

ORDINANCE NO. 39

AN ORDINANCE FINDING IT FACTUALLY NECESSARY FOR THE HEALTH, SAFETY, MORALS AND GENERAL WELFARE OF THE PEOPLE OF BARRETT TOWNSHIP, MONROE COUNTY PENNSYLVANIA, TO REQUIRE APPROVAL OF LOT PLANS OF REAL ESTATE DEVELOPMENTS IN BARRETT TOWNSHIP BY THE SUPERVISORS OF BARRETT TOWNSHIP, MONROE COUNTY, PENNSYLVANIA; PROHIBITING SALE OF LOTS IN REAL ESTATE DEVELOPMENTS UNTIL COMPLIANCE WITH REGULATIONS OF THIS ORDINANCE; SETTING FORTH REGULATIONS REQUIRING ROAD AND BRIDGE RIGHTS--OF WAY TO BE IN FEE SIMPLE, FREE AND CLEAR OF LIENS AND ENCUMBRANCES; SETTING FORTH CONSTRUCTION OF REQUIREMENTS OF ROADS, BRIDGES AND DRAINAGE TO BE CONSTRUCTED ON LOT DEVELOPMENTS; SETTING FORTH MINIMUM DIMENSIONS OF ROADS AND PROPOSED ROADS ON LOT DEVELOPMENTS; SETTING FORTH GRADE REQUIREMENTS FOR ROADS, SHOULDERS AND DRAINS; REQUIRING DRAINAGE RIGHTS ON ROADS AND LOTS; SETTING FORTH REQUIREMENTS FOR DRAINAGE PIPES; SETTING FORTH PROCEDURE FOR APPROVAL OF ROADS AND PROPOSED ROADS IN LOT DEVELOPMENTS; REQUIRING RESERVATIONS FOR THE GRANTOR AND TOWNSHIP OF BARRETT, THEIR HEIRS, SUCCESSORS OR ASSIGNS, FOR THE LAYING AND MAINTAINING OF DRAINAGE DITCHES, ROADS, WATER LINES, SEWER LINES AND OTHER PUBLIC UTILITY LINES; DEFINING DUTIES OF THE TOWNSHIP ENGINEER; DEFINING DUTIES OF THE SECRETARY OF THE BOARD OF TOWNSHIP SUPERVISORS; REQUIRING RECORDING OF MAPS OF LOT PLANS; MAKING THIS ORDINANCE SEVERABLE IF PARTS ARE UNCONSTITUTIONAL OR ILLEGAL; AND REPEALING ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE.

WHEREAS, the supervisors have become aware of the rapid development of Barrett Township as a residential area; and

WHEREAS, various homes have been erected on lot developments which are not uniform as to construction of streets; and

WHEREAS, after holding a public hearing on Thursday, October 30, 1958, said meeting having been advertised in The Daily Record, according to law, the Supervisors of Barrett Township find as a factual situation from the testimony of residents of Barrett Township that to assure sites suitable for building purposes and human habitation and to provide for the harmonious development of Barrett Township and to assure adequate open spaces for traffic, recreation, light and air, and for proper distribution

of population, all of which will create conditions favorable to the health, safety, morals and general welfare of the citizens of Barrett Township, the Supervisors of Barrett Township find it necessary to enact by ordinance, rules and regulations by which lot plans may be approved and accepted by the Township of Barrett, Monroe County, Pennsylvania.

NOW, THEREFORE, be it ordained and enacted as follows:

1. No person, partnership, association or corporation shall sell or offer for sale any lot or lots in Barrett Township, Monroe County, Pennsylvania, from any plan or plot of lots without first having complied with the following rules and regulations:

a. All roads or proposed roads shall have a minimum right of way forty feet wide; said right of way shall be a fee simple absolute, free and clear of all liens and encumbrances, before approval and acceptance of a dedication by the Township Supervisors.

b. All roads or proposed roads shall have a minimum clearance for the base and shoulder of the road or proposed road of thirteen feet on each side of the center line of said roads.

c. All roads or proposed roads shall have the following basic construction:

1. Sub-grade shall be free of stones, stumps and other deleterious materials which, after inspection by the Township Engineer, the said Township Engineer deems to be improper construction material.

II. Base construction of road shall be a minimum of six inches of crushed stone or other local material approved by the Township Engineer. Base construction of road shall be a minimum of nine feet on each side of the center line of road or proposed road. Base construction shall have a slope of one inch

the center line of the said road to the shoulders of the road or proposed road. Shoulders of the roads shall slope downward away from the road bed three-quarters of an inch for each foot of shoulder. All cuts or grades outside of shoulders of road shall have a slope of not more than one and one-half feet to each foot of right of way.

III. All roads or proposed roads shall include the right for the Township, its successors or assigns, to construct and maintain parallel ditches, water lines, sewer lines and other public utility lines which the Township Supervisors deem necessary or desirable. All lots to be sold from lot plans shall have reserved to the grantor and the Township the right for the grantor or the Township to install and maintain drainage ditches under, across and through the lots; this is to include cross drains. All cross drains shall be a minimum of fifteen inches in diameter.

All roads or proposed roads shall have a grade along the center line and along the outer edges of the shoulders of not less than six inches per one hundred feet of road or more than fourteen feet per one hundred feet of road. Cross drains having a minimum diameter of fifteen inches and a minimum cover of eighteen inches shall be constructed where necessary to provide adequate drainage. Ditches shall be constructed across and through the lots abutting the road where necessary to provide adequate drainage for the road.

IV. All necessary bridges shall meet the requirements of the Pennsylvania Department of Highways in force at the time of construction.

2. Prior to construction of any road or bridge which is to conform to this ordinance, the owner or owners of the lot development shall submit a profile sketch of the proposed road or plans of proposed bridges to the Township Engineer. The Township Engineer shall have ten days to notify the Township

plans. The Supervisors, after consulting with the Township Engineer, shall contingently approve or disapprove of the plans and the Secretary of the Board of Supervisors shall notify the owner or owners of the lot plan of such contingent approval or disapproval. From time to time during the construction of the road or bridge, the Township Engineer shall make such physical examination of the construction as he deems necessary. After completion, the Township Engineer shall notify the Township Supervisors as to the conformity of the physical construction with the contingently approved plans. When the Board of Supervisors is satisfied that the road or bridge conforms with the contingently approved plan, it may approve the lot plan submitted and require the plan to be recorded according to law.

3. This ordinance shall be deemed to be severable and if any clause or portion thereof is deemed unconstitutional or illegal the remainder of the ordinance shall remain in full force and effect.

4. All ordinances inconsistent with this ordinance are hereby repealed.