

TOWNSHIP OF HAMPTON
ORDINANCE NO. 840

AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF HAMPTON, ALLEGHENY COUNTY, PENNSYLVANIA AMENDING ORDINANCE NO. 493 AND PROVIDING MINIMUM STANDARDS TO SAFEGUARD PERSONS, TO PROTECT PROPERTY, AND TO ENSURE PROMPT AND PROPER EXCAVATION AND REPAIR OF ROAD OPENING AND STREETS AND ROADS AND RIGHTS OF WAY AND TO CONTROL THE OPENING OR EXCAVATION OF TOWNSHIP STREETS AND RIGHTS OF WAY.

WHEREAS, Township Council recognizes the need for minimum standards to safeguard persons, to protect property and to ensure the prompt and proper excavation and repair of road openings in the Township roads and rights of way; and

WHEREAS, the Township of Hampton has adopted Ordinance No. 493 on August 24, 1994 and it became effective on that date; and

WHEREAS, the Township Council believes it to be in the best interest of the Township and its residents Ordinance No. 493 in order to incorporate the most current road engineering standards as part of the Ordinance; and

WHEREAS, the Township Council for Hampton desires to establish a procedure for applying for and obtaining permits to engage in road opening and excavating activities on Township roads and rights of way and to provide for fines and penalties for violators.

Ordinance No. 493, the Hampton Township Road Opening Ordinance, known as Article IV, Section 272-11 through Section 272-20 of the Hampton Code of Ordinances is hereby amended in its entirety to read:

272-11 Definitions

The following words, when used in this article, shall have the meaning ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

APPLICANT

Any person, company or government agency that makes application for a Road Opening Permit.

EMERGENCY

Any unforeseen circumstance, event or occurrence, the existence of which constitutes a clear and immediate danger to persons or property.

MANAGER

The Manager of the Township or his/her authorized deputy, representative and/or Inspector.

INSPECTOR

The Manager of the Township or his/her designated representative who shall have jurisdiction of the inspection of the roads in the Township.

NEWLY IMPROVED STREET

Newly constructed roads and cartways, including base and surfacing of asphalt, surfaced with at least one-and-one half inches of wearing surface. It shall be the prerogative of the Department of Community Services to define the category of "newly improved street" and advise the proper utility companies of the designation.

PUBLIC UTILITY COMPANY

The Hampton Shaler Water Authority, any cable company, any company that provides the public utility services including internet services or entity that is subject to the jurisdiction of and control be the Pennsylvania Public Utility Commission.

STREET

A public street, road, public easement, right-of-way, public highway, public alley, public cartway, public sidewalk, public way or public road accepted or

maintained by the Township or open for travel and use by the public, whether or not so accepted or maintained, including the entire area within the right-of-way thereof.

272-12 Street Openings and Excavations

Permit Required.

A. Permit required.

(1) It shall be unlawful for any person to make any tunnel, opening or excavation of any kind in or under the surface of any street without first securing a permit from the Township Manager for each separate undertaking; provided, however, any person maintaining pipes, lines or other underground facilities in or under 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 practically have been obtained beforehand. In such cases where emergency openings are necessary, however, the Township shall be notified prior to such openings in one of the following manners:

- (a) Fax notification.
- (b) Telephone notification.
- (c) Email and Text notification
- (d) PA One Call.

(2) The person shall thereafter apply for a permit on the first regular business day on which the office of the Township Manager is open to the public, and said permit shall be retroactive to the date when the work was begun.

B. Street openings limited. No person to whom a permit has been granted shall perform any of the work authorized by such permit in any amount greater than that specified in the permit. If the permittee desires to perform additional work not in excess of an amount greater than 10% of the amount initially specified in the original permit, permittee may apply to the Township Manager for an amended permit for the additional work. If the additional work desired to be performed by the permittee exceeds 10% of the amount specified in the original permit, an application for a new permit shall be made. Any deposit or bond

posted in connection with the original permit shall be deemed to cover any such additional work as may be added pursuant to the issuance of an amended permit within the limit specified herein.

- C. Commencement of work. Work for which a permit has been issued shall commence within 30 days after the issuance of the permit therefor. If not so commenced, the permit shall be terminated automatically unless the permittee applies for an extension of time within which to commence work. If such an extension is granted, the original permit shall remain in force for the period of time specified in the extension. Permits which terminate by reason of failure to commence work within 30 days after issuance or within any extension of time granted hereunder may be renewed only upon the payment of an additional permit fee as originally required.
- D. Permits nontransferable. Permits are not transferable from one person (permittee) to another, and the work shall not be performed in any place other than the location specifically designated in the permit.
- E. Expiration of permits. Every permit shall expire at the end of the period of time which shall be set out in the permit. If the permittee is unable to complete the work within the specified time, he shall, prior to expiration of the permit, present in writing to the Township Manager a request for an extension of time, setting forth therein the reasons for the requested extension. If the Township Manager finds that the failure to complete the work under the permit within the time specified therein was due to circumstances reasonably beyond the control of the permittee and that an extension of time to complete the work under the permit is necessary and not contrary to the public interest, the permittee may be granted additional time for the completion of the work.
- F. Municipal utility cuts. All street openings required by the Township shall be made and restored under the direction and supervision of the Township Engineer or their designee. The permit, fee, deposit, insurance and bond requirements of this article shall not be applicable to any openings made by or on behalf of the Township itself.
- G. State and county highways. The provisions of this article shall not be applicable in those instances where the street or highway is maintained by the Commonwealth or by the County of Allegheny; provided, however, that any person applying for a permit to do work within the right-of-way of a street or highway maintained by the Commonwealth of Pennsylvania or by the County

of Allegheny which would otherwise require a permit under the terms of this article shall notify the Township Manager at the time that said application is made and at the time that the work under any permit issued pursuant to said application is begun, so that proper, safety precautions may be taken by the Township during the continuation of said work.

- H. Rights of Township. Every permit shall be granted subject to the right of the Township or of any other person entitled thereto to use the street for any purpose for which such street may lawfully be used not inconsistent with the permit.
- I. Revocation of permits. Any permit may be revoked by the Township Manager, after notice to the permittee, for:
 - (1) Violation of any condition of the permit or of any provision of this article.
 - (2) Violation of any other applicable provision of the Township's municipal Code or any law relating to the work.
 - (3) Existence of any condition or the doing of any act constituting or creating a nuisance or endangering the life or property of others.
 - (a) A permittee shall be granted a period of three days from the date of the notice to correct the violation and to proceed with the diligent prosecution of the work authorized by the permit before said permit is revoked.
 - (b) Written notice of any such violation or condition shall be served upon the permittee or his agent engaged in the work. The notice shall contain a brief statement of the reasons for revoking the permit. Notice may be given either by personal delivery thereof to the person to be notified or by certified or registered United States mail addressed to the person to be notified.
 - (c) When any permit has been revoked and the work authorized by the permit has not been completed, the Township Manager shall do or cause to be done such work as may be necessary to restore the street or part thereof to as good a condition as before the opening was made. All expenses thereby incurred by the Township shall be recovered from the deposit or bond the permittee has made or filed with the Township.

272-13 Application for Permit.

