

ADOPTED JUNE 26, 2023

DELANCO TOWNSHIP

ORDINANCE 2023-8

AN ORDINANCE AMENDING CHAPTER 250 OF THE CODE OF THE TOWNSHIP OF DELANCO GOVERNING “STREETS AND SIDEWALKS” TO ADD ARTICLE III TO BE ENTITLED “DRIVEWAYS”

WHEREAS, the Township of Delanco has existing provisions governing streets and sidewalks under Chapter 250 of the Township Code; and

WHEREAS, the Township Committee of the Township of Delanco desires amend Chapter 250 to add Article III to be entitled “Driveways,” requiring property owners obtain a permit for driveway construction; and

WHEREAS, the Township Committee of the Township of Delanco finds this amendment and addition to the Code to be in the best interests of the health, safety and welfare of the residents of the Township.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Committee of the Township of Delanco, State of New Jersey Chapter 250 is hereby amended as follows:

SECTION 1. Article III entitled “Driveways” is hereby added to Chapter 250 of the Township Code to read as follows:

Article III. Driveways.

§250-24. Permit Required

No driveway shall be constructed, no existing driveway altered, no additional dwelling(s) or building(s) shall be connected to an existing driveway without first obtaining driveway construction permit.

- A. Except that a person or entity replacing or repairing a driveway at the same location and size, with the same material and elevation, and no changes or repairs will be made to the curb cut, apron, curbs or sidewalk, and no street opening shall not be required to obtain a permit or pay the associated fees.

§250-25. Application.

- A. A permit application for work on a driveway, driveway apron or associated curbs requiring a driveway permit shall be made to the Township Zoning Officer on the forms provided by the Township, and shall include the following:

1. An application fee of \$10.00 shall be paid to the Township for each driveway permit.
 2. A survey which shall show the location and dimensions of the proposed driveway
 3. If the permit is being obtained to replace an existing driveway, the applicant shall include information regarding the location and dimensions of the existing driveway.
 4. The type of material in which the driveway will be constructed.
 5. A copy of the Homeowner's Association approval of the driveway construction, if applicable.
 6. A form indicating the property owner's consent to the filing of the application and to the plans for driveway construction, if the property is owned by an entity or a person other than the applicant.
 7. An escrow fee deposit of \$300.00 shall be paid to the Township for each driveway permit that requires engineering review.
 8. Any other information as may be required by the Township Zoning Officer.
- B. All driveway permit applications shall be reviewed and issued by the Township Zoning Officer.
- C. A driveway permit issued hereunder shall be valid for a period of two (2) years from the date of issuance.

§250-26. Enforcement.

The Township Zoning Officer of the Township of Delanco and his or her designee(s) is hereby designated to enforce this Article.

§250-27. Violations and penalties.

Any person or persons or entity who shall violate any of the provisions of this Article shall, upon conviction thereof, be punishable as provided in Chapter 1, General Provisions, Article II, General Penalty.

SECTION 2. Repealer.

Any Ordinances inconsistent with this ordinance is hereby repealed to the extent of its inconsistency.

SECTION 3. Severability.

If the provision of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 4. Effective Date.

This Ordinance shall be effective upon proper passage and approval in accordance with the law.