

BOROUGH OF ARCHBALD
ORDINANCE NO. 1 OF 2021

**AN ORDINANCE GOVERNING PAVECUTS AND EXCAVATION OF STREETS
WITHIN THE BOROUGH OF ARCHBALD, LACKAWANNA COUNTY,
PENNSYLVANIA**

WHEREAS, the Archbald Borough Council has determined it is necessary to adopt the within Ordinance to ensure the health, safety and welfare of the residents of, and visitors to, the Borough of Archbald and for the proper management, care and control of the Borough of Archbald and its finances and the maintenance of peace, good government, safety and welfare of the Borough of Archbald and its trade, commerce and manufactures;

NOW, THEREFORE, pursuant to the powers and statutory authority expressly granted to the Borough of Archbald by the Pennsylvania Borough Code, 8 Pa.C.S Section 101 et seq., specifically the power to prohibit and remove any nuisance or dangerous structure on public or private grounds, including, but not limited to, accumulations of garbage and rubbish, the storage of abandoned or junked automobiles and obstructions or nuisances in the streets of the Borough of Archbald, 8 Pa.C.S Section 1202(4); the power to make regulations as may be necessary for the health, safety, morals, general welfare and cleanliness and beauty, convenience, comfort and safety of the Borough, 8 Pa.C.S. Section 1202(5); the power to regulate the streets, sewers, public squares, common grounds, sidewalks, curbs, gutters, culverts and drains, and the heights, grades, widths, slopes and their construction, and to prohibit the erection or construction of any building or other obstruction to the convenient use of the same, 8 Pa.C.S. Section 1202(12); the power to impose fines and penalties, incurring partial or total forfeiture, or to remit the same, 8 Pa.C.S. Section 1202(3) and the power to make and adopt all ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth as may be expedient or necessary for the proper management, care and control of the Borough and its finances and the maintenance of peace, good government, safety and welfare of the Borough and its trade, commerce and manufactures, 8 Pa.C.S. Section 1203, it is hereby **ORDAINED** and **ENACTED** by the Borough Council of the Borough of Archbald, County of Lackawanna and Commonwealth of Pennsylvania, as follows

SECTION 1 - Definitions and Interpretation.

Definitions. The following words, when used in this Ordinance shall have the meanings ascribed to them in this section, except where the context clearly indicates otherwise.

Applicant- means the person applying for and issued a permit under this Ordinance allowing for Work to be performed within a Borough Street.

Borough – means the Borough of Archbald, Lackawanna County, Pennsylvania and, where appropriate, any duly elected or appointed representative of the Borough of Archbald.

Cartway- means that portion of a Street which is improved by surfacing with permanent or semi-permanent material intended for vehicular traffic.

Code Enforcement Officer-means the person responsible for the administration and enforcement of this Ordinance. The Code Enforcement Officer is the person appointed by the Borough to administer and enforce the ordinances of the Borough of Archbald.

Comprehensive Resurfacing – means when the Borough undertakes to pave more than three streets or more than one mile of street within the Borough in a given calendar year.

Council- means the Archbald Borough Council.

Excavation – any activity within the right-of-way of any street, alley, or cartway which involves cutting, breaking, or distributing the surface thereof. In this ordinance, the term “**OPENING**” and the term “**PAVECUT**” shall have essentially the same meaning as “**excavation**”.

Open or Opening – any activity within the right-of-way of any street, alley, or cartway which involves cutting, breaking, or distributing the surface thereof. In this ordinance, the term “**EXCAVATION**” and the term “**PAVECUT**” shall have essentially the same meaning as “**open**” or “**opening**”.

Pavecut - any activity within the right-of-way of any street, alley, or cartway which involves cutting, breaking, or distributing the surface thereof. In this ordinance, the term “**OPENING**” and the term “**EXCAVATION**” shall have essentially the same meaning as “**pavecut**”.

Person – means any natural person, individual, partnership, firm, association, corporation, political subdivision, municipal authority, the Commonwealth and its agencies and instrumentalities, or any other entity.

Public Right-of-Way- means improved or unimproved public property dedicated, deeded or maintained by the Borough of Archbald for the purpose of providing vehicular, pedestrian, or public use.

Street - means any public right-of-way, road, avenue, square, alley, highway, cartway or other public place located in the Borough and established for the use of vehicles, but shall not include State highways, County roads, or private roads not being offered for dedication.

Work- includes any activity within, on or under a Borough Street, which involves excavating, opening, demolishing, cutting, breaking or disturbing the surface of the street. The term also includes anchoring, auguring, backfilling, blasting, boring, digging, ditching, drilling, driving-in, grading, plowing-in, pulling-in, ripping, scraping, drenching and tunneling within, on, or under a Street.

Section 2 - Permit Required It shall be unlawful for any person to open or to make any pavecut or excavation of any kind in or under the surface of any streets without first securing a permit from the Borough for each separate undertaking. **Application for a permit shall be made on the form provided by the Borough which is attached to the within Ordinance as Exhibit "E".** However, any person maintaining facilities in, under or about the surface of any street, may proceed with an opening without a permit when emergency circumstances demand the work to be done immediately, provided the permit could not reasonably and practicably have been obtained beforehand. Any such person shall thereafter apply for a permit on the first business day on which the Borough Office is open for business and said permit shall be retroactive to the date when the emergency work was initiated. All Applicants shall pay a Forty-Five (\$45.00) Dollar Fee, which may be raised or lowered by a subsequent Fee Resolution of the Archbald Borough Council. Permits shall be issued for a period not to exceed one (1) year and any application to renew an expired permit shall be treated as a new application, including the payment of a new permit fee. If an application is disapproved, or a permit is denied, written notice of disapproval, together with the reason for disapproval, shall be given to the Applicant.

