

**SPRING GARDEN TOWNSHIP
YORK COUNTY, PENNSYLVANIA
ORDINANCE NO. 2024-02**

AN ORDINANCE OF SPRING GARDEN TOWNSHIP revising and restating Sections 270-10 and 270-15 of “Article II Streets” to clarify the conditions under which permits will be issued and work completed thereunder.

WHEREAS, the Board of Commissioners of Spring Garden Township, York County, Pennsylvania desires to amend its Street Ordinance to clarify the terms and conditions under which street cut permits shall be issued and administered by the Township.

NOW THEREFORE, The Board of Commissioners of Spring Garden Township hereby amends §270-10 and §270-15 of Article II Streets of its Code of Ordinances to read as follows:

§ 270-10. Issuance of Permits Restricted.

Permits shall be issued by the Township only to persons furnishing public utility services or to the owner or owners of the real property adjoining the location where such opening or excavation is to be made. Permits shall be valid for one year from the date of issuance. Permits may be extended by the Township at the request of the permit holder upon demonstrating good cause why the original work contemplated by the Permit could not be finalized within the original one year term.

§ 270-15. Requirements and Specifications for Work.

1. Any person who shall open or excavate any street in the Township shall thoroughly and completely refill the opening or excavation in such a manner as to prevent any settling thereafter and shall restore the surface to the same condition as it was before the opening or excavation.
2. Unless otherwise set forth in this Part, all construction processes and material specifications shall be in accordance with the current Spring Garden Township Construction and Material Specifications, as promulgated, adopted and amended from time to time by the Spring Garden Township Board of Commissioners, which shall be the specifications of the Township for restoration of surfaces of streets in the Township.
3. The surface shall conform to the proper grade and be of the same surface covering as the part of the street immediately adjoining the opening.
4. Any applicant test boring or drilling into any Township street for location of leaks or venting of leaks shall be required to backfill holes with 2A stone to two inches below street surface and fill and compact holes with 9.5 mm Superpave and seal with Craftco/poly- flex/518.
5. The applicant shall be responsible to replace all pavement markings that are removed or damaged. All material shall be in conformance with the Spring Garden Township Construction Material and Specifications, as promulgated adopted and amended from time to time by the



Spring Garden Township Board of Commissioners.

6. Temporary paving shall be permitted for a period not to exceed 90 days. Such temporary paving material shall consist of cold patch premix, a minimum of two inches thick, thoroughly bound and compacted. Such temporary paving shall be installed flush with the surface of the adjoining paving. Trenches shall remain unpaved for no longer than five business days after backfilling and shall not remain unpaved during any weekend or any holiday officially observed by the Township.
7. Permanent paving courses, refer to Spring Garden Township Construction and Material Specifications Trench detail. All joints shall be sealed with Craftco/poly- flex/518 and saw cutting of existing pavement shall be in accordance with Spring Garden Township Construction and Material Specifications. All temporary paving material shall be removed from trenches prior to placement of the permanent paving base course.
8. No opening or excavation in any street shall extend from the curblin into the street a distance greater than one foot beyond the center line of the street before being refilled and the surface of the street being restored to a condition safe and convenient for travel.
9. No more than 500 feet longitudinally shall be opened in any street at any one time.
10. The excavation shall be so conducted as not to interfere with the water mains, sewers or their connections with any buildings, or any other subsurface lines or constructions unless written permission from the proper authorities relative to such subsurface lines or constructions shall have been obtained.
11. No tunneling shall be allowed without the express written approval of the Township with such approval endorsed and set forth upon the permit. The backfilling of a tunnel excavation shall be made only in the presence of the Township, its engineers or inspector designated by it and shall be done only in a method approved by the Township, by its engineers or by the inspector designated by the Township.
12. The use of steel plates or cold patch to cover open excavations shall be prohibited at all times between the dates of October 15 and April 15.
13. The applicant shall notify the Township when the opening or excavation is ready for backfilling before any backfilling is done, when backfilling work is completed, when the temporary paving has been installed and when the street is ready for permanent paving so that inspections may be made.
14. The applicant shall notify the Spring Garden Township Public Works department prior to the start of restoration work. A Public Works employee will visually inspect the restoration work by layer to assure that the cross-sections of the street excavation and completed work meet the requirements of the Township Construction Specifications for street reconstruction. Once the "Street Opening Permit Inspection Form" has been completed, and approved by the Public Works department, it shall be returned to the permit office to close the permit.
15. The applicant shall be responsible for the structural integrity of the improvements for a period of 12 months from the date the permit is closed.



16. 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 benchmark 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. Permission shall be granted only upon condition that the applicant shall pay all expenses incident to the proper replacement of the monument.
17. When the work performed by the applicant interferes with the established drainage system of any street, adequate provision shall be made by the applicant to provide proper drainage to the satisfaction of the Township.
18. 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.
19. In the excavation of any street, the applicant shall take all necessary and reasonable precautions to ensure that the street remains in a safe and passable condition for the traveling public at all times. Such precautions may include, but are not limited to, the use of signs, barriers, lanterns and all other warning devices sufficient to alert the traveling public of possible dangers relative to the excavation.

BE IT FURTHER ORDAINED, that all Ordinances that are inconsistent herewith are hereby repealed and amended only to the extent inconsistent herewith.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective immediately.

ENACTED AND ORDAINED this 8th day of May, 2024.

ATTEST:



Luther C Wike Jr, Secretary

SPRING GARDEN TOWNSHIP
BOARD OF COMMISSIONERS

By: 
Daniel Rooney, President

(SEAL)

