

**BOARD OF SUPERVISORS OF
THE TOWNSHIP OF MIDDLE SMITHFIELD
MONROE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 235

**AN ORDINANCE AMENDING THE MIDDLE SMITHFIELD TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AT
CHAPTER 170 OF THE CODE OF ORDINANCES OF MIDDLE
SMITHFIELD TOWNSHIP BY AMENDING THE STREET AND
SIDEWALK CONSTRUCTION REQUIREMENTS AT SECTION 170-78.**

WHEREAS, Middle Smithfield Township has previously ordained and enacted an ordinance entitled the Middle Smithfield Township Subdivision and Land Development Ordinance; and

WHEREAS, the Board of Supervisors of Middle Smithfield Township believes that it is in the best interest of the Township and the residents of the Township to amend the Middle Smithfield Township Subdivision and Land Development Ordinance by amending and adding sidewalk requirements in Section 170-78.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, that Section 170-78 of the Middle Smithfield Township Code of Ordinances is hereby amended as follows:

ARTICLE I.

Chapter 170, Subdivision and Land Development, Section 170-78.O, Sidewalks, of the Middle Smithfield Township Code of Ordinances is hereby amended to read as follows:

§170-78.O. Sidewalks. Sidewalks shall be provided adjacent to and along all streets (existing and proposed) within a site, and along all perimeter roads within the frontage of the site in the C-1 and C-2 zoning districts. Sidewalks shall be provided along all streets (existing and proposed) where the Board of Supervisors determines they are needed in the CON, RR, R-1, R-2, R-3 and I zoning districts. Sidewalks, bicycle paths, crosswalks, and pedestrian access shall align with the proposed and/or existing location of sidewalks, bicycle paths, crosswalks, and pedestrian access on adjacent parcels. Sidewalks shall be located within the street right-of-way unless the Board of Supervisors approves an alternative location generally parallel to the street within a pedestrian easement.

(1) **Width.** All sidewalks shall have a minimum width of five (5) feet unless a greater width is required by PennDOT along state highways and/or by the Americans With Disabilities Act.

(2) Construction. Concrete sidewalk shall have a minimum thickness of four inches and be placed on a four-inch-thick bed of PennDOT 2B stone base, mechanically compacted. Concrete driveways, driveway aprons, and sidewalks that will provide access for vehicles shall have a minimum depth of six inches (reinforced with welded wire fabric) and be placed on a six-inch bed of PennDOT 2B stone base, mechanically compacted. As a modification, the Board of Supervisors may consider and allow the following standard in place of concrete sidewalks, but such modification shall be within the sole discretion of the Board of Supervisors: Superpave Asphalt Mixture Design, WMA, PG 64-22, 9.5MM Wearing Course at least two inches in depth underlain with six inches of compacted gravel.

(3) Sidewalks and public paths required along streets shall be located within the street right-of-way. Where additional public sidewalks or paths are constructed outside the right-of-way, the sidewalk shall be located within a pedestrian access easement area of sufficient width to encompass the entire area of the sidewalk/public path, and shall be offered for dedication to the Township.

(4) Grades and paving of sidewalks and pedestrian paths shall be continuous across driveways.

(5) Sidewalk and pedestrian paths shall be laterally pitched at a slope of not less than 1/4 inch per foot to provide for adequate surface drainage of stormwater runoff.

(6) Sidewalks and pedestrian paths shall not exceed a 5% grade; however, if the sidewalk or pedestrian path is located within the public right-of-way, the longitudinal slope may match the adjacent roadway profile slope. Where sidewalk grade exceeds 5%, a nonslip surface texture shall be utilized.

(7) Pedestrian paths shall be constructed of a hard surface composition, but in any case, must conform to the latest Americans with Disability Act standards.

(8) Sidewalks adjacent to angled parking areas shall be setback a minimum of five feet to prevent car overhang from restricting pedestrian movement along the sidewalk, unless concrete wheel stops are utilized to prevent car overhang.

(9) Crosswalk markings shall be installed (where sidewalk exists or is proposed) at all intersections of proposed public streets with an arterial, major/minor and collector street, and at other intersections of local streets

where determined necessary by the Township. Crosswalk markings shall be delineated utilizing thermoplastic material.

(10) Patterned/stamped crosswalks shall be installed on major pedestrian routes and internally on new streets where determined necessary by the Township due to anticipated pedestrian traffic volumes and for traffic calming. Patterned/stamped asphalt crosswalks shall conform to PennDot MS-0530-0024 and applicable Township standards, and pattern and color shall be subject to approval by the Township.

ARTICLE II.

Attachment 7 of Chapter 170, Subdivision and Land Development, Table 4-1, Schedule of Required Improvements, of the Middle Smithfield Township Code of Ordinances is hereby amended by specifically requiring Sidewalks in all types of subdivision or land development in the C-1 and C-2 zoning districts.

ARTICLE III.

Attachment 7 of Chapter 170, Subdivision and Land Development, Table 4-1, Schedule of Required Improvements, of the Middle Smithfield Township Code of Ordinances is hereby amended by requiring Sidewalks in all types of subdivision or land development in the CON, RR, R-1, R-2, R-3 and I zoning districts where the Board of Supervisors determines they are needed.

ARTICLE IV. SEVERABILITY.

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.

ARTICLE V. REPEALER.

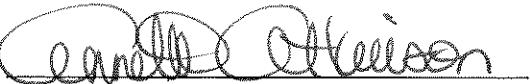
All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

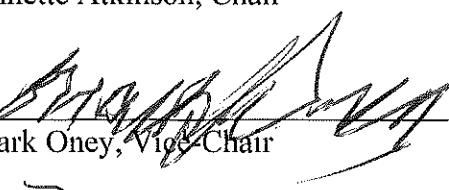
ARTICLE VI. EFFECTIVE DATE.

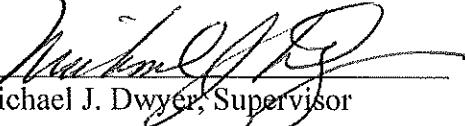
This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED this 14th day of July, 2022, by the Board of Supervisors of Middle Smithfield Township, Monroe County, Pennsylvania, in lawful session duly assembled.

Board of Supervisors of Middle Smithfield Township

By: 
Annette Atkinson, Chair

By: 
Mark Oney, Vice Chair

By: 
Michael J. Dwyer, Supervisor

ATTEST:


Michelle Y. Clewell
Township Secretary

[TOWNSHIP SEAL]