Section 3 – Work to be Performed Prior to Reconstruction or Resurfacing of a Street by the Borough.

- A. When the Borough constructs, surfaces, reconstructs or resurfaces any street, the Borough may first serve written notice by registered mail of such improvements to all persons owning property abutting the street about to be improved, and to all utility companies operating within the Borough. Within ninety (90) calendar days from the mailing date of such notice, all notified persons shall complete or cause to be completed all necessary repairs and replacements of utility mains, service connections, and/or laterals existing in or under the street. A person that has been notified shall also complete or cause to be completed any new installations under the street required for use within a two (2) year period thereafter. All repairs, replacements and new installations of utility mains, service connections, and/or laterals shall be in such condition that they cannot reasonably be expected to require repairs or replacement within a period of at least two years from the date the Borough has completed the construction, surfacing, reconstruction or resurfacing of the Street. A permit shall be denied to any person making an application within two years from the date the Borough has completed construction, surfacing, reconstruction or resurfacing of any Street when such notice has first been given by the Borough under this Section.
- B. Upon failure of any notified person to comply with the notice from the Borough to repair, replace or install utilities (mains, service connections or laterals) as provided in Section 109(a) above, the Borough may cause existing utility mains, service connections, or laterals to be placed, or removed, if not used or necessary for the public convenience, whereupon the Borough shall be entitled to collect the cost of such work from the responsible person, either by invoicing the person, or by filing municipal liens against either: (1) the property owner benefited by such connection; or (2) the owner of the utility when the property owner has not requested the connection or upgrade.

- C. This section shall not prevent the installation of new pipes, conduits or other services or structures, or the repair, replacement or removal of those already existing, in, on, or under the portions of the Street improved by the Borough, by tunneling or boring beneath the pavement of the Street during the two-year period, provided the bore or tunnel could be made without interfering with the structural integrity of the Street.
- D. The Borough reserves the right to deny any street opening or excavation permit for any street that has been resurfaced and/or reconstructed within at least two years prior to the date of application.

Section 4 - Permit Requirements and Fee: All applications for a permit under this Ordinance shall be on the form attached to the within Ordinance as Exhibit E” and must include all fees as required herein by the Borough. Permit Applications shall request, and an Applicant shall provide, the following information:

1. Owner and Contractor Contact Information;
2. A description of the Nature of the Work;
3. A Location Map;
4. Construction Plan;
5. Traffic Control Plans;
6. Insurance Information (Evidence suitable to the Borough of Comprehensive General Liability and Worker’s Compensation insurance coverage. When a Contractor does not have any employees, the Contractor must file an affidavit attesting to such with the Code Enforcement Officer);
7. All applicable Fees; and
8. Any other information necessary for the Code Enforcement Officer to administer this Ordinance.

The Borough reserves the right to adopt additional fees and/or modify the existing fee schedule as attached to this Ordinance by resolution of the Archbald Borough Council.

Section 5 - Expiration of Permits. All permits shall be issued for a period not to exceed **one hundred and eighty (180) days from the date of the issuance of the permit** and any application to renew an expired permit shall be treated as a new application including payment of a new permit fee.

Section 6 - Emergency Exception. Any Person maintaining facilities withing a road may proceed with an excavation, pavecut or opening without a permit when emergency circumstances demand that the work be done immediately, provided the permit could not have reasonably and practically been obtained beforehand. The person shall thereafter apply for a permit within five (5) business days on which Borough Office is open for business, and the permit, when issued, shall be retroactive to the date when the emergency work started.

Section 7 - Permit Approval/Disapproval. A permit may be issued to the Applicant after all requirements therefore have been fulfilled to the satisfaction of the Borough. If the application is disapproved, written notice of disapproval, together with the reasons therefore, shall be given to the Applicant.

Section 8 – Responsibility of Applicant to Contact Utilities. The work authorized by the permit is subject to all the provisions of the Act of December 10, 1974, P.L. 852, No. 287, 1 et seq. (73 P.S. §176 et seq.) as amended or supplemented from time to time. It shall be the Applicant's responsibility to contact the utilities that have recorded their facilities in compliance with the Act

Section 9 - Restoration of Street After Completion of Work. Upon completion of work in, on, or under a Street, the Applicant shall restore the Street in compliance with the following specifications and procedures:

- A. Improved Street Construction. All improved road pavement restoration shall comply with the following:
 1. All materials, construction procedures and other specifications shall be in conformance with the latest edition of the Penn DOT Publication 408.
 2. Traffic Control shall be maintained in accordance with Penn Dot Publication 213 (Temporary Traffic Control Guidelines).
 3. All trenches shall be backfilled per the trench restoration detail on Exhibit "A" attached hereto and incorporated herein
 4. Any core boring or vacuum excavation shall be performed and restored in accordance with the PennDOT Core Bore/Vacuum/500 psi - Flowable Fill Process.
 5. All improved street open cuts shall be made by saw cutting. All Paving joints shall be sealed with PG-64-22 Sealant.
 6. Any open cut trench not restored with flowable fill shall be restored with temporary paving for a minimum of One Hundred Twenty (120) days unless the Applicant provides certified compaction testing acceptable to the Borough Engineer for the trench backfill. The Temporary Pavement Restoration Detail for Asphalt Streets is attached hereto and incorporated herein as Exhibit "B".
7. Permanent restoration shall consist of the following:
 - i. A six-inch minimum compacted depth stable subbase shall be provided, using Penn DOT Type 2A aggregate. The subgrade shall be installed per Publication 408. Materials that are unsuitable, wet soils and soils subject to frost-heave shall be removed and replaced, drained or otherwise stabilized to handle anticipated loads. The Borough may require field, laboratory and compaction testing.
 - ii. A minimum depth of five inches of compacted depth 25.0 m, PG 64-22 Superpave Hot Mix or equivalent WMA (Warm Mix Asphalt) bituminous concrete base course shall be provided.
 - iii. A minimum depth of two-and-one-half inches of compacted depth 19.0

