

HAYCOCK TOWNSHIP

ORDINANCE No. 7

An Ordinance of the Township of Haycock, Bucks County, Pennsylvania, prohibiting the laying, installation, replacement or alteration of drains in or along any township roads, except in accordance with an application to be filed with the Secretary of the Board of Supervisors and in accordance with a permit granted thereon.

BE IT ORDAINED and enacted by the Township Supervisors of the Township of Haycock, and it is hereby ordained and enacted by authority of the same that:

Section 1. That no person, co-partnership or corporation shall lay, install, replace or alter, or cause to be laid, installed, replaced or altered, any drain, culvert, or storm sewer (collectively hereinafter referred to as "drain"), within or adjacent to the right of way of any township road without first having procured a permit from the Secretary of the Board of Supervisors in the manner hereinafter set forth.

Section 2. No permits shall be issued except upon application filed with the Secretary of the Board of Supervisors, which application shall be in writing, signed by the applicant, setting forth that the applicant is the owner of all lands affected by the proposed drain, and further setting forth the location of the proposed drain, in diameter, shape, length, and material or composition. A sketch showing the location of the pro-

posed drain in relation to the road, or roads, affected thereby, and indicating the direction of flow shall be attached to all applications. Each application shall also be accompanied by an application fee of \$1.00.

Section 3. The Board of Supervisors shall take into consideration the location, size, shape, course and capacity of the proposed drain, its material or composition, the nature of the area to be drained, and the existing drainage condition of the area. If the Board of Supervisors shall be satisfied that the proposed drain will not interfere with or endanger public travel, that it will not cause damage to any public road, that it will not create a hazardous condition or other nuisance, that it will not adversely affect or damage the property of any person other than the applicant, and that it will not impede the natural drainage of the area, it shall direct the Secretary to issue a permit for the laying, installation, replacement or alteration of the drain in the manner set forth in the application; otherwise, the permit is to be refused.

Section 4. Permits shall be granted or refused, as the case may be, within 30 days of the date of the filing of the application.

Section 5. Any person, co-part-

nership, or corporation laying, installing, replacing or altering, or causing to be laid, installed, replaced or altered, any drain as aforesaid without first obtaining a permit as hereinbefore provided, or, once having obtained a permit, laying, installing, replacing or altering, or causing to be laid, installed, replaced or altered, any drain as aforesaid, except in conformity with the application filed, shall upon summary conviction be sentenced to pay a fine of \$10.00, or in default thereof, be sentenced to the county jail for a period not exceeding thirty days.

Section 6. The provisions of this ordinance shall not be construed to enlarge, diminish, or in any manner affect the rights or remedies of third persons with respect to any injury or damages sustained by the laying, installation, replacement or alteration of any drain as aforesaid, irrespective of whether an application for such drain was filed, or if filed, whether a permit thereon was granted or refused.

Section 7. This ordinance shall become effective five days after enactment.

ORDAINED AND ENACTED this 5th day of September, 1961.
GEORGE C. HEVERLY,
FRANKLIN J. REICHENBACH,
WILLIAM B. ASH,

Supervisors of Haycock Twp.
Aug. 18