1. Any application for a street opening permit shall provide a specific time during which the street opening or excavation may remain open, 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 Township Engineer may require. No permit for any street opening will be granted where the proposed excavation is to remain open and unfilled for more than two calendar days. The application shall include specific details on the manner in which the applicant proposes to ensure safe and expedient traffic flow as well as measures which will provide for adequate notice of the existence of a street opening, including suitable barriers, signage, and flashing lights, during hours when the excavation is open but unattended all in accordance with PennDOT publication #213, "Temporary Traffic Control Guidelines". At all times when work is being conducted under the permit, the applicant must have certified flaggers and other personnel dedicated to routing traffic around the excavation site. A steel plate which fully covers the excavation and allows traffic to safely pass over it is required during nonworking hours.
2. The permit application shall demonstrate compliance with the following restrictions, before any permit will be issued:
 - A. Make written application for permit with the Manager on such form as shall be prescribed. No work shall commence until the Manager has approved the application and plan and issued a permit and until the permittee has paid and provided all required fees, deposits, certificates and bonds.
 - B. Furnish in triplicate a plan showing the work to be performed under said permit with two (2) copies of such plan returned to the applicant at the time the permit is granted.
 - C. Agree to hold the Township, its officers, employees and agents harmless from any and all costs, damages and liabilities which may accrue or be claimed to accrue by reason of any work performed under said permit. The acceptance of a permit shall constitute such an agreement by the applicant, whether the same is expressed or not.

272-14 Restrictions on Excavations.

A. Opening and excavation restrictions.

- (1) No opening or excavation in any street shall extend beyond the center line of the street before being backfilled and the surface of the street temporarily restored, except under those circumstances when prior approval has been granted by the Township Manager.
- (2) No more than 250 feet measured longitudinally shall be opened in any street at any one time, except by special permission of the Township Manager.
- (3) All utility facilities shall be exposed sufficiently or definite location be determined ahead of trench excavation work to avoid damage to those facilities and to permit their relocation, if necessary.
- (4) Pipe drains, pipe culverts, french drains or other facilities encountered shall be protected and, if necessary, restored and/or replaced by the permittee.
- (5) Any person whose facilities are damaged or caused to be relocated by the permittee shall notify the permittee and the Township of such damage. Any such notices received by the permittee shall be forwarded by the permittee to the Township. Thereafter the property owner may make the necessary repairs or relocation and file a claim against the permittee with the Township for the cost of such repairs or relocation. Public utility companies concerned shall be notified by the Township in sufficient time to determine the validity of the damage or relocation claims. The cost of such repair work or relocation work may be withheld by the Manager from the deposit, pending determination of liability for the damage.
- (6) Monuments of concrete, iron or other lasting material set for the purpose of locating or preserving the lines of any street or property subdivision or a precise survey reference point or a permanent survey bench mark within the Township shall not be removed or disturbed or caused to be removed or disturbed unless permission to do so is first obtained in writing from the Township Manager. Permission shall be granted only upon condition that the permittee shall pay all expenses incident to the proper replacement of the monument.

- (7) When work performed by the permittee interferes with the established drainage system of any street, provision shall be made by the permittee to provide proper repair or replacement of the drainage system, subject to the approval by Township.
- (8) When any earth, gravel or other excavated material is caused to flow, roll or wash upon any street, the permittee shall cause removal of same from the street within eight hours after deposit to permit safe flow of traffic. In the event the earth, gravel or other excavated material so deposited is not removed as specified, the Township Manager shall cause such removal, and the cost incurred shall be paid by the permittee or deducted from his deposit.
- (9) Every permittee shall place around the project such barriers, barricades, lights, warning flags and danger signs as shall be determined by the Township Engineer to be necessary for the protection of the public. Additional safety requirements may be prescribed by the Township Engineer or their designee and, where applicable, shall be in conformance with the requirements set forth in 67 Pa. Code § 203.1 et seq., dealing with work zone traffic control. Copies of the publication shall be made available in the office of the Township Manager for inspection by the public. Whenever any person fails to provide or maintain the required safety devices, such devices shall be installed and maintained by the Township. The amount of the cost incurred shall be paid by the permittee or deducted from his deposit. No person shall willfully move, remove, injure, destroy or extinguish any barrier, warning light, sign or notice erected, placed or posted in accordance with the provisions of this section.
- (10) Access to private driveways shall be provided, except during working hours when construction operations prohibit provision of such access. Free access must be provided at all times to fire hydrants.
- (11) Work authorized by a permit shall be performed between the hours of 7:00 a.m. and 7:00 p.m., Monday through Saturday, unless the permittee obtains written consent from the Township Manager to do the work at an earlier or later hour. Such permission shall be granted only in the case of an emergency or in the event the work authorized by the permit is to be performed in traffic-congested areas.

- (12) In granting any permit, the Township Manager may attach such other conditions thereto as may be reasonably necessary to prevent damage to public or private property or to prevent the operation from being conducted in a manner hazardous to life or property or in a manner likely to create a nuisance. Such conditions may include, but shall not be limited to:
- (a) Limitations on the period of the year in which the work may be performed.
 - (b) Restrictions as to the size, weight and type of equipment.
 - (c) Designation of routes and/or bonding of roadways upon which materials may be transported.
 - (d) Designation of the place and manner of disposal of excavated materials.
 - (e) Requirements as to the laying of dust, the cleaning of streets, the prevention of noise, and other results offensive or injurious to the neighborhood, the general public or any portion thereof.
 - (f) Regulations as to the use of streets in the course of the work.
- (13) Hydra-hammer, headache ball. The use of a mechanical device for the breaking of pavement, such as a hydra-hammer, headache ball, etc., will be permitted only under special written permission of the Township Engineer.

B. Backfilling and restoring opening.

- (1) All pavement cuts, openings and excavations shall be made in a workmanlike manner utilizing a jackhammer or road saw and backfilled properly by the permittee utilizing only stone material as prescribed by Township specifications. Unless the permittee has been granted permission to restore the street surface as provided in Subsection B(4), the permittee also shall place a temporary surface on the pavement cut, opening or excavation in accordance with Township specifications. If the permittee has been granted permission to restore the street surface but

weather conditions are such as to prevent the completion of permanent restoration of the street surface at the time backfilling is completed, the permittee shall install a temporary surface in accordance with Township specifications until such time as weather conditions will permit permanent restoration of the street surface.