- mm, PG 64-22 Superpave Hot Mix or equivalent WMA (Warm Mix Asphalt) bituminous concrete binder course shall be provided.
- iv. A one-and-one-half-inch compacted minimum depth 9.5 mm Superpave PG 64-22, SRL M Hot Mix or equivalent WMA (Warm Mix Asphalt) bituminous concrete wearing course shall be provided.
 - v. The Permanent Pavement Restoration Details for Asphalt Streets are attached hereto and incorporated herein as Exhibit "C".
 - vi. When pavement opening consisting of 3 or more cuts and/or cores perpendicular to each other in a Borough street the utility is required to restore the pavement cuts and overlay that section of roadway curb to curb with a minimum of 1' cutback on each side of the largest opening.

B. Unimproved Street Construction. All unimproved street restoration shall comply with the following:

1. All materials, construction procedures and other specifications shall be in conformance with the latest edition of the Penn DOT Publication 408.
2. Traffic Control shall be maintained in accordance with Penn Dot Publication 213 (Temporary Traffic Control Guidelines).
3. All trenches shall be backfilled per the trench restoration detail is attached hereto and incorporated herein as Exhibit "A".
4. Open Cut Detail for Aggregate/Dirt Street attached hereto and incorporated herein as Exhibit "D".

C. Change of Specifications and Procedures. Council may change the procedures and specifications set forth in this Section from time to time by Resolution.

Section 10 - Responsibility of Applicant to Perform and Complete Work at Applicant's

Cost. All Work performed pursuant to an application made and granted under the terms of this Ordinance shall be performed and completed to the satisfaction of the Borough by the Applicant at the Applicant's own cost. If the Borough determines that the Applicant has failed to satisfactorily perform and complete the work, restoration or maintenance, or is not doing the work, restoration or maintenance in accordance with this Ordinance, then the Borough has the option of notifying the Applicant, in writing, of the Applicant's deficiencies and giving the Applicant a set time in which to cure the deficiencies. In the event that the Applicant fails to perform the work to the satisfaction of the Borough within the time period set by the Borough, Applicant agrees, by virtue of making an application under this Ordinance, that the Borough then has the option of either doing the necessary work, restoration or maintenance, or contracting with a third party to do the necessary work, restoration or maintenance at the Applicant's cost, to be collected by the Borough by invoice, municipal lien or any other option available to the Borough.

Section 11 - Right of the Borough to Inspect, Supervise and Perform Work at Applicant's

Cost. Applicant agrees, by virtue of making an application under this Ordinance, that the Borough shall have the right to inspect and supervise the work of the Applicant to make certain the work complies with this Ordinance. If the Borough employs the services of a professional engineer to inspect or supervise the work of the Applicant, then the Applicant shall be required to reimburse the Borough the costs of the services of the professional engineer. When the Borough deems it necessary for compliance with this Ordinance, the Borough has the option of either doing the necessary work, restoration or maintenance, or contracting with a third party to do the necessary work, restoration or maintenance at the Applicant's cost, to be collected by the

Borough by invoice, municipal lien or any other option available to the Borough.

Section 12 - Applicant's Responsibilities for Future Relocation of Work. If at any time in the future a Street is widened, reconstructed or the alignment or grades are changed, the Applicant agrees to change or relocate all or any part of the structures covered by the permit issued under this Ordinance which is found by the Borough to interfere with the improvement of the Street at the Applicant's cost.

Section 13 - Payment for Work Done by the Borough. Payment for all work done or services contracted by the Borough under this Ordinance shall be made by the Applicant within thirty (30) days after an invoice is issued by the Borough to the Applicant. Upon the Applicant's failure to pay the invoice within thirty (30) days, the Borough may proceed by filing a civil action for the collection of unpaid invoice and the Code Enforcement Office may also proceed with an enforcement action under this Ordinance as the non-payment of the invoice shall constitute a violation of this Ordinance. The Borough also specifically reserves all other rights and remedies available to the Borough in the event the Applicant fails to pay any invoice due under the provisions of this Ordinance.

Section 14 - Limitations of Permits. Permits are not transferable from one person to another and the work shall not be made in any location other than the location specifically designated in the permit.

Section 15 - Revocation of Permits. Any permit may be revoked by the Borough and/or the Borough's Code Enforcement Officer after written notice to the Applicant for a:

- A. Violation of any condition of the permit or of any provisions of this Ordinance.
- B. Violation of any provision of any other applicable ordinance or law relating to the Work.
- C. Existence of any condition or the doing of any act constituting or creating a nuisance or endangering life or property.

Section 16 - Notice of Violation/Service, Corrective Measures.

