

JENKINS TOWNSHIP
ORDINANCE NO. 2 of 2018

AN ORDINANCE AMENDING PAVE CUT ORDINANCE OF 2000 ORDINANCE 003 OF
2000 OF JENKINS TOWNSHIP, LUZERNE COUNTY, COMMONWEALTH OF
PENNSYLVANIA, PROVIDING THAT NO PUBLIC ROADS OF THE TOWNSHIP OF
JENKINS BE OPENED OR CUT BY ANY PERSON, FIRM, CORPORATION, OR UTILITY
WITHOUT FIRST SECURING A
PERMIT IN ACCORDANCE WITH ORDINANCE AND REGULATIONS PURSUANT
THERE TO; PROVIDING PENALTIES FOR VIOLATION THEREOF.

WHEREAS, Jenkins Township is a Second Class Township organized and operating under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to the Second Class Township Code, 53 P.S. 65101, et seq., Jenkins Township (the "Township") is authorized to make and adopt Ordinances it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens that are consistent with the Constitution and the laws of the Commonwealth;

WHEREAS, the Pennsylvania Municipalities Planning Code, as amended, confers upon the Board of Supervisors of the Township the authority to amend, change and/or modify its Pave Cut Ordinance; and

WHEREAS, the Board of Supervisors of Jenkins Township has determined that the health, safety and general welfare of the citizens of Jenkins Township will be promoted and served by enacting this ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that the Jenkins Township Pave Cut Ordinance is hereby amended as follows:

Pave Cut and Excavations Ordinance

SECTION 1. Definitions.

Word usage. The following words, terms and phrases when used in this Article shall have the same meanings ascribed to them in this section, except where the context clearly indicates a different meaning. The word "shall" is always mandatory and not merely directory. Whenever in this article the words "directed", "required," "permitted", "ordered", "designated", or words of like import are used, it shall be understood that the direction, requirement, permission, order, designation or prescription of the Municipal Road Supervisor, Zoning Code Officer, Township Engineer or their representatives or agents is intended; and similarly, the words "approved", "acceptable" "satisfactory" or words of like import shall mean "approved by," "acceptable to" and "satisfactory to" the Municipal Road Supervisor which shall mean for the purposes of this Ordinance the Township Zoning Code Officer or Township Engineer or their representatives or agents.

Definition. as used in this Article, the following terms shall have the meaning indicated:

APPLICANT

Any person who applies for a permit.

APPLICATION FOR A PAVE CUT PERMIT

A form provided to the utility by the municipality, noting pertinent data for the purposes of inspection and control by the municipality and constituting a receipt for services performed by the municipality.

CAPITAL IMPROVEMENT

Preplanned to improve or upgrade an existing system, or to install a completely new system, and/or providing new or additional service(s),

COMMONWEALTH

The Commonwealth of Pennsylvania.

ENGINEER

The duly appointed Township Engineer of the township or his/her authorized representative.

EMERGENCY REPAIR

Work necessitated by the rupture or sudden malfunction of existing underground facilities.

EXCAVATE

Any activity within the right-of-way of any street or public way which involves cutting, breaking, drilling, grading, digging, scooping or removing earth or other material, or disturbing the surface thereof. In this ordinance, "open" shall have essentially the same meaning as excavation.

FACILITIES

All the plant and equipment of a public utility, including all tangible and intangible, real and personal property without limitations, and any and all means and instrumentalities in any manner owned, operated, leased, licensed, controlled, furnished or supplied for, by or in connection with the business of any public utility; provided, however, that no property owned by the Commonwealth of Pennsylvania or any municipal corporation thereof at the date when this Article becomes effective shall be subject to any of the terms of this Article, except as elsewhere expressly provided herein.

INSPECTION

A careful or critical investigation not necessarily conformed to optical observation but is understood to embrace tests and examination for the purpose of ascertaining quality and compliance as prescribed in this Article and discovering and correcting errors.

MUNICIPAL CORPORATION:

All cities, boroughs, towns, townships or counties of this commonwealth and also any public corporation, authority or body whatsoever created or organized under any law of this commonwealth for the purpose of rendering any service similar to that of a public utility. For the purpose of this Article, "municipal corporation" shall mean the Township of Jenkins,

OPEN

To cut, drill, dig or otherwise penetrate through the surface of any street.

PAVE CUT LOG

A chronological record of pave cuts as reported to the municipality containing pertinent data as required by the municipality for the purpose of inspection and control.

PAVEMENTS

Roadway surfaces of machine-laid asphalt over a base of concrete, brick, Belgian block, crushed stone, bituminous concrete or oil and stone.

PERSON

Includes any natural person, partnership, firm, association, organization, company, corporation, or municipality. Individual, municipal corporation, or authority, or any utility public or private.

PUBLIC UTILITY

(1) Persons or corporations now or hereafter owning or operating in this commonwealth equipment or facilities for:

- (a) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity or steam for the production of light, heat or power to or for the public for compensation.
- (b) Diverting, developing, pumping, impounding, distributing or furnishing water to or for the public for compensation.
- (c) Conveying or transmitting television or radio signals by cable to the public for compensation.

- (d) Sewage collection, treatment or disposal for the public for compensation,

(2) The term "public utility" shall not include:

- (a) Any person or corporation, not otherwise a "Public utility," who or which furnishes services only to himself or itself.
- (b) Any bona fide cooperative association which furnishes services only to its stockholders or members on a nonprofit basis.
- (c) Any producer of natural gas not engaged in distributing such gas directly to the public for compensation.

SERVICE

Used in this Article in its broadest and most inclusive sense, and includes any and all acts done, rendered or performed, and any and all things furnished or supplied and any and all facilities used, furnished or supplied and any and all facilities used, furnished or supplied by public utilities in the performance of their duties under this Article to their patrons, employees, other public utilities and the public, as well as the interchange of facilities between two(2) or more of them.

STREET

Any public street, avenue, road, square, alley, lane, court, cul-de-sac, public way, public square, highway or other public place located in the township and established for the use of vehicles.

TOWNSHIP

The Township of Jenkins, Luzerne County, Pennsylvania.

UTILITY CORRIDOR

An area within any public right-of-way, usually underground but not limited to the same, reserved for and assigned to a specified utility for placing and operating its facilities for transmitting and distributing its particular commodity or service.

UTILITY RELOCATION

Includes the adjustment, replacement or relocation of utility facilities as required by a street construction or repaving project, such as removing or reinstalling the facility, acquiring the necessary right-of-way, moving or rearranging existing facilities, changing the type of facility and any necessary safety and protective measures. It shall also mean the construction of a replacement facility functionally equal to the existing facility, where necessary for the continuous operation of the utility service, the project economy or sequence of street construction.

