

ALLEGHENY TOWNSHIP

ORDINANCE NO. 3-2026

AN ORDINANCE OF THE TOWNSHIP OF ALLEGHENY, WESTMORELAND COUNTY, PENNSYLVANIA, AMENDING AND UPDATING THE CODIFIED ORDINANCES OF ALLEGHENY TOWNSHIP, ARTICLE IV, OPENINGS AND EXCAVATIONS, CHAPTER 219 STREETS AND SIDEWALKS.

WHEREAS, Chapter 219 Article IV of the Codified Ordinances of Allegheny Township sets forth the Townships requirements for Street Openings and Excavations; and

WHEREAS, the Township Board of Supervisors has determined that it is in the best interest of the health, safety and general welfare update Article IV to include additional requirements including curb to curb repavement for every excavation; and

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby enacted and ordained by the Board of Supervisors of the Township of Allegheny, Westmoreland County, Pennsylvania, as follows:

SECTION I. AMENDING CHAPTER 219 STREETS AND SIDEWALKS, ARTICLE IV OPENINGS AND EXCAVATIONS OF THE ALLEGHENY TOWNSHIP CODIFIED ORDINANCES.

Chapter 219, Streets and Sidewalks, ARTICLE IV Openings and Excavations is hereby amended as follows §219-21, is hereby amended to read as follows:

§219-21 Additional requirements.

- A. The applicant must notify the Township and Police Department at least 24 hours before work is commenced and shall not backfill any open cut before the Township Engineer has inspected the site.
- B. Cuts through bituminous wearing surface shall be scored on a neat, straight line to the full trench width, using either a pneumatic spade or a concrete saw. Cuts through portland cement concrete shall be sawed to a sufficient depth to enable removal of concrete with a clean, straight break.
- C. Excavated material shall be removed immediately or laid compactly off the roadway surface to cause as little inconvenience as possible to public travel. Pedestrian sidewalks shall be kept clean and free of obstructions, and, where necessary, temporary bridging or plank walkways shall be provided. Excavated material not suitable for backfill shall be immediately removed as excavation is in progress. Construction material shall not be stored in the public street except immediately in advance of installation. Loose earth and stone shall be promptly cleaned from the streets and sidewalks and dust shall be regularly swept up and removed.

- D. Sidewalls of a trench under four feet in depth shall be kept as nearly vertical as possible. When over four feet in depth, the trench shall comply with the requirements established by Occupational Safety and Health Administration standards.
- E. Utility lines and facilities which are placed in rock cuts shall be cushioned by not less than six inches of clean sand or other approved granular material around and beneath the work, so that a cushion completely surrounds the work to afford protection in the event of future excavation in close proximity thereto.
- F. All cuts, excavation and backfill shall be performed to the satisfaction of the Township Engineer, who may, in consultation with Board of Supervisors, develop additional work standards.
- G. Temporary repairs to bituminous pavement shall consist of the trench being backfilled with natural stone or gravel and topped with at least 3 1/2 inches of cold patch. In all cases, the permittee is responsible to maintain temporary pavement repairs in good condition, free of chuckholes and soft spots, and to clean the street surface of any debris or earth which may be carried over the street.
- H. Final pavement restoration shall be made only when weather conditions are suitable. If, because of weather conditions or time of year, temporary paving and natural stone or gravel are utilized, these temporary materials must be removed to a depth of at least 13 1/2 inches below finished street paving grade. All temporary materials shall be removed and replaced with permanent repairs as soon as weather conditions permit.
- I. On every occasion where a street opening permit is required to cut through the pavement of a street, then the repairs made to the pavement shall be made the entire width of the cartway, to ensure a consistent repavement of the street including the disturbed area from curb to curb.
- J. All restoration of bituminous pavement shall be performed to the satisfaction of the Inspector, who may, in consultation with the Board of Supervisors, develop additional work standards.
- K. Whenever unusual conditions exist, or arise during construction, the Inspector may change the permanent restoration requirements from those given herein. In all cases, marks of construction beyond the area of actual trench shall be satisfactorily restored. In cases where a substantial portion of the original roadway paving is removed or damaged, thereby disturbing the envelope of the roadway, the Township shall require the permittee to resurface the entire street area, in addition to constructing the final paving repairs over trench areas. A "substantial portion" shall be defined as six openings or more within a 100-foot section of the roadway, or any one opening exceeding 40 square feet in length. The Township may also elect to accept payment from the permittee to the Township for final paving repairs, in a sum to be determined by the Township based upon then-current costs for

such work, plus 15%, and to apply the sum so paid toward the cost of reconstruction of the entire street.

SECTION II. Severability. The provisions of this Ordinance are severable. If any sentence, clause or section of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors of Allegheny Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

SECTION III. Repealer. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION IV. Effective date. This Ordinance shall become effective on the date of adoption.

ORDAINED AND ENACTED at a regular meeting of the Board of Supervisors of the Township of Allegheny, County of Westmoreland, Commonwealth of Pennsylvania, a full quorum being present, this 8th day of June, 2026.

ATTEST

Marci Bigley
Marci Bigley, Township Manager

THE TOWNSHIP OF ALLEGHENY


James Morabito Chairman