- A. Notice of Violation; Service. The Borough Code Enforcement Officer shall have authority to give notice, by personal service, posting of the property, or by regular United States mail, postage prepaid, to any person violating this Ordinance. The notice shall direct compliance with this Ordinance within five (5) calendar days following service of the notice. Any notice issued for a violation of this Ordinance shall be sufficient to constitute notice of any subsequent violation provided that the violation occurs within the same calendar year.
- B. Corrective Measures. When notice of any such violation shall be served upon a person that person shall immediately take the necessary corrective measures before proceeding further with any work for which the permit was originally granted. When, in the opinion of the Borough Code Enforcement Officer, a person has failed to take the necessary corrective measures and a condition or act constituting or creating a nuisance or endangering life or property exists, the Borough may order the work to be performed by the Borough or a person contracted by the Borough and the cost therefore incurred by the Borough shall be recovered from the financial security the Applicant has filed with the Borough. In the event that no financial security has been posted or is inadequate, the

amount may be recovered by the Borough invoicing the Applicant. Upon failure of the Applicant to pay the invoice within thirty (30) days, the Borough may file a civil action against the Applicant to recover the costs of the work, and the Code Enforcement Officer may also file a citation under this Ordinance seeking penalties for a nonpayment violation. The Borough also specifically reserves all other rights and remedies available to the Borough in the event the Applicant fails to pay any invoice due under the provisions of this Ordinance.

Section 17- Adoption of Specifications. The Borough hereby adopts the specifications contained in Exhibit "A" and Exhibit "B", attached hereto and expressly made a part hereof. The specifications and procedures set forth therein are made applicable to all Applicants under this Ordinance, and the application for a permit under this Ordinance shall constitute acceptance of all of the terms of these specifications. Borough Council may by Resolution change the specifications from time to time.

Section 18 - Performance Guarantee. At the time of the submission of an Applicant's application for a permit under this Ordinance, an Applicant shall also submit, together with the application, financial security in the form of certified funds, a cashier's check, an irrevocable letter of credit, or performance bond in the amount of \$1,000.00 for each permit for opening of a Street of one hundred (100) square feet or less. For openings in excess of one hundred (100) square feet, or borings, the amount of financial security to be posted for the completion of the work shall be an amount equal to one hundred and ten percent (110%) of the cost of completion of the work estimated as of ninety (90) calendar days following the date scheduled for completion of the work by the Applicant. The amount of financial security required shall be based upon an estimate of the cost of completion of the Work, prepared by the Applicant's engineer licensed as such in Pennsylvania and certified in writing by such engineer to be a fair and reasonable estimate of such cost. Borough Council may, upon recommendation of the Borough Engineer, refuse to accept such estimate for good cause shown. If the Applicant and Council are unable to agree upon an estimate, then the estimate shall be recalculated and certified by another professional engineer licensed as such in Pennsylvania and chosen mutually by Council and the Applicant, or as appointed by the Court of Common Pleas upon petition of either Council or the Applicant when Council and the Applicant cannot agree. The estimate certified by the third engineer shall be presumed fair and reasonable and shall be the final estimate. In the event that a third engineer is so chosen, fees for the services of the engineer shall be paid solely by the Applicant. After completion of the work in good condition as certified by the Borough Engineer, Council shall release the performance security to the Applicant or person posting it.

The performance guarantee shall be posted in addition to the permit application fee and the reimbursement of inspection fees of any professional engineer retained by the Borough to perform supervision or inspections.

Section 19 - Maintenance Guarantee. Upon completion of the work, the Applicant shall post maintenance security for a period of twenty-four (24) months in the form of certified funds, a cashier's check, an irrevocable letter of credit, or performance bond in the amount of \$500.00 for each permit for opening of a Street up to one hundred (100) square feet. For openings of a Street in excess of one hundred (100) square feet, or borings, the amount of the maintenance guarantee shall be in an amount determined by Council but not more than fifteen (15%) percent of the cost of the Work performed as estimated by the Applicant's engineer and approved by the Borough. Such maintenance guarantee shall guarantee that the Applicant shall maintain the

Work in good condition during the 24 months after the completion of the Work. If the Applicant is negligent or fails to maintain the Work in good condition during the twenty-four (24) month period, Council may enforce the maintenance guarantee, bond or other surety by appropriate and equitable remedies. If proceeds of such bond or other sureties are insufficient to pay the cost of maintaining the Work during the twenty-four (24) month period, Council, at its option, may institute appropriate legal or equitable action to recover the monies necessary for maintaining of the Work in good condition under the specifications of this Ordinance. After the expiration of the twenty-four (24) months from the date of the completion of the Work in good condition as certified by the Borough Engineer, Council shall release the maintenance guarantee to the Applicant or person posting it.

The maintenance guarantee shall be posted in addition to the permit application fee and the reimbursement of inspection fees of any professional engineer retained by the Borough to perform supervision or inspections.