WORK

The furnishing of all materials, labor, equipment and other incidentals necessary or convenient to the successful completion of the project and the fulfillment of all duties and obligations imposed by this chapter.

SECTION 2.

PERMIT REQUIRED; PERMITTED ACTIVITIES.

A. It shall be unlawful for any person, firm, association, corporation or other entity to open, occupy or break the surface of the ground within the boundary of any public highway, roadway, alley, sidewalk, footpath or other public right-of-way, except for the purposes set forth in subsection .2 hereof and after first having obtained a permit to do so from The Township Manager, Township Official or Township Engineer or their agents.

B. The Township Manager, Township Official, Township Secretary or Township Engineer or their agents may issue a permit authorizing the opening, excavation or occupation of areas within the boundary of any public highway, roadway, alley, sidewalk, footpath or other public right-of-way only for the following purposes:

1. Laying, repairing, replacing or connecting public water or sewer pipes, drains or conduits undertaken by the Sewer Authority or by any other entity with the prior approval and under the express direction of the Township.
2. Laying, repairing, replacing or connecting pipes, drains or conduits of public utilities or other public service companies.

C. Setting, planting, replacing or removing telephone or telegraph poles, streetlights or traffic control signs.

D. Laying, constructing, installing, repairing or replacing driveways, sidewalks, curbs and gutters, except where the Township Engineer shall determine that no permit is required for such activity pursuant to constructing or installing mailboxes.

C. No permit shall be issued to perform an opening or excavation of any Township highway, roadway, alley or other public right-of-way that was constructed, reconstructed or resurfaced fewer than Five (5) years prior to application for a permit under this Part, unless the applicant agrees in writing to overlay or pave the surface of the public right-of-way, from curb to curb and intersection to intersection, to the satisfaction of the Township Engineer. The Township may grant an exception to this Section in the case of an emergency in which the exigencies of public health or safety require such an exception.

SECTION 3.

PERMIT AND PLANS REQUIRED.

- A. It shall be unlawful for any person to open or to make any excavation of any kind in any of the streets or the street right-of-way in the Township without first securing a permit therefor from the Township and satisfying the other applicable requirements consistent with the regulations as hereinafter provided. :
- B. No permit for opening or excavating in a street for the purpose of laying, constructing, extending, replacing, or relocating a water line, gas line, sanitary sewer line, storm sewer line, electrical or communication cable or conduit or other similar facility shall be issued until a plan showing the proposed location thereof has been approved by, The Township Manager or, Township Official or Township Engineer or their agents. Such a permit, when issued, shall require the applicant to furnish, upon completion of the work, as-built plans showing the exact location of the facilities

SECTION 4.

PERMIT APPLICATION.

Before such permit is issued and said work is begun, a written application on a blank form to be furnished for that purpose by The Township Manager or Township Engineer or their agents must be filed with the Township , setting forth the purpose for which the said highway, road, street, avenue, lane, alley, sidewalk or footpath is to be opened, excavated or occupied and the location of the said proposed work, and in such application the applicant shall agree to assume all liability for all or any damages to person or property accruing to the public or to the said Township which may or might result from the opening, excavation or occupying of said highway, road, street, avenue, lane, alley, sidewalk or footpath. :

- A. Any person desiring to open or excavate in any street in the township shall file an application with the Township Manager, Township Official, Township Secretary or Township Engineer or their agents on forms provided by the township. Such application shall contain the following information:
- (1) The name and address of the applicant.
 - (2) The exact location of the proposed opening or excavation.
 - (3) The approximate size and depth of the proposed opening or excavation.
 - (4) The proposed dates and times of commencing and completing the work.
 - (5) The method and progression of performing the work.
 - (6) The purposes of the proposed opening or excavation.
 - (7) Such other information as the Engineer may deem pertinent.
 - (8) The applicant shall also be responsible for providing the serial number from the Pennsylvania One Call System to the Township
- B. Such application shall contain a statement, which shall be subscribed to by the applicant, to the effect that the applicant will comply with all relevant ordinances of the township (including this Article) and laws of the Commonwealth of Pennsylvania and that the applicant will protect and save harmless the township in accordance with subsection C.
- C. Every person to whom a permit is issued or by whom any opening or excavation is made shall assume all risks and be liable for all injuries or damages occasioned by the opening or excavation of the street or by the failure to properly protect the same, to backfill the same, to restore the surface or to maintain the surface or by any other action or inactions in connection therewith. Such person shall indemnify and serve harmless the Township, its officials and employees of and from any such liability. In addition, such person shall submit to The Township Manager, Township Official, Township Secretary or Township Engineer or their agents, at the time of applying for a permit, a certificate or certificates of insurance for public liability and property damage, including blasting insurance where applicable, in the minimum coverage amount of \$1,000,000.00. A satisfactory certificate of insurance confirming such liability insurance coverage must be filed with the Township before any work shall be.
- D. Upon completion of the Work, the applicant shall give written notice thereof to the Township.
- E. Upon completion of the Work authorized by the Permit, the Township Engineer or (Roadmaster.) shall inspect the Work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the Permit. Where any settlement or defect in the Work occurs, if the applicant shall fail to rectify any such settlement or other defect within thirty (30) days after written notice from the Township to do so, the Township may do the work and shall impose upon the applicant the costs thereof, together with an additional twenty (20%) per centum of such costs for administrative fees.

F. Before the issuance of a permit, the applicant shall make payment to the Township in sums set forth by resolution of the Board of Supervisors.

SECTION 5. ISSUANCE OF PERMIT; APPLICABILITY.

A. Upon being satisfied that the application is in proper form and upon receipt from the applicant of the fee prescribed by SECTION 6 hereof and the certificates of insurance prescribed by SECTION 6 hereof, the Township Manager, Township Official, Township Secretary or Township Engineer or their agents shall issue a permit. Permits shall be issued by the Township only to persons furnishing public utility services or the owner or owners of the real property adjoining the location where such opening or excavation is to be made. Such permit shall apply only to the specific work described in the application, shall expire on the date and time when the work is proposed to be completed and may contain such conditions or limitations as the Township Manager, Township Official, Township Secretary or Township Engineer or their agents deems necessary for the protection of persons and property.

B. Any person who receives a permit may be required, at the discretion of the Township Manager, Township Official, Township Secretary or Township Engineer or their agents, to provide visual proof of the condition of the street or streets subject to excavation prior to the commencement of the excavation. Proof of condition of the area subject to excavation shall be in the form of photographs or video of the entire area.