- (2) The Township Engineer shall be notified by the permittee during the forty-eight-hour periods preceding the beginning of backfilling and of restoration and the approximate time each will be begun.
- (3) No backfilling or restoration shall be accomplished unless or until the Township Engineer or their designee is present or permission has been granted for backfilling or restoration after inspection by the Township Engineer or their designee.
- (4) The work of final restoration, including both paving surface and paving base, shall be performed directly by and at the public utility company's expense; however, upon a public utility company's application for permission to perform the work of restoration, the Township may elect to perform the work of restoration utilizing its own employees/contractor. In such case, the work of restoration, including both paving surface and paving base, shall be at the expense of the permittee; this also includes any applicable inspection fees.
- (5) If the Township Engineer or their designee finds that paving surfaces adjacent to the street openings may be damaged where trenches are made parallel to the street, or where a number of cross trenches are laid in proximity to one another, or where the equipment used may cause such damage, he may require a negotiated contribution from the permittee for the resurfacing in place of patching of such street if the total area of the proposed patch or probably damaged area exceeds 25% of the total pavement surfacing between curb faces or between concrete gutter edges. Such negotiations shall be carried on and contributions agreed upon prior to issuance of a permit.
- (6) After excavation is commenced, the work of making and backfilling the same shall be prosecuted with due diligence. Unless the provisions of Subsection B (1) of this section apply, the permittee is required to complete permanent restoration of the street surface in accordance with Township specifications within 10 days after repairs and/or installation

are completed. Furthermore, the permittee shall be required to install and maintain a temporary pavement surface in accordance with Township specifications during:

- (a) The period between the completion of repairs and/or installation and the commencement of final restoration; and
 - (b) The periods during the actual work when workers do not require access to the excavation.
- (7) Inspections of all work authorized by a permit shall be made by the Township Engineer or their designee at such times and in such manner as required to assure compliance with provisions of this article. If the nature of the work to be performed under any permit is such as to require the services of a full-time inspector, the Township Manager shall provide for the services of such an inspector.
- (8) All inspection costs shall be borne by the permittee. Such costs shall be based upon a schedule of charges on file in the office of the Township Manager.
- (9) Upon completion of all work accomplished under the provisions of a permit, the permittee shall notify the Township Manager in writing. A certificate of final inspection shall be issued to each permittee no sooner than one year and not later than 18 months after the permanent restoration of the excavation has been made, providing the work authorized by the permit has been performed according to Township specifications. Prior to the issuance of a certificate, the Township Engineer or their designee shall make a final inspection of the restoration to determine whether Township specifications have been adhered to.
- (10) If any settlement in a restored area occurs within a period of two years from date of completion of the permanent restoration, and permittee fails to make such correction after notification, any expense incurred by the Township in correcting such settlement shall be paid by the permittee or recovered from his bond, unless the permittee submits proof satisfactory to the Township Manager that the settlement was not due to defective backfilling.
- (11) In no case shall any opening made by a permittee be considered in the charge or care of the Township or any of its officers or employees, and

no officer or employee of the Township is authorized in any way to take or assume any jurisdiction over any such opening, except in the exercise of the police power when it is necessary to protect life and property; provided, however, that the Township assumes charge when making final surface restoration unless permittee has been granted permission to perform the work of restoration of the street surface as provided in Subsection B (4).

- (12) If the proposed repair is within two (2) years of the Township's approved Road Program, the permittee may negotiate with the Township Engineer an appropriate restoration until the road is to be bid and paved. The permittee shall negotiate with the Township Engineer the appropriate payment to be made for the paving.

272-15 Restrictions for street surfaces less than seven years old.

No permit shall be issued which would allow any excavation or opening in a paved and improved street surface, or in the right-of-way adjacent to the street surface if such activity in the right-of-way would impair the street surface, of any paved and improved street surface that is less than seven (7) years old. In the event, the Township does issue a permit, the applicant shall agree to the Township Road Restoration Standard.

272-16 Restoration Work Performed

All restoration work shall be performed in accordance with Township specifications as contained in the "Hampton Township Standard Details" manual, a copy of which will be made available upon request. All work shall be completed to the satisfaction of the Township Engineer.

272-17 Pre-construction Video and/or Photographic Documentation.

The applicant shall be required to submit, along with their application, video and/or photographic documentation that adequately demonstrates the pre-construction conditions along the path of the proposed street opening and all adjacent areas.

272-18 Permit Fees, Repair Deposit and Deposit for legal, Administrative and Engineering Expenses.

A. Nonresidents. A permit fee shall be required as established and adjusted from time to time in accordance with the Township's published schedule of rates and permit fees. In addition to the permit fee, the applicant shall be required to deposit the estimated cost of the repair work associated with the permit or provide such other type of security for the timely performance and quality of the work of as the Township Engineer in its sole discretion deems acceptable, including but not limited to performance bonds, maintenance bonds, certified funds, and Letters of Credit. The Township Engineer or designee shall establish the cost of the repair work based on the application and the design plans provided by the applicant. Such costs shall include all backfilling, temporary and final restoration costs. The Township will deposit the repair deposit in an interest-bearing account for the purpose of conducting any curative work. The Township shall retain the full amount of the repair deposit until such time that all final repairs have been completed in accordance with all provisions of this article. Upon certification by the Township Engineer that the work is complete, fifteen percent (15%) of the repair deposit shall be retained by the Township for a period of three-hundred-sixty-five days. At the end of this three-hundred-sixty-five-day period, if the work remains in a satisfactory condition, the Township shall refund the remaining amount of repair deposit to the applicant. If the applicant does not comply with all of the provisions of this article in a full and timely manner, the Township may use the repair deposit or the remainder thereof to complete the repair work required under the permit. Any unused portion of the repair deposit, after such work has been completed and paid for by the Township, shall be returned to the applicant.

B. Legal, Administrative and Engineering Expenses

In addition to a permit fee and a repair deposit, the applicant shall be required to deposit funds into an escrow account to cover the estimated costs of the Township's legal, administrative and engineering expenses associated with the permit. The amount of the deposit shall be determined by the Township in

consultation with the Township's Engineer and the Township Solicitor. The required deposit shall be paid in cash or by certified check. The Township will deposit the legal, administrative and engineering deposit in an interest-bearing account. All interest earned on the account on any legal, administrative and engineering deposits shall be the property of the Township. Should, at any time during the construction associated with a permit, the legal, administrative and engineering deposit be determined to be insufficient to cover the Township's costs for such services, the applicant shall be required to deposit additional sums as may be determined by the Township. Should the applicant fail to submit the additional funds within three (3) business days, the Township may revoke the permit until the additional funds are provided. Any portion of the legal, administrative and engineering deposit that exceeds the Township's actual costs for such services shall be returned to the applicant upon certification from the Township's Engineer or designee that all work authorized has been completed.

C. Residents.

- (1) Notwithstanding Subsection A above, the permit application fee for private residents of the Township who own a fee simple interest in the affected property in the Township shall be as established and adjusted from time to time in accordance with the Township's schedule of rates and permit fees. No repair deposit will be required for a resident provided the following conditions are met:
 - (a) The street/road opening excavation is necessitated by conditions existing on the property owned by such resident and such condition is related to a domestic sewage, stormwater, or other flooding condition experienced at that property.
 - (b) The permit applicant is the Township resident.
 - (c) The resident executes an agreement, on a form to be provided by the Township, accepting the placement of a lien on the resident's property in the event that the Township is required to undertake any curative work.
- (2) The resident shall inform the Township within 30 days of the date of completion of the work approved under the permit. After inspection by the Township Engineer or their designee, if the work is judged to be

complete and satisfactory at that time, the applicant shall be responsible for maintaining the completed excavation for a period of 365 days from the date of the inspection and shall repair or correct any deficiencies in the work. If the resident fails to correct or repair the work within 15 calendar days of receipt of written notice from the Township Engineer, the Township may elect to conduct any necessary repair work itself, in which case the resident shall pay the Township's direct costs (including administrative costs) within 30 days of receipt of written demand from the Township. If such resident fails to make timely payment of all the Township's direct costs (including administrative costs), the Township shall be authorized to place a lien against the property in the amount of the Township's direct costs (including administrative costs). The amount of the lien shall be adjusted each year to include interest at the rate of 6%.

