

**DAMASCUS TOWNSHIP
WAYNE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1 - 2026

AN ORDINANCE OF DAMASCUS TOWNSHIP, WAYNE COUNTY AND COMMONWEALTH OF PENNSYLVANIA, TO AMEND ORDINANCE 2019-02, THE DAMASCUS TOWNSHIP ROAD ORDINANCE, AS FOLLOWS:

REMOVE SECTION XI of Ordinance 2019-02 and **REPLACE** SECTION XI with the following:

SECTION XI - MAINTENANCE OF EXISTING AND PROPOSED PRIVATE ROADS AND DRIVEWAYS

1. Applications for private roadways or driveways accessing two (2) or more residential or commercial properties shall include a properly executed maintenance agreement or covenant filed with the Recorder of Deeds of Wayne County, which agreement or covenant shall specify that:
 - a. The surface and drainage maintenance and costs of such maintenance shall be the sole responsibility of the property owners benefitting from the private driveways or private roads.
 - b. Damascus Township shall not be held responsible for the costs of any surface or drainage maintenance of such private driveways or private roads.
2. Upon determination by the Board of Supervisors that any existing and/or non-conforming private roads or driveways accessing Township roads are causing stormwater runoff problems, causing icing conditions, causing public road maintenance problems, and have posed a significant health and safety risk, or do not substantially meet reasonable safety standards set forth in this ordinance, the property owner shall correct the problem in accordance with specific corrective measures as specified by Township Officials within forty-five (45) days of official notification by certified mail, by personal service, or by posting a notice conspicuously on the property if the property owner cannot be contacted by certified mail or by personal service.
3. In the event the property owner does not correct the problem in accordance with the specific corrective measures in the notification within the specified time period of such notification, Damascus Township shall correct the problem or cause the correction to be made within the public road right of way.
4. In the event that Damascus Township corrects the problem or causes the corrective measures to be made following the specified time period after proper notification, the property owner shall be responsible to pay the costs of such corrective measures. Failure of the property owner to pay or make arrangements to pay the actual costs of such corrective measure within ninety (90) days, Damascus Township shall file a Municipal Lien at one hundred fifty (150%) percent of the actual cost of corrective measures.
5. In the event that Damascus Township institutes measures to correct stormwater runoff problems at or near a private driveway during or after a storm event, the Township shall not be responsible to restore the driveway to pre-storm driving condition. This correction of stormwater runoff problems may include, but is not limited to, removal of a damaged or plugged and non-functional culvert pipe, cleaning of ditches, or removal of debris deposited in the Township

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roadway or drainage facilities, restoration of shoulder or berm of roadway to facilitate proper stormwater runoff.

6. In the event that Damascus Township institutes measures for restoration of private driveways or private roads during a declared emergency to assist residents with access for emergency vehicles, including but not limited to, plowing and removal of snow and control of ice, removal of fallen trees, restoration or partial restoration of drainage facilities and driving surface, shall not constitute normal maintenance operations and shall not constitute Township acceptance of dedication of a road.

EFFECTIVE DATE: This Ordinance shall be effective five days after passage hereof.

ENACTED AND ORDAINED into law by the Board of Supervisors of Damascus Township,

Wayne County, Pennsylvania, this *19th* day of *January*, 2026.

ATTEST: Melissa Haviland
Melissa Haviland, Secretary

Joseph K. Canfield
Joseph K. Canfield, Chairman

Scott Rutledge
Scott Rutledge, Vice-Chairman

Steven R. Adams
Steven R. Adams, Supervisor