Section 20 - Insurance Requirements. Prior to the issuance of a permit under this Ordinance, the Applicant shall be required to furnish certificates of insurance, including workman's compensation insurance on all employees. The certificate of insurance required of the Applicant shall indicate that the Applicant and the person performing the work is insured against claims for damages for personal injury as well as against claims for property damages which may arise from or out of the performance of the work, whether such performance be by the Applicant, the Applicant's subcontractor or anyone directly or indirectly employed by the Applicant to perform the work. Such insurance shall include protection against liability arising from completed operations. Such insurance shall provide complete third-party coverage for the Borough. The liability insurance for bodily injury in effect shall be in an amount not less than three hundred thousand dollars (\$300,000.00) for each person and one million dollars (\$1,000,000.00) for each accident and for property damage in an amount of not less than two hundred fifty thousand dollars (\$250,000.00). The Borough may, at the Borough's option, require that an Applicant provide the Borough with a Certificate of Insurance specifically naming the Borough as an Additional Insured. Failure of Applicant to file such certificate shall be grounds for denying a permit. Public utilities and authorities may submit annually such evidence of insurance coverage in lieu of individual submissions for each permit.

Section 21 - Penalty for Violation. Any person who violates or permits the violation of this Ordinance shall be guilty of a summary offense, and, upon conviction, shall be sentenced to pay a fine of not more than One Thousand (\$1,000.00) plus the costs of prosecution, and, in default of payment of fine and costs, to imprisonment for a term of not more than thirty (30) days; OR a civil penalty of not more than six hundred (\$600.00) Dollars together with court costs and reasonable attorney fees. A separate violation of this Ordinance occurs for each calendar day a violation of this Ordinance occurs. The fine or penalty imposed under this section may be in addition to any costs and additional amounts collectible under other sections of this Ordinance.

Section 22 - Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 23 - Repealer. All ordinances or parts thereof which are inconsistent with this Ordinance are hereby repealed to the extent of their inconsistencies with the terms of this Ordinance.

SECTION 24. Effective Date. This Ordinance shall take effect immediately on the date of its enactment.

ENACTED AND ORDAINED THIS 17st DAY OF FEBRUARY, 2021.

BOROUGH OF ARCHBALD

By: _____
Brian Gilgallon, President, Archbald Borough Council

Attest: _____
Michele Bianchi, Secretary, Borough of Archbald

Examined Approved this _____ day of February, 2021

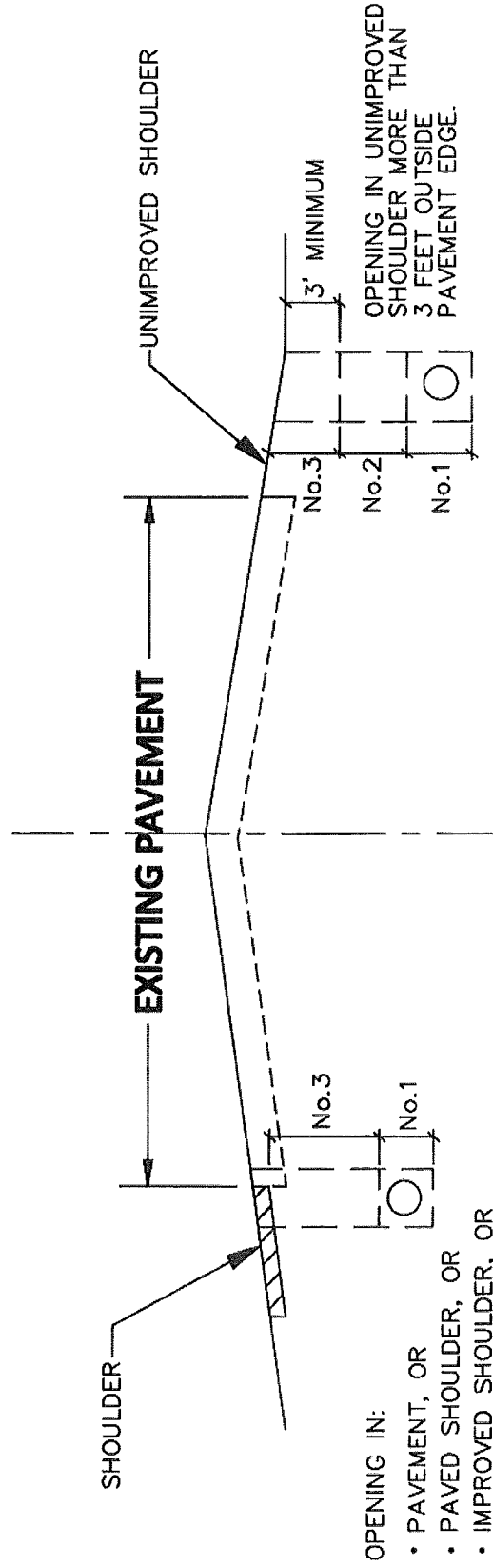
Shirley Barrett, Mayor

Exhibit A

TYPICAL BACKFILL SECTION

NOT TO SCALE

FIGURE 7-7



No. 1 PLACE FINE AGGREGATE OR GRANULAR MATERIAL UP TO 1 FOOT OVER TOP OF THE FACILITY, AND COMPACT IN 4" LOOSE LIFTS.

No. 2 PERMIT MAY AUTHORIZE RETAINED SUITABLE MATERIAL, IN LIEU OF #3 BELOW, AND COMPACT IN ACCORDANCE WITH DEPARTMENT REGULATIONS 459.8(g).

No. 3 PLACE SELECT GRANULAR MATERIAL (2RC) UNLESS COARSE AGGREGATE MATERIAL IS SPECIFIED IN PERMIT, AND COMPACT (IN 4" LOOSE LIFTS WITH MECHANICAL TAMPER OR 8" LOOSE LIFTS IF VIBRATORY COMPACTION EQUIPMENT IS USED) TO 100% OF THE DETERMINED DRY WEIGHT DENSITY.