C. A permit may be issued to the applicant after all of the requirements therefor have been satisfied. If the application is disapproved, written notice of disapproval together with reasons therefor shall be given by the Township Engineer to the applicant.

D. Responsibility to Contact Utilities. The work authorized by any permit issued hereunder is subject to all the provisions of the Underground Utility Line Protection Law, Act of December 10, 1974, P.L. 852, No. 287, I 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 said Act. A partial list of utilities providing services in the Township and their office addresses may be obtained from the Recorder of Deeds of Luzerne County, Pennsylvania.

SECTION 6. FEES; LIABILITY INSURANCE.

1. Before the issuance of a permit, the applicant shall make payment to the Township in sums set forth by resolution of the Board of Supervisors for the following:

A. For openings or excavations in any highway, road, street, avenue, alley, sidewalk or footpath.

B. For openings or breaks in improved sidewalks and for breaking the surface of any improved curb for the purpose of building any driveway across the same or for any other purpose.

C. For the erection, setting or planting of any pole in the public right-of-way.

D. For the occupancy of a highway, avenue, street or sidewalk with building or other materials.

(1) No such permit shall authorize the occupying of more than one-third of the width of the roadway between curbs, nor shall the occupied area exceed in extent the dimensions of the frontage of the premises about to be built upon or repaired, except that when no objection is made by the adjoining property owners and the space is not to be used for storage of materials other than those to be used in construction, the permittee shall be permitted to occupy an additional 30 feet on each side of the building frontage for which the permit is granted.

(2) Provision shall be made by the applicant for such a permit for maintaining at all times a clear and unobstructed passage along the sidewalk at least 6 feet in width and a free passage for water in the gutter.

(3) No building or other materials or other obstruction shall at any time be placed in the highway within 25 feet of any fire hydrant.

(4) All the materials or other obstructions occupying the highway shall be removed prior to the expiration of the time for which the permit was issued or for which it was renewed.

2. If, in the course of reviewing an application, the Township Manager, Township Official, Township Secretary or Township Engineer or their agents determines that additional inspection work shall be required by either the Township Engineer or Municipal Road Supervisor, an inspection deposit may be required to cover any and all additional costs related to the inspection of the work covered by the permit. Any such funds remaining with the Township after the work has been certified complete by the Township Manager, Township Official, Township Secretary or Township Engineer or their agents shall be released to the applicant.

3. No permit provided for under the provisions of this Section shall be issued until the applicant shall first file with the Township Manager, Township Official, Township Secretary or Township Engineer or their agents a certificate showing that he carries public liability insurance.

Minimum insurance shall be:

(1) Liability of one million dollars (\$1,000,000) for personal injury or death per individual with a limit of three million dollars (\$3,000,000) for each occurrence for bodily injury.

(2) Liability of five hundred thousand dollars (\$500,000) for property damage.

A. Evidence of insurance in the form of a certificate or letter executed by a duly authorized representative of the applicant's insurance carrier shall be submitted to the municipality no later than each January 15. Said evidence of insurance must include the provision that the municipality shall be given proper advance notice of at least thirty (30) days of cancellation or any material alterations in the applicant's policy. The Township shall be added as an additional insured to the policy.

SECTION 7. EMERGENCY SITUATIONS

A. In the case of any leak, explosion or other accident in any subsurface pipe, line, conduit, construction or apparatus or otherwise is in such condition as to immediately endanger the property, life, health or safety of any individual, it shall be lawful for the person owning or responsible for such pipe, line, conduit, construction or apparatus to commence an opening or excavation to remedy such condition before securing a permit, provided that application for a permit shall be made immediately and not later than the next business day thereafter and that all other provisions of this Article are fully complied with. If any such emergency condition shall not be immediately attended to by the owner or person responsible for such pipe, line, conduit, construction or apparatus, the township, after such notice as it shall deem necessary under the circumstances of the particular case, may proceed to have the work necessary and required by such emergency done and charge the cost thereof to such owner or person.

B. Whenever the exigencies of public health or safety require that immediate repairs be made and the procurement of a permit prior to the commencement of the work is impracticable, it shall be lawful for the work to be begun without a permit, provided that an application for said permit is filed and the proper fee paid within 48 hours from the time when the emergency arose, and, provided further, that any person(s) and/or corporation beginning said work under the provisions of this Section shall do so subject to the conditions and obligations imposed by this Part upon any person(s) and/or corporation opening or excavating public highways, etc., as though an application for a permit had been filed.

C. An emergency contact number will be provided by the township so that an inspector can be dispatched to the site of the emergency repair. An inspector will be present to inspect the construction, backfill and permanent pavement work for all emergency repairs.

SECTION 8. Requirements for overlaying traffic lane(s) and entire disturbed area; limiting the number of patches and pavement joints.

A. When a longitudinal opening longer than ten (10) feet and wider than three (3) feet is made in the street pavement, the applicant shall overlay the traffic lane(s) in which the opening was made for the entire length of street that was opened.

B. When two (2) or more transverse trench openings are made in the street pavement less than one hundred (100) feet apart, the applicant shall overlay the traffic lanes in which the openings were made for the entire length of the street between such openings.

C. When four (4) or more openings are made by the same applicant in the street pavement less than one hundred (100) feet apart, the Township engineers or such other agent or representative of the Township shall require the applicant to overlay the entire disturbed area.

D. When the opening is to be closer than three (3) feet from the edge of the existing pavement. the opening shall be extended to the edge of pavement.

E. When the permitted opening is to be closer than five (5) feet from the edge of an existing patch or patches in the pavement, the restoration shall be extended to include said patch.

F. When the permitted opening is located in a street sixteen (16) feet wide or less, then the applicant shall overlay the entire street width for the entire length of the opening.

G. The overlay conditions within this Section may be waived by the Board of Supervisors if the Township is scheduled to perform full road paving within the next eighteen months from date of application.

SECTION 9. Construction requirements.

