

AN ORDINANCE

NO. 376

An Ordinance regulating the excavation and digging up of streets and roadways in the Borough of Parkesburg for various utilities and other purposes.

SECTION 1. From and after the passing of this Ordinance before any person, firm or corporation shall dig up any of the public streets of the Borough for any purposes including electric connection, water, sewer or other purposes it shall be necessary to obtain a permit from the Borough of Parkesburg and the applicant shall pay to the Borough Treasurer a permit fee in the amount of Fifty Dollars (\$50.00) to cover the cost of inspection and other incidental services in connection therewith at the time the permit is applied for.

SECTION 2. Any person or entity shall open or excavate any street in the Borough shall thoroughly and completely refill the opening or excavation, puddling and ramming so as to prevent any settling thereafter. If within two years after the restoration of the surface as herein provided, defects shall appear therein resulting from defective backfilling or defective concrete and blacktop placement by the applicant, the applicant shall reimburse the Borough for the costs of all necessary repairs to the permanent paving.

SECTION 3. No opening or excavation in any street shall extend from the curb line into the street a distance greater than one (1) foot beyond the center line of the street before being refilled and the surface of the street restored to a condition safe and convenient for travel.

SECTION 4. No more than two hundred (200) feet longitudinally shall be opened in any street at any one time.

be filled with six (6) inches of Bituminous Concrete Base Course (BCBC) and two (2) inches of Bituminous Concrete Wearing Surface (ID-2). The street surface, at the perimeter of the new patch shall be sealed with asphalt cement (AC 2.5 or AC 20). If settlement of the street surface occurs within the patch within twelve (12) months after the work is completed, applicant will be notified by the Borough of Parkersburg and he shall be required to promptly repair the street surface in a manner acceptable to the Street Foreman. If any utility, by

SECTION 5. The work of excavation shall be so conducted as not to interfere with the water mains, sewers or their connections with the houses, or any other sub-surface lines or constructions, until permission of the proper authorities in connection with such sub-surface lines of construction shall have been obtained.

SECTION 6. No tunneling shall be allowed without the express approval of the Street Foreman, and permission therefor endorsed upon the permit. The backfilling of a tunnel excavation shall be made only in the presence of the Street Foreman or an inspector designated by him, and shall be done only in a manner approved by him.

SECTION 7. Section 7 of Ordinance No. 286 is hereby completely revised to read as follows:

All openings shall be promptly backfilled with suitable materials (2RC Slag or 2 RC Stone) and thoroughly compacted in succeeding layers of six (6) inches in depth from the bottom of the trench to the top. After backfilling, the street surface shall be neatly cut, with vertical walls twelve (12) inches wider than the opening, and eight (8) inches deep to provide a shelf. The vertical walls of the existing pavement shall be painted with hot asphalt (AC 2.5 or AC 20). The opening shall

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Wearing Surface (ID-2). The street surface, at the perimeter of the new patch shall be sealed with asphalt cement (AC2.5 or AC 20). If settlement of the street surface occurs within the patch within twelve (12) months after the work is completed, the applicant will be notified by the Borough of Parkesburg and he shall be required to promptly repair the street surface in a manner acceptable to the Street Foreman. If any utility, by its own specification, is required to use portland cement concrete over its trench, the portland cement concrete must be kept a minimum of eight (8) inches below the surface of the street to permit final paving of six (6) inches of BCBC and two inches of ID-2.

SECTION 8. During the period of construction in any street, every necessary and reasonable precaution shall be taken by the applicant and his agent or contractor to keep the street in a safe and passable condition both day and night by guards, barriers, lanterns and other devices and all excavating permits are granted under and subject to the express condition that the person to whom the permit is issued shall indemnify, save and keep harmless the Borough from any loss in damages, or otherwise, whatsoever, which may or shall be occasioned at any time by the construction, or by any leak, explosion or other injury from any pipe apparatus, conduit, or any other matter placed during the construction.

SECTION 9. The applicant shall notify the Street Foreman when the opening or excavation is ready for backfilling before any backfilling is done, and when the work is completed by proper backfilling in the case of unimproved streets and by temporary paving in the case of improved streets.

SECTION 10. In the event that any work performed by or for a permit holder shall, in the opinion of the Street Foreman, be unsatisfactory and the same shall not be corrected in accordance with his instructions within the time fixed by him, or in the event that the work for which the permit was granted is not completed within the time fixed, the Borough may proceed to correct such unsatisfactory work or complete any such work not completed, and charge the cost thereof, plus 20% to the applicant.

SECTION 11. Applicant must notify the Police and Fire Departments prior to an opening of a street.

SECTION 12. Openings on State Highways. The applicant must first obtain a permit from the Pennsylvania Department of Transportation.

SECTION 13. The use of dynamite or other explosives is prohibited.

SECTION 14. No attachments or openings may be made on any bridge or culvert.

SECTION 15. Mats or protective pads must be used to protect the pavement from steel traveling pads of equipment. Damages to pavement or curbs will be the responsibility of the applicant.

SECTION 16. Any persons or firms violating the terms of this Ordinance shall, in addition to any other remedies allowed by law, be liable for a fine of not less than Seventy-five (\$75.00) Dollars nor more than Six Hundred (\$600.00) Dollars or imprisonment in lieu thereof for a period not exceeding thirty (30) days to be brought in a summary hearing before a District Justice.

SECTION 17. This Ordinance shall be effective as of the date of final enactment.

SECTION 18. This Ordinance hereby repeals Ordinance #286 of the Borough of Parkesburg concerning Opening of Streets and this Ordinance hereby replaces said Ordinance #286 in its entirety.

Enacted into an Ordinance this 13th day of June, 1988.

James B. Norton, III
President of Borough Council

ATTEST:


Borough Secretary

Approved June 13th

William E. Wilson, Jr.
Mayor