NOTE: For openings behind curb or outside shoulder, suitable material will normally be authorized full depth.

Exhibit B

TEMPORARY PAVEMENT RESTORATION

FIGURE 7-6

NOT TO SCALE

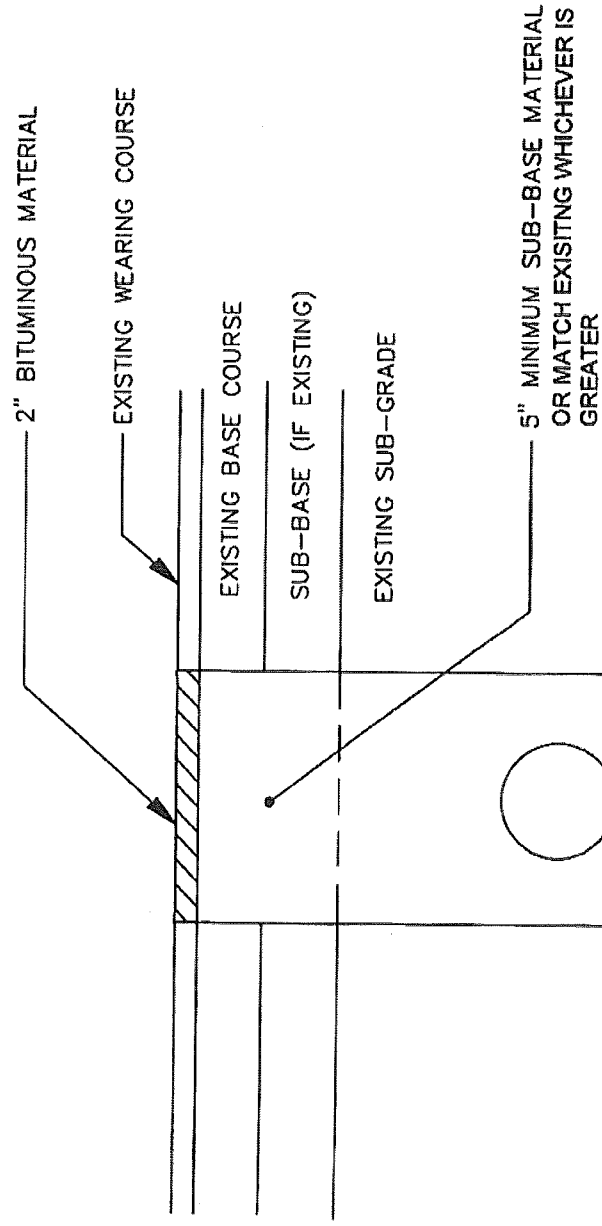


Exhibit C

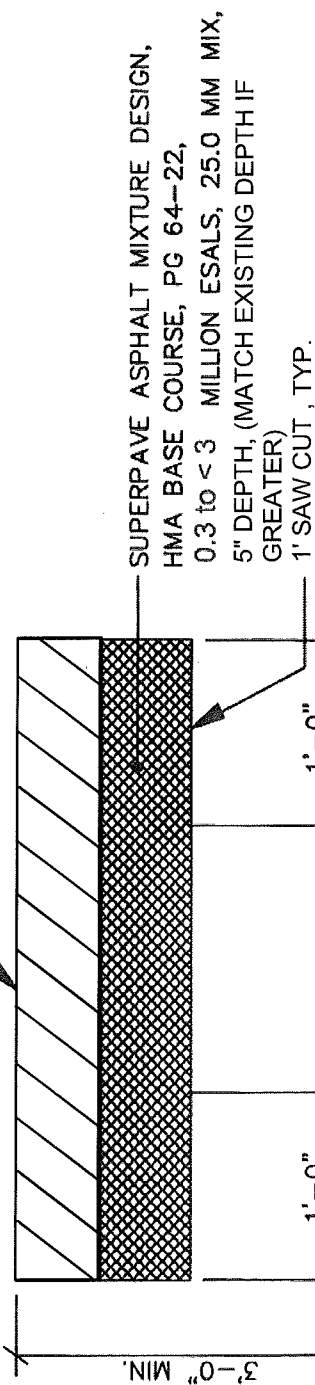
FLEXIBLE PAVEMENT RESTORATION

FIGURE 7-3

NOT TO SCALE

SUPERPAVE ASPHALT MIXTURE DESIGN,
HMA WEARING COURSE, PG 64-22,
0.3 to < 3 MILLION ESALS, 9.5 MM MIX,
1.5" DEPTH, SRL M

HOT SEAL ALL EDGES
W/12" WIDE PG 64-22



COMMENTS

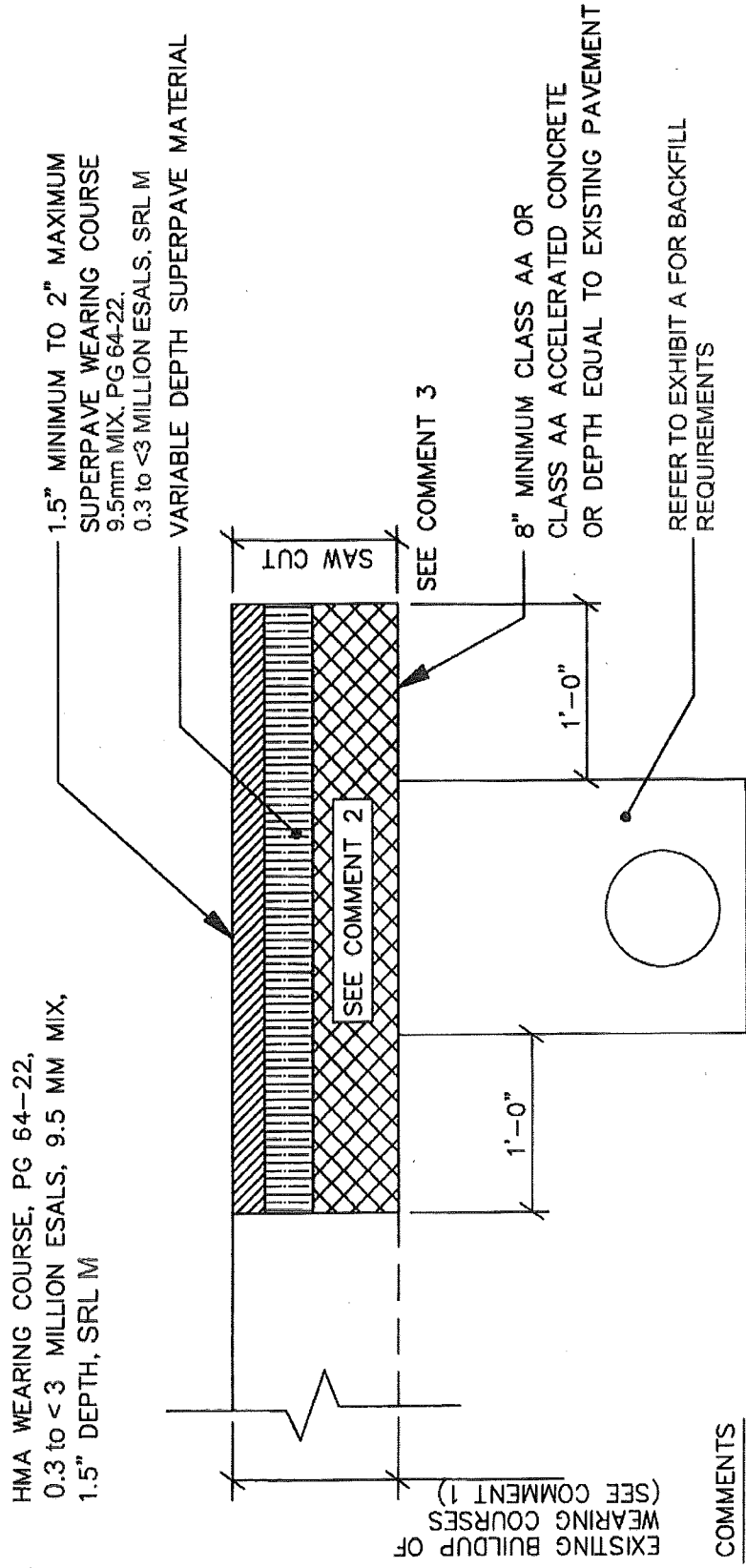
1. EXPOSED VERTICAL AND HORIZONTAL SURFACES SHALL BE PREPARED AS PER PUB 408, SECT. 409.3(g)
2. MINIMUM 1' PAVEMENT CUTBACK, EXCAVATE OLD AND TEMPORARY MATERIAL. RECOMPACT SUB-GRADE, TACK COAT ALL VERTICAL EDGES. INSTALL ONLY BASE COURSE AND BINDER COURSE IN ONE DAY.
3. PERMANENT RESTORATION TO BE MINIMUM 90 DAYS UNLESS FLOWABLE FILL IS USED.

REFER TO EXHIBIT A FOR BACKFILL
REQUIREMENTS

NOTE: MATCH EXISTING DEPTHS IF GREATER.

Exhibit C

RIGID PAVEMENT RESTORATION **FIGURE 7-5**
(BITUMINOUS OVERLAY OR PLAIN CEMENT BASE COURSE OR BRICK)
NOT TO SCALE



COMMENTS

1. SURFACE OF REPLACEMENT CONCRETE TO BE AT SAME ELEVATION AS EXISTING SLAB.
2. FOR LIMITS OF CONCRETE REPLACEMENTS, SEE DEPT. REG. 459.8(i)(4)
3. CUT BACK IS NOT REQUIRED BEYOND A TRANSVERSE OR LONGITUDINAL JOINT OR CURB.