The following construction requirements shall apply to all openings or excavations in streets of the township:

- A. 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 or better as it was before the opening or excavation.
- B. Unless otherwise set forth in this Ordinance, all construction processes and material specifications shall be in accordance with Township specifications and Pennsylvania Department of Transportation Publication 408, as amended.
- C. No work shall begin until all utility companies having facilities in the area have been notified. The work shall be conducted so as not to interfere with water mains, sewers or their connections with the house or any other subsurface lines or construction until permission of the proper authorities in connection with such subsurface lines or construction shall have been obtained. Any damage to such lines or construction shall be repaired immediately and shall be reported to the owner thereof.
- D. 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.
- E. Any applicant test boring or drilling into any Township street for location of leaks or venting of leaks shall be required to backfill in accordance with SECTION 9. L herein.
- F. The applicant shall be responsible to replace all pavement markings that are removed or damaged. All material shall be in conformance with Pennsylvania Department of Transportation Publication 408 (Latest Edition).
- G. Temporary Paving shall be placed and maintained for a minimum of 60 days and a maximum of 180 days. Temporary Paving shall be thoroughly bound and compacted, installed flush with the surface of the adjoining paving. Such temporary paving material and thicknesses shall be in accordance with Pennsylvania Department of Transportation Publication 408 (Latest Edition). An alternate temporary paving consisting of two (2) inches of cold patch or two (2) inches of superpave binder (19 mm) may be used on a case by case basis if approved by the Township Engineer. Trenches shall remain unpaved for no longer than five (5) business days after backfilling and shall not remain unpaved during any weekend or any holiday officially observed by the Township, unless otherwise directed by the Township Engineer.
- H. Permanent Paving shall be thoroughly bound and compacted, installed flush with the surface of the adjoining paving within ten (10) business days after receiving authorization from the Township Engineer. Such permanent paving material and thicknesses shall be in accordance with Pennsylvania Department of Transportation Publication 408 (Latest Edition).. All temporary paving material shall be removed from trenches prior to placement of the permanent paving base course.
- I. Wherever practicable, tunneling shall be used as a construction method in preference to disturbing the surface of the street, and the the Municipal Road Supervisor or Township Engineer may so specify on the permit. No tunneling shall be used unless the express direction or approval of the the Municipal Road Supervisor or Township Engineer is endorsed on 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, its engineers or by the inspector designated by the Township.
- J. The use of steel plates to cover open excavations shall be prohibited at all times between the dates of October 15th and April 15th. Between the dates of October 15th and April 15th, cold patch stone backfill shall be required. The applicant shall be responsible for maintaining the stone backfill and cold patch in a manner acceptable to the Township its Engineers or by the inspector designated by the Township.
- K. Openings shall be made in the street surface by sawing to neat lines. Excavated material shall be immediately placed in trucks and removed from the construction site.
- L. All openings or excavations shall be backfilled with PennDOT 2A modified stone aggregate compacted in maximum six (6) inch layers if vibratory compaction equipment is used. Backfill stone aggregate to a level not to exceed the existing pavement depth or to a level necessary to accommodate the required bituminous pavement trench restoration section. Provide a minimum of one (1) foot cutbacks in existing pavement around the limits of the excavated area. The Township may require limits of cutbacks to exceed one (1) foot at their discretion as necessary to achieve satisfactory restoration in the best interest of the Township. The bituminous pavement restoration shall consist of 1 1/2 inches of superpave wearing course, 9.5mm and a minimum of four and one half (4 1/2) inches of superpave binder course, 25mm. The depth of superpave binder course shall be increased to match the existing depth of bituminous pavement if the overall depth exceeds 6 inches. The maximum placement thickness per lift of superpave binder course, 25mm, shall be 6 inches. Equivalent Marshall mixes may be substituted. when approved by the Township Engineer. All pavement joints shall be sealed rubberized joint sealing material. When wearing course is placed adjacent to curb to form bituminous gutter, seal with hot bituminous material of the class and type designated for wearing course and extend to 6 inches from the curb, applied evenly. The use of PG 64-22 is permitted.

- M. No opening or excavation in any street shall extend from the curb line into the street a distance greater than one (1) foot beyond the center line of the street before being backfilled and the surface of the street restored to a condition safe and convenient for travel.
- N. No more than five hundred (500) feet longitudinally shall be opened in any street at any one (1) time.
- O. Monuments of concrete, iron or other lasting material set for the purpose of locating or preserving the lines of any street of 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. Permission shall be granted only upon condition that the applicant shall pay all expenses incident to the proper replacement of the monument.
- P. 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.
- Q. Access to private driveways shall be provided except during working hours when construction operations prohibit provision of such access. The applicant shall be responsible for notifying property owners whose driveway access will be inhibited. Free access must be provided at all times to fire hydrants.:
- R. 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.
- S. The applicant shall be responsible for contacting the Engineer to obtain all necessary inspections. Work shall not proceed until the Engineer has inspected and given his approval of the following work: when excavation is ready for backfilling and before backfilling is done, when backfilling work is completed, when the temporary paving has been installed and when the street is ready for permanent paving.
- T. Every person to whom a permit is issued or by whom any opening or excavation is made shall take every necessary and reasonable precaution to keep the street in a safe and passable condition, both day and night, by the use of guards, barriers, lights and other devices.
- U. In the case where a bituminous pavement overlay is warranted, the applicant shall remove existing wearing surfaces by milling to a minimum depth of 1 to accommodate placement of a 1 h" bituminous wearing course.
- V. Trenching shall not be permitted across the improved area of a Road unless authorized by the Permit.
 - 1. Trenching across the improved area of a Road may be authorized by the Permit where drilling, boring, driving or tunneling are not feasible because:
 - a The subsurface is solid rock.
 - b There are other facilities located longitudinally under the improved area and their location precludes methods other than trenching.
 - c Adjacent development in a very congested urban area makes the construction of a tunneling or boring shaft impossible.

SECTION 10.

Maintenance of disturbed area.

The applicant shall maintain the portion of the street disturbed by the opening or excavation for a period of twenty-four (24) months from the date the backfilling is completed at a proper grade and condition free from ridges and depressions. Such maintenance work shall be done as often as may be necessary to guarantee proper restoration of the surface and proper maintenance of the disturbed area

A. TIME PERIODS FOR COMPLETION OF PAVE CUTS

For small area pave cuts (those twenty-five (25) feet or less in length), the utility or contractor shall be required to complete the back-filling within forty-eight (48) consecutive hours of the initial cut during the normal working week, excluding holidays and weekends. Extension time may be allowed upon appeal to the Municipal Road Supervisor or Township Engineer provided that the contractor substantiates sufficient reasons for the extension required. Work on long cuts (those over twenty-five (25) feet in length) shall proceed in a continuous manner in accordance with safety precautions. Permits for long cuts or capital improvements will not be granted during the months of November through March except by written permission from the Municipal Road Supervisor or Township Engineer. The utility or contractor shall coordinate planned cuts in the municipal streets with the paving program of the municipality as they become available. The municipality will strive to provide a paving program for a one- year period to the utilities prior to February 15 of each year. Changes in the utilities' schedule of planned cuts shall require a confirmation from the Municipal Road Supervisor or Township Engineer. Changes in the municipal paving program will be submitted to all utilities at the earliest possible date to permit the utilities to adjust their respective schedules accordingly.