D.

- (1) An applicant who demonstrates, in writing, that it expects to submit multiple applications during the course of a single year under this article may request the Township to retain the repair deposit for the largest of the proposed openings to be placed in an interest-bearing account by the Township. Such repair deposit shall be kept by for the purpose of conducting any curative work required at any of the applicant's road openings. An applicant who elects this approach and receives written approval from the Township shall thereafter be required to pay only the legal, administrative and engineering costs of the applicable permit fee required by Subsection B for each additional road opening application, as long as:
 - (a) The applicant fully complies with the other provisions of this article;
 - (b) The size of the road opening for which the application is submitted is equal to or smaller than that of the original permit for which the applicant requested the Township to retain the repair deposit;
 - (c) The Township is not required to conduct any curative work.
- (2) In the event that the Township is required to perform curative work at any of the applicant's road openings, the applicant shall thereafter be

notified by the Township of the amount of the repair deposit, if any, remaining after such curative work is performed. Within 30 days of such notification, the applicant shall replenish the amount of the repair deposit to the level required under Subsection A for the original permit.

- (3) All Township Governmental Entities established by the Township may apply for relief of fees and escrow at the sole discretion of the Township Engineer. This will be reviewed on a case by case basis.

272-19 Insurance Certificate.

- A. No permit will be issued by the Township until the applicant, or in the case of a Township resident who applies under Subsection C above, the applicant's contractor, shall have filed with the Township the following, which shall be approved by the Township Manager, Engineer or their designee:
 - (1) A certificate or other document, issued by an insurance company properly authorized to do business in the Commonwealth of Pennsylvania, evidencing the issuance to the applicant of a policy of public liability and property damage insurance in an amount sufficient to indemnify and save harmless the Township and any adjacent property owner from damage which may be occasioned by the proposed street excavation or right-of-way opening. The said policy shall be in an amount not less than \$1,000,000 for injury to persons and \$500,000 for injury to property arising out of a single occurrence. The certificate shall name the Township as an additional insured party as to work performed upon, under or in the streets or rights-of-way of the Township, and a copy of such policy naming the Township as an additional insured shall be provided as a part of the application.

272-20 Authority for Township To Do Certain Work.

1. If the work in opening, filling or maintaining or permanently paving and completely restoring the area of any street opening or excavation or right-of-way disturbance shall not be properly done or shall be unskillful or incompletely performed, based upon the evaluation of the Township Engineer

or their designee in their sole discretion, the Township may, by letter to the permittee, declare the permittee to be in violation of the permit and shall provide an opportunity for the permittee to cure such violation. The violation shall be cured within five calendar days from the permittee's receipt of written notice. If such curative work has not been commenced and fully and satisfactorily completed within such time period, the Township shall declare the permittee in violation of the permit and shall proceed to contract for such work as is required to fully restore the affected area to its approximate original condition, grade and appearance. In this event, any unreleased portion of the permit fee shall be retained by the Township and treated as an escrow fund to be used by the Township to satisfactorily complete such work. Any unused portion of the permit fee shall be returned.

2. No new openings under an existing permit shall be made and no new permit shall be issued to any person, firm, corporation or entity where either the person, firm, corporation, or entity is in violation of this article or the Township has undertaken work to properly complete the work required under a prior permit.

272-21 Inspections.

The Township Manager, the Township Engineer or their designee shall have the right to observe and inspect all work done pursuant to the permit. The Township Engineer or their designee shall ensure that all provisions of this article and the terms and conditions of the permit are enforced and complied with.

272-22 Enforcement for Violations and Penalties.

Any person violating any of the provisions of this article shall, in addition to loss of the application fee, upon conviction thereof before the District Justice, pay a fine of not more than \$1,000.00, plus cost of prosecution. In default of payment of such fine and costs, such person shall be imprisoned for not more than 30 days. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

272-23 Impounding of Equipment.

In the event that any person, corporation or entity commences excavation or other disturbance in the Township street or right-of-way which requires a permit under this article without first obtaining a permit, and such person does not:

1. immediately cease work upon notice from either the Code Enforcement Officer, Township Engineer or Police Officer;
2. restore the affected area to allow traffic to safely pass over the area (which shall include the placement of a steel plate); and
3. immediately apply for a permit, the Township shall be authorized to impound any equipment which continues to be used at the site after the cessation notice is provided.

272-24 Appendices

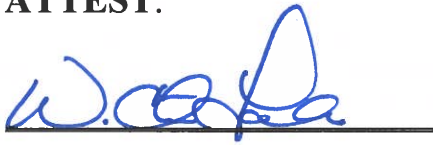
The attached Appendices, prepared by the Township Engineer and labeled Hampton Township Standard Details for Roads, as referenced below are incorporated as part of this Ordinance.

1. PR-1 Trench Repaving for Bituminous Paving – Temporary Restoration
2. PR-2 Trench Repaving for Bituminous Paving - Permanent Restoration
3. PR-3 Bituminous Pavement Restoration for Roads 7 Years Old Or Newer
4. PR-4 Bituminous Pavement Restoration for Roads 8 Years Old Or Older
5. PR-5 Bituminous Pavement Restoration for 1-1 1/2 Inch Wearing Course
6. PR-6 Bituminous Pavement Restoration for Curb, Bedding and Backfill

All prior ordinances that are inconsistent and or in conflict herewith are hereby repealed.

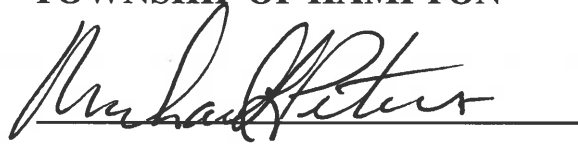
ORDAINED AND ENACTED this 16th day of December 2020, at a regular meeting of the Township of Hampton Council. A quorum being present and a majority thereto assenting to the enactment of this ordinance.

ATTEST:



W. Christopher Lochner
Municipal Manager

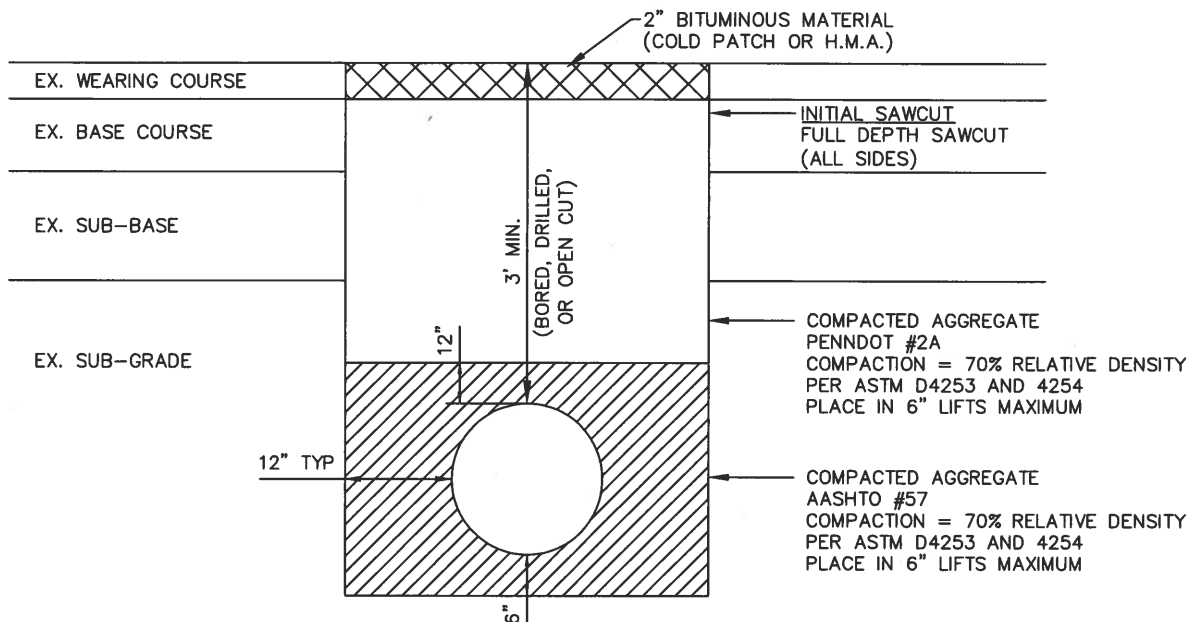
TOWNSHIP OF HAMPTON



Michael Peters
President of Council

TEMPORARY RESTORATION

THIS DETAIL TO BE USED UNTIL PERMANENT RESTORATION CAN BE COMPLETED



1. NO OPENING MAY BE MADE FOR GREATER THAN 250 LINEAR FEET AT ONE TIME, UNLESS AUTHORIZED BY THE PERMIT.
2. TEMPORARY RESTORATION SHALL BE COMPLETED BEFORE TRAFFIC IS ALLOWED BACK ONTO THE DISTURBED AREA AND SUCH TEMPORARY RESTORATION SHALL BE MADE WITHIN 24 HOURS OF BACKFILLING TO GRADE.
3. BETWEEN APRIL 1 AND OCTOBER 31, PERMANENT REPAIRS MUST BE MADE WITHIN 28 DAYS OF COMPLETION OF THE STREET OPENING. OTHERWISE, TEMPORARY PAVEMENT MAY BE KEPT IN PLACE FOR UP TO 6 MONTHS OR AS SPECIFIED IN THE PERMIT IF PROPERLY MAINTAINED BY THE APPLICANT.

REVISIONS:

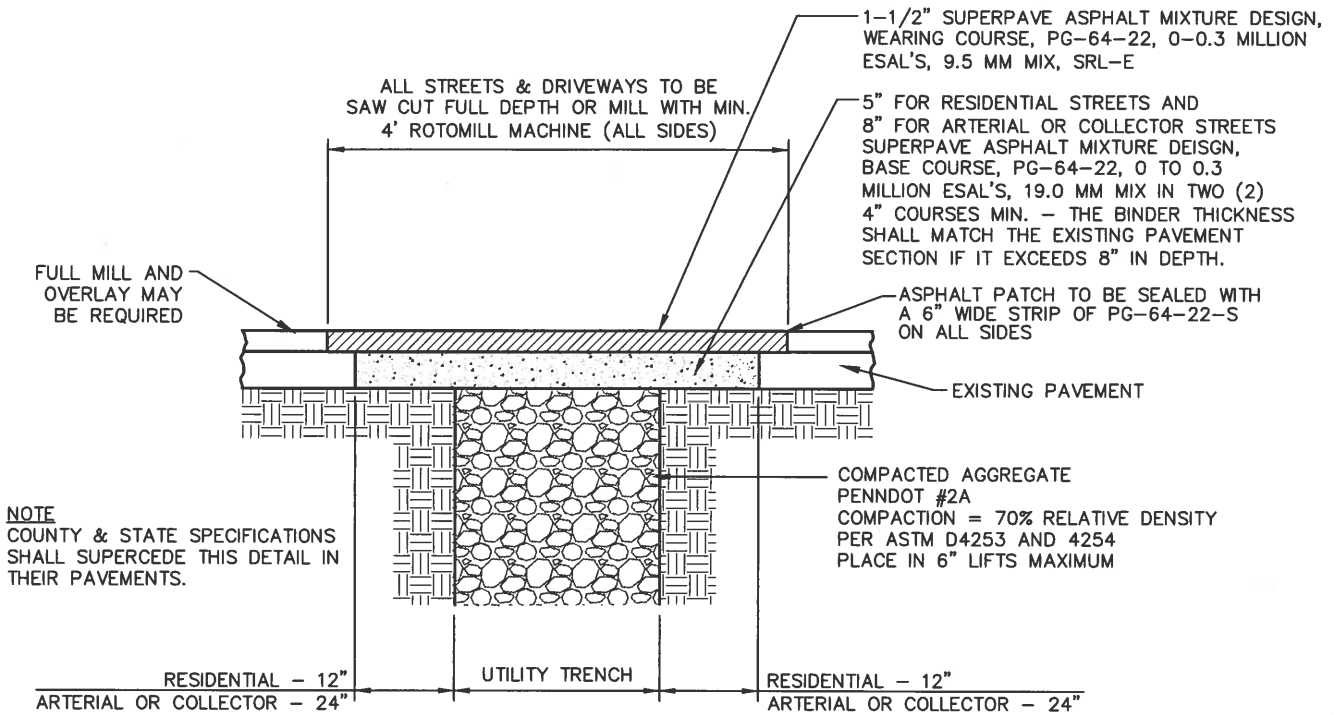
TRENCH REPAVING FOR BITUMINOUS PAVING

PR-1

HAMPTON TWP. STANDARD DETAILS

Date: DECEMBER 3, 2020
Job No. C-20020-2020

PERMANENT RESTORATION



1. TRENCH REPAVING REQUIREMENTS FOR OTHER THAN BITUMINOUS PAVING WILL BE DETERMINED BY THE TOWNSHIP ENGINEER OR THEIR DESIGNATED REPRESENTATIVE.
2. COUNTY AND STATE SPECIFICATIONS SHALL SUPERCEDE THESE DETAILS FOR RESTORATION IN THEIR PAVEMENTS.
3. ALL MATERIALS USED SHALL CONFORM WITH THE SPECIFICATIONS IN THE CURRENT EDITION OF PENNDOT PUBLICATION 408.
4. CONSIDERATION WILL BE GIVEN FOR TRENCH PAVING TO ONLY BE FULL DEPTH OF THE BINDER IF THE ROADWAY IS INCLUDED IN THE SCHEDULED AND APPROVED PAVEMENT MAINTENANCE PROGRAM FOR THE CURRENT YEAR.
5. THE WIDTH OF THE TRENCH CUT BACK SHALL BE AS SHOWN ABOVE. WHERE MAINLINE REPLACEMENTS OCCUR IN THE ROADWAY, THE WIDTH OF THE CUT BACK WILL BE REVIEWED BY THE MUNICIPAL ENGINEER.

