
HONEY BROOK TOWNSHIP
CHESTER COUNTY, PA
ORDINANCE #162-2012

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP STREETS AND SIDEWALK ORDINANCE (CHAPTER 21), AS AMENDED, TO ADD STANDARDS FOR USE OF LAND WITHIN PUBLIC RIGHTS-OF-WAY

SECTION 1. Add Part 3 entitled "Part 3 Use of Land Within Public Rights-of-Way" as follows:

§ 21-301. Disturbing lands near roads.

1. No persons shall hereafter plow, cultivate, harrow, plant or in any way disturb the area within the Township's right-of-way ("ROW") or a minimum of five feet from the edge of the improved cartway.

2. In addition, when deemed necessary and in the interest of public safety or for the purpose of routine ROW maintenance, the Township may remove encroachments within the right-of-way.

§ 21-302. Depositing debris on or near road.

No persons shall deposit fieldstone, rocks, trash, grass, yard waste or debris of any kind within the improved street cartway or within any portion of the Township street right-of-way.

§ 21-303. Removal of debris.

Any person who deposits or allows to be deposited any mud, dirt, silt or any other debris within the improved street cartway or within any portion of the street right-of-way, whether accidentally or otherwise, shall immediately remove the same.

§ 21-304. Drainage or discharge.

No person shall drain or permit the drainage or discharge of swimming pools, sump pumps, downspouts or any other facility onto the cartway of any Township or state road that in any manner causes unsafe conditions for motorists or pedestrians.

§ 21-305. Maintenance of improvements within public right-of-way.

Persons who install shrubbery, or other similar plantings and landscaping, fences or similar improvements within the public right-of-way shall do so with the understanding that persons shall immediately remove such items from the public right-of-way when requested to do so by the Township. The Township shall not be liable for any damages to improvements installed within its right-of-way when plowing snow, maintaining cartways or other facilities within the right-of-way, or performing other functions.

§ 21-306. Violations and penalties.

Any person who has violated or permitted the violation of any provision of this Ordinance shall, upon being found guilty, pursuant to a summary proceeding, pay a judgment of not more than One Thousand (\$1,000.00) Dollars plus all court costs.

SECTION 2, SEVERABILITY. If any sentence, clause, section or part 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, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3, REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 4, EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.

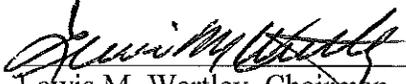
SO IT IS ENACTED AND ORDAINED this 9th day of May, 2012.

ATTEST:

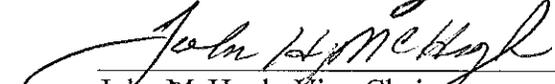


Secretary

HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS



Lewis M. Wertley, Chairman



John McHugh, Vice-Chairman



Joseph O. Fenstermacher, Member