A. MISCELLANEOUS WORK PROVISIONS

All excavations shall be commenced and completed by the use of a reasonable workforce. In congested areas and the central business district, the municipality may limit work to other than normal daytime working hours. At the cessation of work, adequate steel plates shall be placed over the excavation while it is not being worked to ensure full traffic flow. The maximum length of any opening in the roadway shall be two hundred (200) feet unless otherwise permitted, in writing, by the Township Engineer or Municipal Road Supervisor.

B. EXCAVATED MATERIAL

In peak traffic areas as determined by the Municipal Road Supervisor or Township Engineer, all excavated material shall be removed daily at the cessation of work. All gutters and drainage devices shall be kept clean of all debris and excavated material. Hydrants adjacent to the work shall be, at all times, readily accessible to fire apparatus and no material or obstructions shall be placed within fifteen (15) feet of any hydrant.

D. SUITABILITY OF MATERIALS

The suitability of material to be used as backfill shall be determined by the Municipal Road Supervisor or Township Engineer. All materials not conforming to the requirements of this Article, whether in place or not, shall be rejected. Such materials shall be removed promptly from the worksite,

E. DISPOSAL OF WASTE MATERIAL

Material which is unsuitable and any surplus of excavated material shall be considered waste and shall be disposed of by the utility or contractor beyond the project limits at an approved or permitted site in accordance with all applicable federal, state and local regulations. In no case shall waste material be left at the worksite.

F. FILL MATERIAL

- a. the Municipal Road Supervisor or Township Engineer shall be the judges of the stability and suitability of the fill material. In no case will excessively wet or dry material be allowed as fill material. Fill must be compacted to a dry density at least equal to ninety-eight percent (98%) of the maximum dry density attained by the Modified Proctor Test, ASTM D1557, latest revision, Method C or Method D, as designated by the Municipal Road Supervisor, or Township Engineer.
- b. PennDOT 2A Coarse Aggregate, AASHTO #8 Stone or special bedding material as may be required by the particular Utility's bedding/conduit envelope specifications, as approved by the Municipal Road Supervisor or Township Engineer, shall be deposited in the trench beneath and simultaneously on both sides of the pipe for the full width of the trench to a height of at least six (6) inches above the top of the pipe, placed and hand-tamped to fill completely all spaces under and adjacent to the pipe. The contractor shall procure the required approved material for backfilling around the pipe at no cost to the municipality.
- c. Succeeding layers of backfill shall be placed utilizing PennDOT 2A Coarse Aggregate.
- d. Whenever suitable material (PennDOT 2A Coarse Aggregate) exists within the upper four (4) feet of the finished grade of the paved or traveled portions of the street or roadway and is removed by the excavation, the contractor may stockpile and place said material as backfill in the upper Four (4) feet of the finished grade. the Municipal Road Supervisor or Township Engineer shall be the judges of the suitability of such material for reuse within the excavated trench area, and all costs associated with any required testing to substantiate the suitability of said material shall be the sole responsibility of the Utility/Contractor.
- e. As an alternate, 250 psi flowable fill may be used. Flowable fill shall be in accordance with PennDOT Publication 408, Section 220 (Latest Edition) with a compressive strength not less than 150 psi.

G. BACKFILLING REQUIREMENTS

A. The Municipal Road Supervisor or Township Engineer must be notified at least 12 hours in advance of placing any backfill for inspection purposes. No backfill shall be placed without a Township designated inspector present. In backfilling, six-inch layers shall be placed in the deepest portion of the backfill, and as placement progresses, each six- inch layer shall be horizontally constructed, Compaction operations shall be continued using mechanical tampers until each layer of fill is compacted to a dry density at least equal to ninety-eight percent (98%) of the maximum dry density attained by the Modified Proctor Test, ASTM D 1557, latest revision, Method C or D method, as designated by Street Commissioner or Borough Engineer.

B. Backfilling shall be done in such manner as to obtain compaction through the entire length of backfill not less than that which exists adjacent to the excavation, but in no case less than the compaction requirements noted above. The method of backfilling shall be consistent with good engineering practice. Backfilling shall begin as soon as practical after the pipe or other construction has been placed and shall thereafter be carried on as rapidly as protection of the balance of the work will permit.

C. Depositing of backfill shall be done so the shock of falling material will not injure the pipe or adjacent structures.

D. All deficiencies in the quality of material for backfilling the trenches or for filling depressions caused by settlement shall be supplied by the contractor.

E. In all cases, the contractor shall blade and compact the roadway after the trench has been backfilled so that it shall be passable to traffic at all times. The contractor shall maintain the roadway in a condition acceptable to the Township Engineer or Road Supervisor at all times until final approval of the entire work by the municipality.

F. The contractor shall remedy, at his own expense, any defects that appear in the backfill for a period of two (2) years following compaction.

H. PERMANENT PAVEMENT REQUIREMENTS

a. The Municipal Road Supervisor or Township Engineer must be notified in advance of placing any permanent pavement for inspection purposes. No pavement shall be placed without a Township designated inspector present.

b. Where the excavation is in a paved surface, the pavement shall be restored with not less than 6 inches of 2A Subbase, 4 1/2 inches of 25 mm Superpave Base Course or the full depth of the adjacent permanent bases, whichever is greater, and 1 1/2 inches of 9.5 mm Superpave Wearing Coarse. All materials and work shall meet the requirements of PennDOT Publication 408

Specifications (Latest Edition), Sections 350 and 409 respectively. Prior to replacement of the pavement, one foot (1') outside of each edge of the opening shall be sawed the full depth of pavement and stone base in a neat straight line (1-foot cutback). The detached material shall be removed without damaging the adjacent pavement. The final pavement joint between new and existing pavement shall be sealed with PG 64-22 or other sealant approved by the Municipal Road Supervisor or Township Engineer to a width of 4 inches either side of the joint. the Municipal Road Supervisor or Township Engineer shall be contacted to verify the sealant material to be used for all pave joints, in case the required sealant designation changes from that specifically provided herein. In cases where pave cuts are made between December 1 and April 15, the pavement restoration shall consist of cold patch or similar temporary material, as approved by the Municipal Road Supervisor or Township Engineer. Final pavement restoration shall be completed as specified hereinabove during the next paving season, but in no event later than July 1st, unless prior approval is received from the Municipal Road Supervisor or Township Engineer. Maintenance of the temporary patch shall be the responsibility of the contractor.

