

3/14/2019

AN ORDINANCE ESTABLISHING PAVEMENT RESTORATION REQUIREMENTS FOR STREET EXCAVATIONS IN PENN LAKE PARK BOROUGH

WHEREAS, the borough council of Penn Lake Park Borough is responsible for establishing and maintaining safe passage and safe conditions on streets within the Borough; and

WHEREAS, a great deal of extensive utility work has been undertaken throughout the Borough which has left streets with only partial trench repairs or, at best, half-width repaving; and

WHEREAS, this situation has left numerous streets in an unsightly and unsafe condition; and

WHEREAS, the Borough Council of Penn Lake is committed to insuring that: (1) the Borough does not assume any cost to repair any excavations made in and/or under any Borough-owned road by any person(s) (other than at the Borough's request), and (2) the person(s) who perform(s) any such excavation work restores the surface of any Borough-owned street, road or alley to the condition it was in prior to performance of the excavation work.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Penn Lake Park, County of Luzerne, State of Pennsylvania

Permits

It shall be unlawful for any person, firm, corporation or other entity to make any opening in the surface of and/or perform any excavation in and/or under any Borough-owned road within the limits of Penn Lake Park Borough without first having secured a permit from the Borough Secretary. The person, firm, corporation or other entity who will be performing the work is responsible for obtaining the permit. The charge for obtaining a permit to make any opening in the surface of and/or perform any excavation in and/or under any Borough-owned road shall be Twenty-Five (\$25.00) Dollars.

The application for the permit shall specify a time when said opening or excavation may remain open and the place where said opening or excavation may be made together with the probable length, width, and depth thereof, and such further information as the Penn Lake Borough Engineer may require to insure that the work will be done safely and the surface of the road promptly repaired and restored.

Restoration of Surfaces.

The permit holder shall restore the surface of all streets, broken into or damaged as a result of excavation of work, to its original condition in accordance with the specifications of the Penn Lake Borough Engineer. In the case of utility work undertaken by a public or private utility, which work involves placing new or replacing, or repairing of existing utility infrastructure, such as gas lines, water lines, electrical lines, and sewer lines, where the area to be trenched is greater than 50 linear feet, upon completion or within a reasonable amount of time as determined by the Penn Lake Borough Engineer, the permit holder shall mill and repave the entire pavement surface from edge to edge, or curb to curb for the full

