MODEL ORDINANCE PRECEDENT TO DRIVEWAY PERMIT AGREEMENT

AN ORDINANCE authorizing the ________________________________, of ________________________________, to enter into an Agreement with the Department of Transportation, permitting the ________________________________ to issue permits for the opening of streets and driveways onto State highways on behalf of the Department of Transportation, pursuant to Section 420 of the State Highway Law, Act of June 1, 1945 (P.L. 1242, No. 428), 36 P.S. 670-420, as amended, and 67 PA Code, Chapter 441.

WHEREAS, the Pennsylvania Department of Transportation (DEPARTMENT), pursuant to Section 420 of the State Highway Law, Act of June 1, 1945 (P.L. 1242, No. 428), 36 P.S. 670-420, as amended, may delegate its authority to issue permits for the opening of streets and driveways onto State highways on terms and conditions established in DEPARTMENT regulations; and

WHEREAS, the ________________________________, of ________________________________, proposes to undertake the responsibility for issuance of such permits and to enter into an Agreement with the DEPARTMENT setting forth the obligations of the parties,

NOW, THEREFORE, be it ordained by the ________________________________, of ________________________________, as follows:

Section 1. Upon execution and approval of the Agreement with the DEPARTMENT, ________________________________ will issue permits for the opening of driveways onto State highways, on behalf of the DEPARTMENT pursuant to the terms of the Agreement.

Section 2. All other ordinances, resolutions or orders, or portions thereof, which are inconsistent with the terms of the Agreement are hereby repealed to the extent of such inconsistency.

Section 3. A copy of the Agreement shall be attached to, and filed with this Ordinance.