C. When a longitudinal opening longer than 100 linear feet is made in the pavement, the entire roadway width shall be milled and overlaid with 9.5 mm Superpave within the area of the opening. When four (4) or more transverse openings are made within 100 feet linear feet of pavement, the entire roadway width shall be milled and overlaid with 9.5 mm Superpave within the total opening length including those areas unexcavated. Overlay shall consist of 1 1/2 inches (minimum) of 9.5 mm Superpave Wearing Coarse. A milled paving notch, with a minimum 10 feet transition, shall be provided at each end of the overlay,

d. When any street is overlaid, the Applicant/Permittee shall construct new ADA curb ramps at each affected intersection. ADA ramp designs must be in accordance with current PA DOT standards and must be submitted to the Township Engineer for approval prior to construction.

I. SIDEWALK CURB RESTORATION REQUIREMENTS

A. The Municipal Road Supervisor or Township Engineer must be notified in advance of placing any permanent pavement or concrete for sidewalks or curbing for inspection purposes. No pavement or concrete for sidewalks or curbing shall be placed without a Township designated inspector present.

B. Where the removal of a portion of a curb, sidewalk, or curb and gutter is required to perform work, the curb, sidewalk, or gutter shall be restored as follows:

1. Asphalt sidewalks shall be a minimum of 2" of 9.5 mm Superpave Wearing Coarse or the thickness of the adjacent materials, whichever is greater.

2. Asphalt curbs shall meet the requirements of Penn DOT Publication 408 Specifications (Latest Edition), Section 636. The minimum allowable length of a replaced curb shall be 4 feet.

3. Concrete sidewalks shall meet the requirements of PennDOT Publication 408 Specifications (Latest Edition), Section 676. The minimum allowable length of a replaced concrete sidewalk shall be 4 feet.
4. Concrete curbs shall meet the requirements of PennDOT Publication 408 Specifications (Latest Edition), Section 630. The minimum allowable length of a replaced curb shall be 4 feet.
5. Stone curbs shall be replaced in kind. A minimum length of replaced curbs shall be 4 feet.
6. Where curbing and/or sidewalks are composed of other materials (brick, pavers, granite, flagstone, etc.) every attempt should be made to save the original materials and replace them during restoration.
7. The replacement of all walks, curbs, gutters, etc. shall be made in-kind in accordance with the above-noted specifications.

J. MACHINERY TO BE USED

Power-driven concrete saws or air hammers shall be used on all cuts in Portland-cement- based pavements. The cuts must be of sufficient depth to provide a smooth edge, No pavement busters, such as drop hammers, hoe rams and the like, shall be used without the written permission of the Municipal Road Supervisor or Township Engineer.

K. RESPONSIBILITY FOR DAMAGE TO UNDERGROUND FACILITIES

In the event a cut is made and, upon inspection, damage to another utility's underground facility is discovered, it shall be the responsibility of the party making the cut to contact the Municipal Road Supervisor or Township Engineer and all concerned pertinent utilities to allow the utility to have their respective representatives inspect the condition before any backfilling is begun. The Contractor conducting the excavation work shall be responsible for any and all damages incurred in connection with his operations.

L. COMPLIANCE WITH STATUTES, RULES AND REGULATIONS

All contractors shall ensure compliance with the provisions of all applicable and relevant, state, local and federal statutes, rules and regulations.

M. INSPECTION AND TESTING.

The Township Engineer shall inspect all cuts, backfilling, pavement restoration and curb/sidewalk restoration work that occur within the Municipality's right of way in connection with any permits issued under this Ordinance. An inspection fee shall be charged for this inspection (See Fee Schedule.) Such inspection fees shall constitute acceptance of work performed by the contractor, but it is understood that such acceptance does not relieve the utility of any responsibility under this Article throughout the guaranty period,

In order to ensure proper testing, the Utility or Contractor shall retain an independent testing company meeting the following requirements:

- Maintains a facility that is AMRL and CCRL certified and meets the minimum requirements of ASTM E-329
- Has the ability to provide field testing technicians that have the appropriate ACI, NICET, and NECEPT certifications for testing of the work being performed as follows:

TYPE of WORK	REQUIRED CERTIFICATIONS
Permanent Backfill	NICET Level 1 Soils and QC Nuclear Regulatory Certified
Permanent Asphalt Paving	NICET Level 1 Asphalt and NECEPT Bituminous Field Technician
Permanent Concrete (Sidewalks or Curbs)	NICET Level I Concrete and NECEPT Concrete Field Test Technician

Test

Has the ability to mobilize for contractor requests within one (1) hour of being notified.

Has the ability to submit Testing Reports to the Borough Engineer upon completion of work.

All costs associated with all testing shall be borne solely by the Utility or Contractor and will not be included within any permit costs or fees. The Utility or Contractor shall contract separately with the independent testing company.

For all excavations within Borough Right-of-Ways, the Independent Testing Company shall conduct the required compaction tests for permanent backfill at a minimum frequency of one test per 100 linear feet of pipe trench or part thereof at vertical intervals of 2 feet starting 2 feet above the pipe, unless more frequent testing is required by the Borough Engineer due to suspect compactions methods of the Utility or Contractor.

For all concrete work within Township Right-of-Ways, the Independent Testing Company shall take cylinders and conduct compression tests as well as slump and air entrainment tests in accordance with ACI 301. Test results shall be submitted to the Township Engineer. The Testing Company shall utilize the following guidelines unless directed otherwise by the Township or the Township Engineer:

1. Five concrete test cylinders will be taken for concrete placed each day. Two cylinders will be broken at 7 days and two at 28 days with one held in reserve. Follow ASTM C 31 and C 39. One additional test cylinder will be taken during cold weather and be cured on site under same conditions as concrete it represents.
2. One slump test will be taken for each set of test cylinders taken. Follow ASTM c 143.
3. One air-entrainment test will be taken for each set of test cylinders taken for air-entrained concrete. Follow ASTM C 173 or C 231.

SECTION 11. Responsibility for correction of unsatisfactory or incomplete work; responsibility for defects occurring within twenty-four (24) months.