REVISIONS:

TRENCH REPAVING FOR BITUMINOUS PAVING

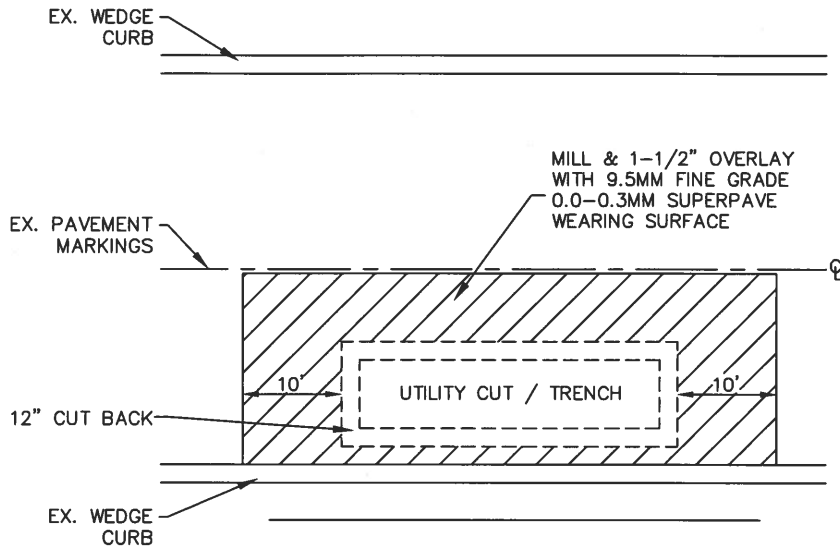
PR-2

HAMPTON TWP. STANDARD DETAILS

Date: DECEMBER 3, 2020
Job No. C-20020-2020

LONGITUDINAL OPENINGS

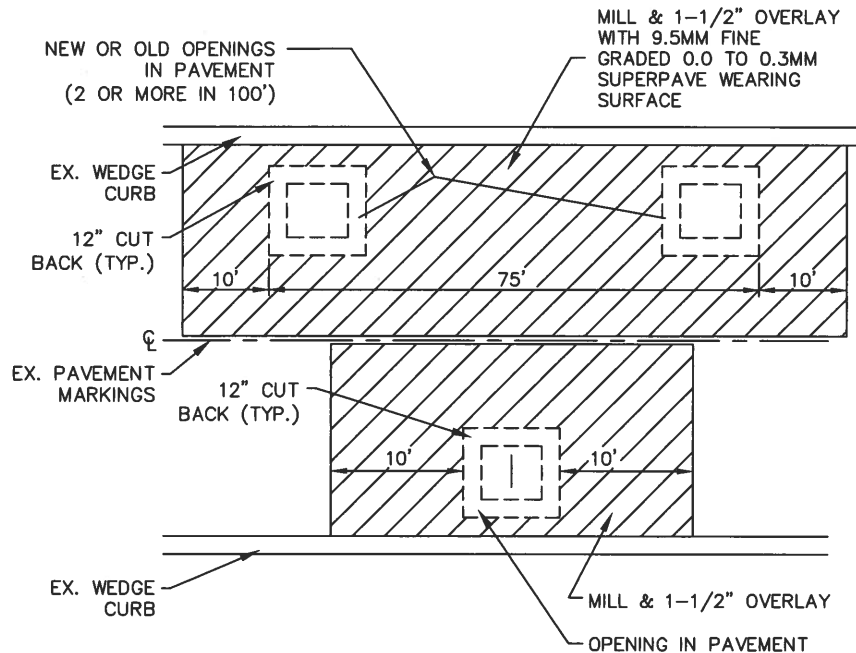
(TYPICALLY FOR MAIN LINE INSTALLATION
OR SECTIONAL REPLACEMENT)



1. MILL & 1-1/2" OVERLAY REQUIRED FOR A DISTANCE OF 10' ON EACH SIDE OF THE EDGE OF THE OPENING IN THE SAME TRAFFIC LANE AS THE OPENING.
2. ALL PAVEMENT MARKINGS THAT ARE COVERED OR DESTROYED SHALL BE REPLACED IN THEIR FORMER LOCATION.
3. ALL MATERIALS USED & INSTALLATION PROCEDURES SHALL CONFORM TO PENNDOT 408 MOST RECENT EDITION.

TRANSVERSE OPENINGS

(TYPICALLY FOR SPOT REPAIRS OR
SERVICE CONNECTIONS)



1. EACH OPENING SHALL BE MILLED & OVERLAID (1-1/2" MIN. DEPTH) FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE EDGE OF THE OPENING IN THE SAME TRAFFIC LANE AS THE OPENINGS.
2. WHEN TWO OR MORE OPENINGS (NEW OR OLD) HAVE BEEN MADE WITHIN 75 FEET IN THE SAME LANE, THE ENTIRE LANE SHALL BE MILLED AND OVERLAID (1-1/2" MIN. DEPTH) FOR THE LENGTH OF ROADWAY BETWEEN OPENINGS AND FOR A DISTANCE OF 10' ON EACH SIDE OF THE EDGE OF THE OUTER OPENINGS IN THE SAME TRAFFIC LANE AS THE OPENING. THIS IS SUBJECT TO THE DISCRETION OF THE TOWNSHIP ENGINEER.
3. FOR OPENINGS OR PATCHES WITHIN FOUR (4) FEET OF THE STREET CENTERLINE, THE 1-1/2" MILL & OVERLAY MUST EXTEND THE ENTIRE STREET WIDTH.
4. ALL PAVEMENT MARKINGS THAT ARE COVERED OR DESTROYED SHALL BE REPLACED IN THEIR FORMER LOCATION.
5. ALL MATERIALS USED & INSTALLATION PROCEDURES SHALL CONFORM TO PENNDOT 408 MOST RECENT EDITION.
6. IF A ROAD FEATURE IS WITHIN 2 FEET OF THE PAVING LIMITS, THE REPAIR MUST BE EXTENDED TO THE FEATURE (I.E. INLET, MANHOLE, INTERSECTION).

REVISIONS:

