, by written communication to the owner, notify the applicant of the deficiencies and any recommendations to be considered. The applicant shall return the revised plan addressing the deficiencies to the Township. When such plan is in acceptable form, Township Officials shall approve the plan and will issue, or cause to be issued, the permit. If the applicant refuses to revise the plan to the satisfaction of the Township officials, the application shall be deemed denied for the reasons set forth in the written communication, and the date of the written communication shall be the date of the denial of

the application.

- D. The applicant may appeal any adverse decision, denial or deemed denial of an application to the Board of Supervisors. The appeal shall be made within 10 days to the Board by filing written notice of the appeal with the Secretary of the Township with required appeal fee. The Board shall thereafter hold a hearing and render a decision on the refusal to issue a permit pursuant to the provisions of the Local Agency Law, Section 5, 2 Pa. C.S.A. § 551 et seq.

Section 312-46 Payment of fees.

The application shall be accompanied by such fee or fees as the Board shall prescribe from time to time by resolution or ordinance not exceeding the approximate reasonable cost of processing and reviewing the application and making any necessary inspections. No application is complete without the required fees.

Section 312-47 Installation of and maintenance of driveway.

- A. All construction in any way incidental to the installation of the driveway or for the improvement of a driveway for which a permit is required under this chapter shall be performed in strict conformance with the permit and the approved plans.
 - (1) After the proposed driveway has been stoned in but before the driveway has received final surfacing, the permit holder shall notify Township Officials. The driveway shall not be finally paved until the stoned-in area has been inspected and approved by the Township Engineer or Township Roadmaster. In the event the owner and/or contractor fail to notify the Township Engineer prior to placing the final surface, the Township may direct the owner and/or contractor to remove the final surface in order that the inspection may be completed. Such removal shall be at no expense to the Township.
 - (2) After the driveway has received final surfacing or any repair has been completed, the permit holder shall notify the Township Engineer or Township Roadmaster who shall perform a final inspection.
- B. The contractor shall utilize procedures and/or traffic control devices as necessary for the maintenance and protection of traffic in strict accordance with PennDOT publication 203, "Work Zone Traffic Control".
- C. Where any settlement or defect in the work occurs, the permit holder shall correct all defective work. If the permit holder fails to rectify any such settlement or other defect within 60 days after written notice from the Township to do so, the Township may do the work within the Right-of-Way and shall impose upon the permit holder the cost thereof. The Township may secure payment of such costs and penalties by filing a municipal claim in accordance with the Municipal Claims and Tax Liens Law, 53 P.S. § 7101, et seq.
- D. Driveways and pipes are to be maintained in a condition that will not damage the public road or land within the right-of-way, or cause hazards to the public.

Section 312-48 Permit required for all driveways.

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

Section 312-49 Minimum requirements.

The provisions of this chapter relating to driveways are intended as a minimum standard for the protection of public health, safety and welfare. If the literal compliance with any mandatory provision of this chapter relating to driveways is shown by the applicant, to the satisfaction of the Board, to be unreasonable or to cause undue hardship as it applies to a particular property, or if the applicant shows that an alternative proposal will allow for equal or better results, the applicant for a permit may request that the Board grant a waiver or modification from the requirement. An applicant shall make a request for a waiver or modification in writing, and the applicant shall reimburse the Township for any costs the Township Engineer incurs to review a waiver or modification request. The Board may grant a waiver or modification provided that the intent of this chapter is satisfied and there will be no demonstrated adverse impact to the public health, safety and welfare. In granting a waiver or modification, the Board may impose reasonable conditions as will, in the judgment of the Board, promote and advance the intent and objectives of the standards and requirements of this chapter.

Section 312-50 Waiver of liability.

The grant of a permit under this chapter shall not constitute a representation, guarantee or warranty of any kind by the Township or by any official or employee thereof of the practicability or safety of the proposed driveway and shall create no liability upon the Township, its officials, or employees.

Section 312-52 Expiration of permits.

A permit issued under this chapter shall be valid for 12 months from the date of issuance to complete the work. The Township Engineer or Township Roadmaster may at his discretion grant one extension of the permit for up to six months upon written application of the person to whom the permit was issued prior to the expiration of the permit. The application for extension must indicate good cause for the failure to complete work within the twelve-month time period. A permit shall not expire while a request for an extension is pending.

Section 312-53 Posting of permit.

The permit granted under this chapter shall be posted at the right-of-way line to be visible from the roadway. The permit shall remain posted until final approval of the work has been given.

Section 312-54 Violations and Penalties

Any person, firm or corporation who violates any provision of this article, upon conviction thereof in an action brought before a Magisterial District Court in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs per violation and, in default of payment of such fine and costs, shall be subject to a term of imprisonment not to exceed 90 days. A separate offense shall arise for each day or portion thereof in which a violation is found to exist or for each section of the ordinance which is found to have been violated.

Section 312-55 Remedies.

In addition to or in lieu of the penalties provided in this chapter, the Township may institute an action in equity brought in the court of common pleas to enforce the provisions of this chapter.

Section 312-56 Relationship to other ordinances.

Issuance of a permit under this chapter does not constitute compliance with any other Township ordinances or regulations, including but not limited to the Zoning Ordinance, Subdivision and Land Development Ordinance and Stormwater Management Ordinance. An owner shall obtain any necessary permits under the Zoning Ordinance, Subdivision and Land Development Ordinance, and Stormwater Management Ordinance prior to installing a driveway.

Section 312-57 Severability

In the event that any section, sentence, clause, phrase, or word of this ordinance shall be declared illegal, invalid, or unconstitutional by any court of competent jurisdiction, such declaration shall not prove or otherwise foreclose enforcement of any of the remaining portions of this ordinance. If there are any inconsistencies between the provisions of this ordinance and any others section of the Township Code in effect, the terms and provisions of this ordinance shall control.

Section 312-58 Repealer

All ordinances or parts of ordinances inconsistent with or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

Section 312-59 Effective Date

This Ordinance shall be effective immediately upon enactment.

[SIGNATURE PAGE FOLLOWS]

ORDAINED AND ENACTED this _____ day of _____, 2026.

**NORTH COVENTRY TOWNSHIP
BOARD OF SUPERVISORS**

ATTEST:

NORTH COVENTRY TOWNSHIP
BOARD OF SUPERVISORS

Erica L. Batdorf
Township Manager/Secretary

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