- A. In the event that any work performed by or for a permit holder shall, in the opinion of the Township or its Engineers, be unsatisfactory and where that work is not corrected in accordance with the Township's instructions within the time fixed by it, or in the event that the work for which the permit was granted is not completed within the time fixed by the Township, the Township may proceed to correct such unsatisfactory work or complete any such work not completed, and charge the cost of the work and materials to the applicant.
- B. When any earth, gravel, or other excavated material is caused to roll, flow, or wash upon any street, the applicant shall cause the same to be removed from the street within twenty-four (24) hours after deposit. In the event the earth, gravel or other excavated material so deposited is not removed, the Township shall cause the removal and the cost incurred shall be paid by the applicant.
- C. If within twenty-four (24) months after the restoration of the surface as herein provided, defects shall appear therein resulting from defective backfilling by the applicant or its contractor or otherwise related to the applicant's work, then the applicant shall reimburse the Township for the cost of all necessary repairs to the permanent paving.
- D. Payment for all work done by the Township under the provisions hereof shall be made by the person made liable therefor within thirty (30) days after a bill therefor is sent to such person by the Township. Upon failure to pay such charges within such time, the same shall be collectible by the Township by an action at law or in the manner provided by law for the collection of municipal claims. .

SECTION 12. Opening of newly paved surfaces.

All such persons and utility companies shall make all water, gas, sewer or other connections as well as any repairs thereto which would necessitate the opening or excavation of said street within 90 days from the giving of such notice, unless such time is extended, in writing, by the Engineer or Zoning Officer. New paving shall not be opened for a period of five (5) year after the completion thereof, except in case of emergency only, the existence of which emergency and the necessity for the opening of such paving to be determined by the Township Engineer. If any person seeks to open or excavate a street within one year after the completion of the paving thereof for any reason other than an emergency as above stated, the applicant shall make written application to the Board of Township Supervisors, and a permit shall be issued only after express approval of the Board of Township Supervisors and only upon payment of a permit fee as shall be set, from time to time, by resolution of the Board of Supervisors.

SECTION 13. Conditions for laying and extending utility lines.

No new water, sewer, steam or gas main or electric, telephone or other utility line shall hereafter be laid or constructed, and no such existing main or line shall be extended, in any of the streets of the Township until the plan therefor shall have been first filed with the Township and such plan, and the exact location of such main or line, is approved by the Township. The Township shall not approve the location of any such main or line at a depth of less than thirty (30) inches from the surface of the street unless it is clear to the Township that locating the same at a depth of more than thirty (30) inches from the surface is impossible or impractical.

SECTION 14. Expiration and Renewal of Permit; Exhibit.

1. Permits shall be issued by the, Township Manager or, Township Official or Township Engineer or their agents and shall not be operative for more than 60 days from the date of issue. Permits may be renewed for a like period upon payment of a renewal fee as established by the Board of Supervisors by resolution.
2. The permit shall at all times be kept in the possession of a competent person actually engaged in the work and, upon demand, shall be exhibited to any police officer or properly authorized employee of the Township, County or State.

SECTION 15.**Backfilling; Temporary and Permanent Paving.**

1. All breaks or openings shall be refilled by the applicant for the permit, to the approval of the Municipal Road Supervisor or Township Engineer without raising the surface of the highway, road, street, avenue, lane, alley, sidewalk or footpath, due allowance being made for the structure being placed in the trench. All refilling must be done with suitable materials thoroughly compacted by puddling or hard tamping in uniform layers not exceeding 6 inches in depth and all surplus dirt must be removed from the job.
2. Materials used in backfilling, temporary and/or permanent paving shall conform to Township specifications promulgated by the Township Engineer.
3. Permanent paving shall be constructed, weather permitting, 60 days after the installation of the temporary paving. If, within two-year after the installation of the permanent paving, defects appear therein resulting from defective backfilling by the applicant, the applicant shall reimburse the Township for the cost of all necessary repairs to the permanent paving.
4. Each person issued a permit shall submit to the Township, not later than 30 days after completion of the permitted construction (or any part thereof, if required by the Township), two paper copies and one electronic copy of as-built map or maps and engineering specifications as set forth by the Township depicting and certifying the location of the facilities constructed. Such engineering specifications and electronic and paper maps shall be submitted in a format and include the information required by the Township. If the maps are not provided electronically in the required format, then the person shall reimburse the Township for the cost of converting paper maps into electronic form or the cost of converting electronic maps in another format into the required format.
5. Depositing of backfill shall be done so the shock of falling material will not injure the pipe or adjacent structures
6. The Municipal Road Supervisor or Township Engineer must be notified in advance of placing any permanent pavement for inspection purposes. No pavement shall be placed without a Township designated inspector present.
7. All deficiencies in the quality of material for backfilling the trenches or for filling depressions caused by settlement shall be supplied by the contractor. In all cases, the contractor shall blade and compact the roadway after the trench has been backfilled so that it shall be passable to traffic at all times. The contractor shall maintain the roadway in a condition acceptable the Municipal Road Supervisor and/or Township Engineer at all times until final approval of the entire work by the municipality. In cases where pave cuts are made between December 1 and April 15, the pavement restoration shall consist of cold patch or similar temporary material, as approved by the Road Master or Township Engineer. Final pavement restoration shall be completed as specified hereinabove during the next paving season, but in no event later than July 1st, unless prior approval is received from the Municipal Road Supervisor and/or Township Engineer. Maintenance of the temporary patch shall be the responsibility of the contractor.
8. When a longitudinal opening longer than 100 linear feet is made in the pavement, the entire roadway width shall be milled and overlaid with 9.5 mm Super pave within the area of the opening. When four (4) or more transverse openings are made within 100 feet linear feet of pavement, the entire roadway width shall be milled and overlaid with 9.5 mm Super pave within the total opening length including those areas unexcavated. Overlay shall consist of 1 1/2 inches (minimum) of 9.5 mm Super Pave Wearing Coarse. A milled paving notch, with a minimum 10 feet transition, shall be provided at each end of the overlay
9. When any street is overlaid, the Applicant/Permittee shall construct new ADA curb ramps at each affected intersection. ADA ramp designs must be in accordance with current PA DOT standards and must be submitted to the Township Engineer for approval prior to construction.
10. The contractor shall remedy, at his own expense, any defects that appear in the backfill for a period of twenty-four (24) months following compaction.

SECTION 16. SAFETY PRECAUTIONS.

- A) During the progress of work, the applicant shall provide and maintain such barricades, warning signs and flag persons as may be deemed necessary by the municipality to prevent accidents to the public and/or adjoining tenants. Minimum precautions must include, but should not be limited to, advance warning signs on all approaches to the work, safe crossing for pedestrians a minimum of each three hundred (300) feet and barricades with flashers on each exposed side at fifty-foot intervals. All precautions shall be in accordance with the Manual of Uniform Traffic

Control Devices, as adopted by the United States Department of Transportation, Federal Highway Administration, 1971 Edition, Part IV, Traffic Controls for Street and Highway Construction and Maintenance Operations (latest edition), All materials, openings or excavations made or obstructions created under such permits must be properly marked from sunset to sunrise, from the roadway in both directions, the exact location and limits of said work or obstruction, and at all times must be properly guarded.