Exhibit D

UNIMPROVED PAVEMENT RESTORATION

NOT TO SCALE

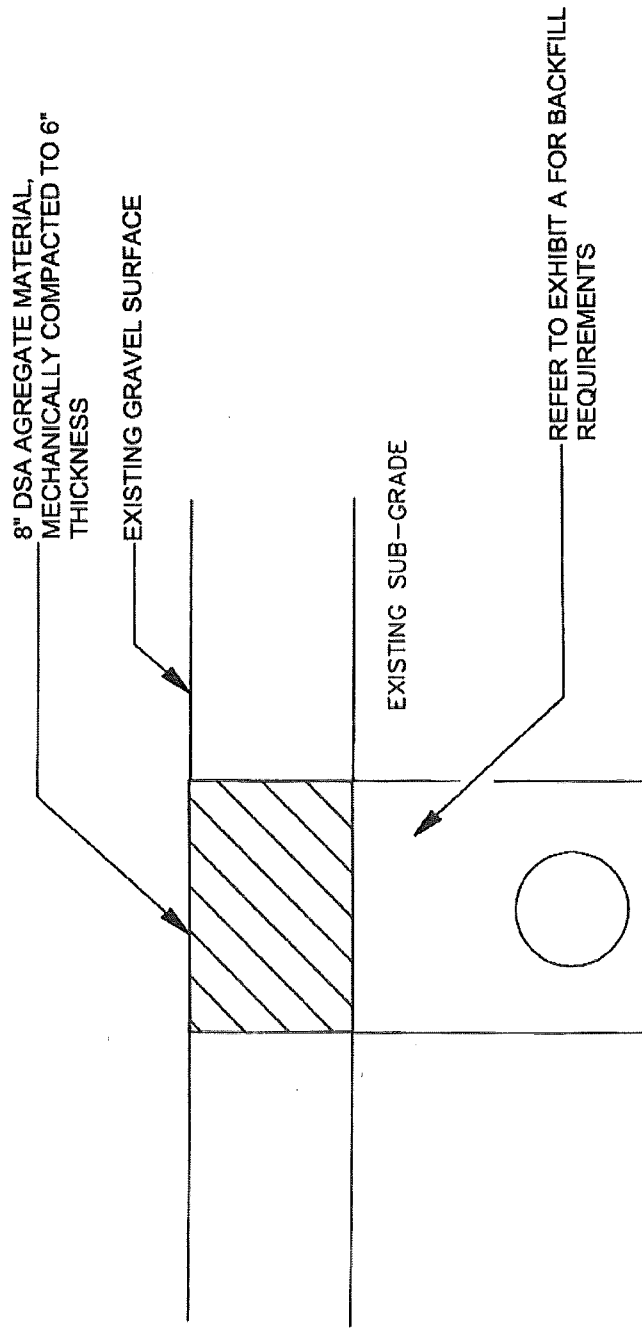


Exhibit E

ARCHBALD BOROUGH, LACKAWANNA COUNTY

APPLICATION FOR EXCAVATION OR OPENING IN BOROUGH STREET

Date: _____

Permit Number: _____

Permit Fee: _____ (Permit Number must be Included on Check)

Inspection Fee: _____

Financial Security: _____

PA 1-Call Number _____

Site Information

Applicant's Name and Address:

Owner's Name and Address (if different from applicant)

Telephone Number:

Applicant: _____

Owner: _____

Address/Location of the Property Address:

Contractor Name, Address, Telephone Number, Contact Person if the work is not being done by the Owner:

Exhibit E

Exhibit E

If a Contractor will be doing the work: the following must be provided:

Proof of workers compensation attached to this application Yes _____ No _____

Proof of general liability insurance attached to this application Yes _____ No _____

Scope of Work

Provide a complete job description of the proposed work below (including reasons for the road opening and length of the proposed improvements)

Detailed Plan Sketch of proposed improvements provided Yes _____ No _____

Number of Openings: _____

Size of Opening(s):

Width: _____

Depth: _____

Square Feet: _____

Road Surface is Improved to a width of _____ Feet

Distance from the Center line to roadway to gutter or ditch _____ Feet

Distance from center line of road to right-of-way line _____ Feet

For poles and towers, number of poles to be erected (if any): _____. Nearest distance from center of road to structure: _____ feet. Distance of proposed work along the road: _____ feet.

For pipe lines and conduits, the improved surface of the road (will or will not) be opened. Approximate area of openings in improved surface: _____ sqyd . Approximate Area of opening on unimproved parts.

Exhibit E

Schedule:

Approximate date when work will commence: _____

Approximate date when work will be completed _____

THE INFORMATION, WHICH I HAVE PROVIDED WITHIN THIS APPLICATION, IS TRUE AND CORRECT. I HEREBY AGREE TO OBEY AND CONFIRM TO OBEY AND CONFORM TO ALL ORDINANCES AND REGAULATIONS OF ARCHBALD BOROUGH (INCLUDING THE SPECIFICATIONS FOR THE OPENING AND EXCAVATION OF STREETS IN THE BOROUGH) AND THE COMMENWEALTH OF PENNSYLVANIA IN THE PERFORMANCE OF MY WORK IN ARCHBALD BOROUGH. I FURTHER AGREE TO NOTIFY THE BOROUGH OF ANY CHANGES WITH THE INFORMATION PROVIDED IN THIS APPLICATION.

Signature of Owner

Date

Signature of Applicant

Date

BOROUGH USE ONLY

Total Amount of Fees Collected: \$_____

Total Amount of Bonding/Security: \$_____

Approved _____ Denied _____ this day of _____ 20____

Pa 1-Call Marked Out _____ Yes _____ No

Approval is subject to the following condition:

Exhibit E

Borough Representative _____

FEE SCHEDULE

Application fee associated with processing and issuing a permit, each: **\$45.00**

Cost of pavement cuts by size (excluding inspection):

1. Two feet by two feet (four square feet) or smaller: \$100.00
2. Two feet by three feet (six square feet): \$150.00
3. Two feet by four feet (eight square feet): \$200.00
4. Three feet by five feet (15 square feet): \$250.00
5. Square, rectangular or cuts over 15 square feet, per square yard: \$50.00
6. Continuous trenches, per square yard: \$50.00
7. Tree lawn cuts, per square yard: \$25.00

Inspection: Direct cost for Borough's consultant hourly rate, to be estimated at time of application, minimum of 1 hour.

Penalty for failure to obtain a permit, each: \$500.

Penalty for unauthorized cutting of new pavement, per square yard: \$1,000.