BITUMINOUS PAVEMENT RESTORATION FOR ROADS 7 YEARS OLD OR NEWER

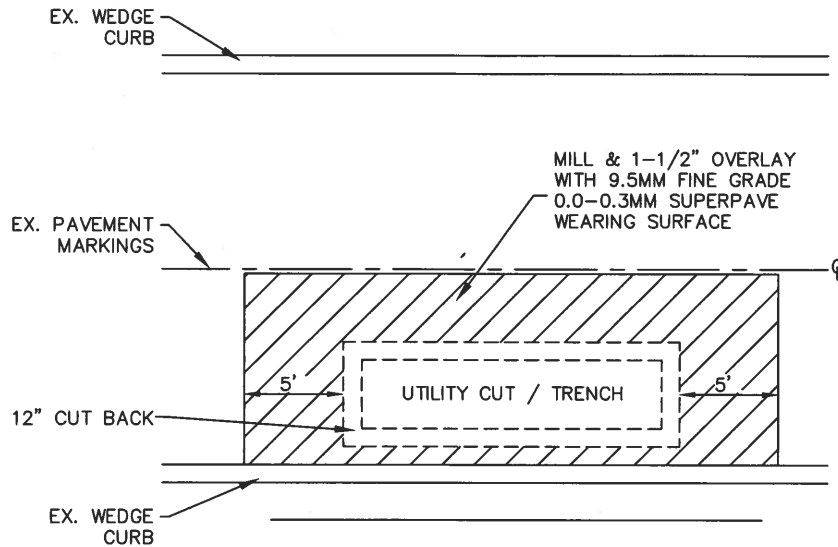
PR-3

HAMPTON TWP. STANDARD DETAILS

Date: DECEMBER 3, 2020
Job No. C-20020-2020

LONGITUDINAL OPENINGS

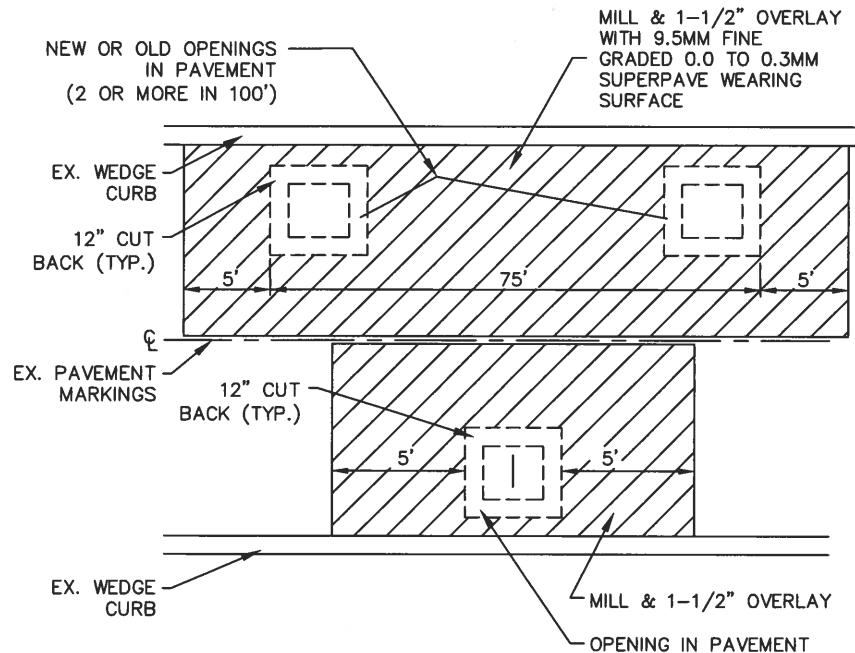
(TYPICALLY FOR MAIN LINE INSTALLATION
OR SECTIONAL REPLACEMENT)



1. MILL & 1-1/2" OVERLAY REQUIRED FOR A DISTANCE OF 5' ON EACH SIDE OF THE EDGE OF THE OPENING IN THE SAME TRAFFIC LANE AS THE OPENING.
2. ALL PAVEMENT MARKINGS THAT ARE COVERED OR DESTROYED SHALL BE REPLACED IN THEIR FORMER LOCATION.
3. ALL MATERIALS USED & INSTALLATION PROCEDURES SHALL CONFORM TO PENNDOT 408 MOST RECENT EDITION.

TRANSVERSE OPENINGS

(TYPICALLY FOR SPOT REPAIRS OR
SERVICE CONNECTIONS)



1. EACH OPENING SHALL BE MILLED & OVERLAID (1-1/2" MIN. DEPTH) FOR A DISTANCE OF 5 FEET IN THE SAME LANE AS THE OPENINGS.
2. WHEN TWO OR MORE OPENINGS (NEW OR OLD) HAVE BEEN MADE WITHIN 75 FEET IN THE SAME LANE, THE ENTIRE LANE SHALL BE MILLED AND OVERLAID (1-1/2" MIN. DEPTH) FOR THE LENGTH OF ROADWAY BETWEEN OPENINGS AND FOR A DISTANCE OF 5' ON EACH SIDE OF THE EDGE OF THE OUTER OPENINGS IN THE SAME TRAFFIC LANE AS THE OPENING. THIS IS SUBJECT TO THE DISCRETION OF THE TOWNSHIP ENGINEER.
3. FOR OPENINGS OR PATCHES WITHIN FOUR (4) FEET OF THE STREET CENTERLINE, THE 1-1/2" MILL & OVERLAY MUST EXTEND THE ENTIRE STREET WIDTH.
4. ALL PAVEMENT MARKINGS THAT ARE COVERED OR DESTROYED SHALL BE REPLACED IN THEIR FORMER LOCATION.
5. ALL MATERIALS USED & INSTALLATION PROCEDURES SHALL CONFORM TO PENNDOT 408 MOST RECENT EDITION.
6. IF A ROAD FEATURE IS WITHIN 2 FEET OF THE PAVING LIMITS, THE REPAIR MUST BE EXTENDED TO THE FEATURE (I.E. INLET, MANHOLE, INTERSECTION).

REVISIONS:

