

PERRY TOWNSHIP

RESOLUTION NO. 3 OF 2016

This Resolution made the 3<sup>rd</sup> day of MAY, 2016 by Perry Township Supervisors.

This Township Resolution is to establish the procedure for acquiring a Highway Occupancy Permit in Perry Township and to establish application forms, fees and procedures to be followed.

**WHEREAS**, Perry Township Supervisors believe that it is in the best interest of the health, welfare, safety and general conditions of Perry Township to establish process and procedure for acquiring Township Highway Occupancy Permits; and

**WHEREAS**, Occupancy Permits are required, in every case and instance, where a Township road or right-of-way is affected by installation of a Occupancy Permit for driveways or other intrusions into the Township right-of-way or road surfaces; and

**WHEREAS**, the Township believes that the necessary procedures are to be followed for acquiring a Township Highway Occupancy Permit; and

**WHEREAS**, for any individuals, organizations, partnerships, corporations, or other entities who undertake to disturb property within the Township easement without acquiring the requirements of the Township Highway Occupancy Permit.

**NOW, THEREFORE**, Perry Township Supervisors hereby enact the within Resolution for the health, safety, welfare and overall benefit of Perry Township.

**THIS RESOLUTION** hereby adopts and incorporates the Township Highway Occupancy Permit identified as Exhibit "A", the details required on Exhibit "B", and incorporates the Fee Schedule which is identified as Exhibit "C". Any individual, business, partnership, corporation, limited liability company, or other entity desiring to disturb property within the easement limits of the Township road or the surface of the Township road shall acquire, in advance, Township approval by executing the requirements of Exhibit "A" and "B", to wit: Township Highway Occupancy Permit and details of the Highway Occupancy Permit, and shall pay the fees which are established from time-to-time by the Township Supervisors with the initial fees being established as Exhibit "C".

The Fee Schedule shall be revised by the Township Supervisors in order to cover the necessary costs that will be incurred by the Township in connection with administering the program.

Perry Township shall also establish the amount of Commercial Bond (approved in the Commonwealth of Pennsylvania) that is required for each Township Highway Occupancy Permit and the amount of Bonding shall reflect the extent to which the Township property, including paved portions thereof, and easement portions, shall be disturbed by the proposed Township Highway Occupancy Permit. It being understood that Bonding shall not be less than \$10,000.00 and shall reflect anticipated costs that would be incurred in the event that the area disturbed was not restored to a condition that was satisfactory to the Township and substantially in compliance with the condition as existed before undertaking the earth disturbance in order to establish the Highway Occupancy Permit.

The Applicant for the Township Highway Occupancy Permit shall provide the Township Supervisors with a copy of the Certificate of Insurance covering the risks that will be involved in connection with the work to be done under conditions of the Township Highway Occupancy Permit, which Certificate

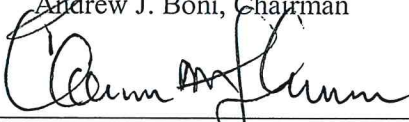
of Insurance shall be approved by the Township Supervisors, and in an amount that is acceptable to the Township Supervisors considering the scope of work to be done within the Township right-of-way and/or road surface.

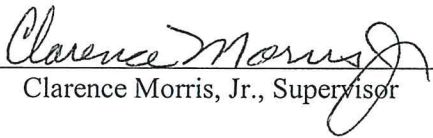
This Resolution may be may be enforced by Township Code Enforcement Officer or an Officer designated by Perry Township Supervisors before the local District Judge. Failure to comply with this Resolution shall result in a fine of \$500.00 per day with each day constituting a separate violation.

**THIS RESOLUTION**, duly approved and adopted, by the Board of Supervisors of Perry Township at a regularly scheduled and advertised Meeting of Perry Township Supervisors, held on the 3<sup>rd</sup> day of May, 2016, with all Supervisors voting in favor of adopting said Resolution.

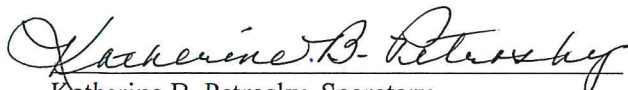
**PERRY TOWNSHIP SUPERVISORS**

By:   
Andrew J. Boni, Chairman

By:   
Clarence M. Johnson, Vice Chairman

By:   
Clarence Morris, Jr., Supervisor

**ATTEST:**

  
Katherine B. Petrosky, Secretary

(SEAL)

I hereby certify that the foregoing is a true and correct copy of a Resolution duly adopted by the Board of Supervisors of Perry Township at a duly advertised Meeting of the Supervisors held on the 3<sup>rd</sup> day of May, 2016.

  
Katherine B. Petrosky, Secretary

(SEAL)