

ORDINANCE NO. 44

AN ORDINANCE OF THE TOWNSHIP OF RUSH,
SCHUYLKILL COUNTY, PENNSYLVANIA,
PROVIDING THAT NO PUBLIC STREETS OF
THE TOWNSHIP OF RUSH BE OPENED OR CUT
BY ANY PERSON, FIRM, CORPORATION OR
UTILITY WITHOUT FIRST SECURING A
PERMIT IN ACCORDANCE WITH THE TOWNSHIP
CODE, AND PROVIDING PENALTIES FOR THE
VIOLATION THEREOF.

BE IT ORDAINED by the Township of Rush,
Schuylkill County, Pennsylvania, as follows:

Section One. In accordance with the provisions of
Section 1136 of Article XI of the Second Class Township Code, as
amended, no railroad or street railway shall hereafter be
constructed upon any township road, nor shall any railroad or
street railway crossings, nor any gas pipe, water pipe, electric
conduits, or other piping, be laid upon or in, nor shall any
telephone, telegraph, or electric light or power poles, or any
coal tipples or any other obstructions be erected upon or in,
any portion of a township road except under such conditions,
restrictions and regulations relating to the installation and
maintenance thereof, as may be prescribed in permits granted by
the Township for such purpose.

Section Two. The application for a permit shall be on
a form prescribed by the Township and submitted to the Township
in triplicate. The application shall be accompanied by a fee in
accordance with the Schedule of Fees set forth by the Department
of Transportation, for Highway Occupancy Permits and Restoration

Charges. In addition, the applicant shall submit three (3) copies of a sketch showing such dimensions as the location of the intended facility, width of the traveled roadway, right-of-way lines and a dimension to the nearest intersecting street.

Section Three. A permit shall be issued to the applicant after all the aforementioned requirements have been filed.

Section Four. Upon completion of the work, the applicant shall give written notice thereof to the Township.

Section Five. Upon completion of the work authorized by the permit, the Township shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit. Where any settlement or defect in the work occurs, if the applicant shall fail to rectify any such settlement or other defect, within sixty (60) days after written notice from the Township to do so, the Township may do the work and shall impose upon the applicant the cost thereof, together with an additional twenty percentum (20%) of such cost.

Section Six. Any person, firm, corporation or utility which shall violate any of the provisions of this Ordinance shall be subject, upon conviction before a District Justice, to pay a fine of not more than One Hundred (\$100.00) Dollars and cost of prosecution, and in default of the payment of such fine and costs to imprisonment in the County jail for not more than five (5) days.

Section Seven. Any Ordinance or part of Ordinance inconsistent herewith is hereby repealed insofar as it is inconsistent herewith.

ENACTED INTO AN ORDINANCE this
7 day of JUNE, 1974.

BOARD OF SUPERVISORS OF
RUSH TOWNSHIP

BY James C. Hill
Chairman
Clarence Hartman
Vice Chairman
John C. Smith
Supervisor