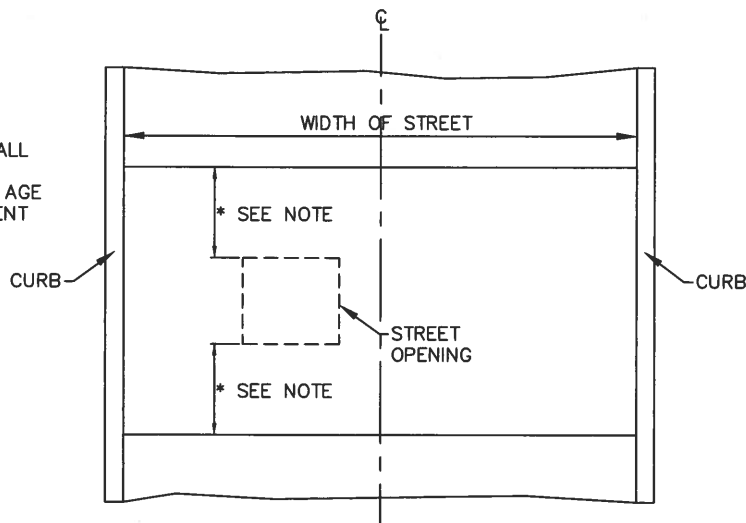
BITUMINOUS PAVEMENT RESTORATION FOR ROADS 8 YEARS OLD OR OLDER

PR-4

HAMPTON TWP. STANDARD DETAILS

Date: DECEMBER 3, 2020
Job No. C-20020-2020

NOTE:
 * DISTANCE SHALL
 BE DETERMINED
 BASED ON THE AGE
 OF THE PAVEMENT



**PLAN VIEW –
 1-1/2" PAVEMENT WEARING COURSE**

SPECIFICATIONS FOR THE 1-1/2" PAVEMENT WEARING COURSE

1. THE STREET SHALL BE MILLED TO A DEPTH OF 1-1/2" FULL WIDTH OF THE STREET IN ACCORDANCE WITH THE DETAIL ABOVE. IF BITUMINOUS CURBS EXIST, THE CURB SHALL BE MILLED AND REPLACED WITH 9.5 MM FINE GRADED SUPERPAVE MATERIAL DURING THE INSTALLATION OF THE FINAL PAVEMENT SURFACE.
2. FOR PATCHES WITHIN 4' OF THE CENTER LINE OF THE STREET, THE STREET SHALL BE MILLED TO A DEPTH OF 1-1/2" HALF WIDTH OF THE PAVEMENT WIDTH OF THE STREET IN ACCORDANCE WITH THE DETAIL ABOVE. IF A BITUMINOUS CURB EXISTS, THE CURB SHALL BE MILLED AND REPLACED WITH A 9.5 MM FINE GRADED SUPERPAVE MATERIAL DURING THE INSTALLATION OF THE FINAL PAVEMENT SURFACE.
3. FOR PATCHES WITHIN BOTH LANES OF THE ROADWAY, THE STREET SHALL BE MILLED TO A DEPTH OF 1-1/2" FULL WIDTH OF THE PAVEMENT WIDTH OF THE STREET IN ACCORDANCE WITH THE DETAIL ABOVE. IF A BITUMINOUS CURB EXISTS, THE CURB SHALL BE MILLED AND REPLACED WITH A 9.5 MM FINE GRADED SUPERPAVE MATERIAL DURING THE INSTALLATION OF THE FINAL PAVEMENT SURFACE.
4. THE EXISTING PAVEMENT SHALL HAVE A TACK COAT APPLIED PRIOR TO THE INSTALLATION OF THE WEARING COURSE.
5. 1-1/2" OF 9.5 MM FINE GRADED SUPERPAVE WEARING MATERIAL SHALL BE INSTALLED OVER THE EXISTING PAVING WHICH HAS BEEN MILLED.
6. IF THE FINISHED PATCHES ARE SPACED LESS THAN 75 FEET APART, THE AREA BETWEEN THE PATCHES MUST BE MILLED IN ACCORDANCE WITHIN THE SPECIFICATIONS ABOVE.
7. THE CURBS, EDGES OF DRIVEWAYS, COLD PAVEMENT JOINTS, GAS VALVES, WATER VALVES, MANHOLES AND INLETS SHALL BE SEALED WITH A 6" WIDE LAYER OF PG-64-22 EMULSION.
8. UPON THE ACCEPTANCE BY THE TOWNSHIP, THE COMPANY THAT MADE THE ORIGINAL STREET OPENING SHALL POST A 2 YEAR MAINTENANCE BOND FOR 100% OF THE BITUMINOUS PAVEMENT COST.
9. A REPRESENTATIVE FROM THE UTILITY COMPANY, AND/OR PROPERTY OWNER, AND THEIR CONTRACTOR SHALL SCHEDULE A MEETING WITH THE TOWNSHIP'S REPRESENTATIVE PRIOR TO COMPLETING THE RESTORATION.

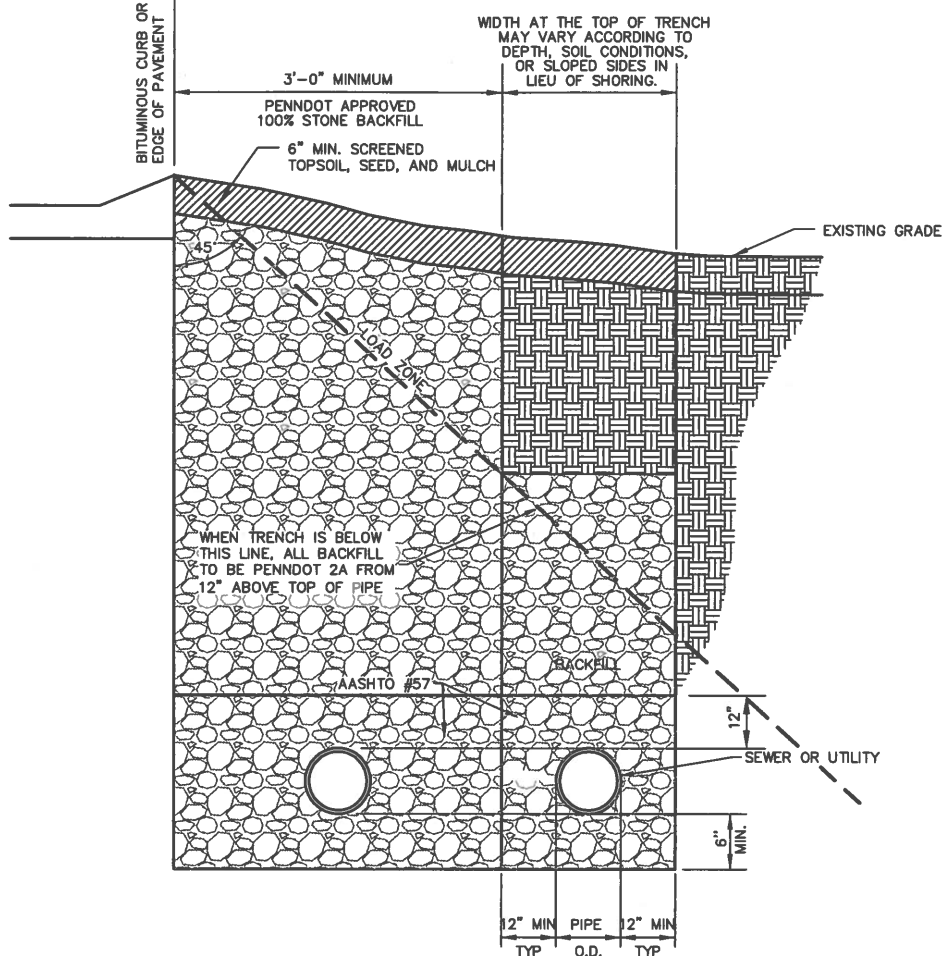
REVISIONS:

**BITUMINOUS
 PAVEMENT RESTORATION**

PR-5

HAMPTON TWP. STANDARD DETAILS

Date: DECEMBER 3, 2020
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BEDDING: THE BEDDING SHALL HAVE A MINIMUM DEPTH OF SIX INCHES (6") BELOW ALL PIPE AND SHALL BE BACKFILLED WITH AASHTO #57 TO TWELVE INCHES (12") ABOVE PIPE.

BACKFILL: ALL STREET, DRIVEWAY AND PARKING AREA CROSSINGS SHALL BE BACKFILLED FROM 12" ABOVE PIPE TO SUBGRADE WITH PENNDOT 2A. IN ALL OTHER TRENCH AREAS BACKFILL FROM 12" ABOVE TOP OF PIPE TO GRADE TO BE SELECT MATERIAL, FREE OF DEBRIS, ORGANIC MATERIAL, AND ROCK; TAMPED IN 6" LAYERS.

ALL BACKFILL SHALL BE PENNDOT APPROVED MATERIAL.

NO EXCAVATED MATERIAL SHALL BE USED FOR BACKFILL OF TRENCH WITHIN 3' OF BACK OF CURB.

FINAL RESTORATION IS UPON MEETING WITH THE ENGINEER TO DETERMINE THE LIMITS ON A CASE BY CASE BASIS.

REVISIONS:

BITUMINOUS PAVEMENT RESTORATION

PR-6

HAMPTON TWP. STANDARD DETAILS

Date: DECEMBER 3, 2020
Job No. C-20020-2020