- B) Maintenance and protection of traffic during Road Work shall be carried out in accordance with the requirements of the Pennsylvania Department of Transportation, as set forth in Publication No. 43 and Publication No. 90 (latest edition).
- C) The permittee shall provide and maintain all necessary precautions to prevent injury or damage to persons and property in accordance with instructions furnished by the PA DOT District Office. A traffic control plan shall be submitted to and approved by the Township Engineer before detouring any traffic.
- D) Warning signs shall be placed in advance of the actual operation in such a manner as to be visible to the traveling public, and substantial barricades with adequate illumination shall be provided and maintained for any open trench or hole in the improved area. Blinking lights and/or barricades shall be used for overnight protection of area.
- E) Designated employees shall be assigned by the permittee to direct one lane traffic. Flagmen shall be provided as specified in the permit and in accordance with Publication No. 43 and Publication No. 90.

SECTION 17. Responsibilities of Public Utilities and Public Service Companies.

The filing of an application by a public utility, public service company and the issuance of a permit for activities permitted under this Part shall constitute an agreement on the part of said applicant that it will at any time thereafter, upon notice from the Township Engineer, at its own expense, make such change in location or construction of the concerned facilities as may be required by the Township.

SECTION 18. Responsibilities of Property Owners.

1. The owner or owners of any lot, parcel, tract of land or premises fronting or abutting on an affected public street, road or avenue within the Township of Jenkins upon which a grade has heretofore or hereafter been established shall, upon receipt of 60 days written notice from the Township, at their respective costs and expense, begin to construct, repair and maintain the curbing and/or sidewalk or foot walk in front of and along the property owned by them or on the part of said public street, road or avenue abutting their respective properties.
 2. The notice shall be sent by registered mail by the Township Manager to the last known address of the individual or individuals, association or corporation in whose name the title to the lot, parcel or tract of land or premises appears on public record to be owned, and if such registered mail is returned unclaimed, then and in that event such notice shall be given by posting one copy of the same on the land or premises involved. Upon failure of any owner or owners to comply with the provisions of this Part and to commence the construction of said curbing, sidewalk or foot walk or repair and maintain the same within 60 days after the mailing of said notice and to complete fully such construction, repair and maintenance within 60 days after the date of said notice, the Township of Jenkins shall enter upon said premises and construct, pave, repair or maintain the curbing, sidewalk or foot walk and enter the cost thereof, together with 10 percent additional, as a lien against the said lot, parcel, tract of land or premises.
4. All curbing, sidewalk or foot walk construction or repair shall be performed in accordance with specifications referenced in SECTION 10-I and SECTION 21

SECTION 19. Effect of Permit Fees.

No permit fee paid under this Part shall be considered to be in lieu of any annual license fee now required to be paid or which may at any time be required to be paid by ordinance of the Township of Jenkins.

SECTION 20. Closing of Streets.

It shall be unlawful for any person, firm, association or corporation to close any public highway, road, street, avenue, lane or alley in the Township of Jenkins unless and until a permit for this purpose has been obtained from the Township Manager, Township Official or Township Engineer or their agents.

A. One (1) lane of traffic must be able to pass unobstructed at all times. Flag persons must be posted at the limits of work at all times to direct traffic through the work area, and all established traffic patterns must be maintained at all times. If all other means of traffic control have been exhausted, the municipality may permit a road to be completely closed temporarily, only with the consent of the Chief of Police and the Fire Chief, when an emergency exists, the Police and Fire Departments shall be notified. An application form for a permit to close a street will be available from the municipality, the completed application, bearing the signatures of the before-mentioned officers, shall be returned to the applicant and shall constitute a permit. The Applicant/Contractor must notify the Luzerne County Communications Center of any local closure for construction activity at (570) 819-4916 (non-emergency contact number), prior to the implementation of any such closure. A penalty shall be imposed for failure to notify the Police Chief, Fire Chief and Luzerne County Communications Center.

SECTION 21 Highway Improvements; Standard Specifications.

Standard specifications for highway improvements shall be designated and approved by the Township Engineer.

SECTION 22**EQUIPMENT DAMAGING ROADWAY**

- A. To protect the pavement and shoulders of existing Road surface, all equipment shall have rubber wheels or runners and shall have rubber, wood or similar protective pads between the outriggers and the surface unless otherwise authorized by the permit.
- B. In the event that other than rubber-equipped machinery is authorized for use, the pavement and shoulders shall be protected by the use of matting, wood or other suitable protective material having a minimum thickness of four (4) inches, unless the permit requires the permittee to repave the roadway full width.
- C. If the equipment damages the pavement or shoulders of the Roadway, the permittee shall restore the pavement or shoulders to their former condition, at the permittee's expense

SECTION 23.**APPROVAL BY ENGINEER**

Approval by the Township's Engineer of all or part of any permitted Work shall not constitute acknowledgement that the Work was performed in accordance with the Permit, nor shall such approval of the inspector act as a release of the permittee or waiver by the Township of its right to seek performance or restitution from the permittee.

SECTION 24.**TOWNSHIP STANDARDS**

Work is to conform to Township standards. The Work shall be done at such time and in such manner as shall be consistent with the safety of the public and shall conform to all requirements and standards of the Township. If at any time it shall be found by the Township that the Work is not being done or has not been performed properly, the permittee, upon being notified in writing by the Township, shall immediately take the necessary steps, at its own expense, to place the Work in condition to conform to such requirements or standards. In case any dispute arises between the permittee and the Township's inspector, the Township's inspector shall have the authority to suspend Work until the question at issue can be referred to and be decided by the Township Engineer.

SECTION 25.**TEMPORARY DRIVEWAYS**

Whenever a construction or demolition operation requires the movement of a vehicle from the property during the construction period, it shall be the responsibility of the permittee to install and maintain a stone-based driveway on the premises so as to prevent the tracking of mud and other debris onto the public Roadway. In the event that mud or other debris is transmitted onto the Roadway, it shall be the responsibility of the permittee to remove said mud and debris immediately from said Roadway.

SECTION 26.**DRIVEWAYS**

- a) No person shall construct, improve, modify or alter in any way a driveway, in the area where said driveway enters a Township Road, without first obtaining a Road Occupancy Permit and complying with this Ordinance and regulations issued hereunder.
- b) Any driveway presently constructed or constructed hereunder shall be maintained in compliance with this Ordinance and regulations issued hereunder.
- c) Application for Road Occupancy Permit for driveway work shall be by owner or person with legal interest in property and authority to so apply, to Township accompanied by plans and fees as set forth by the Schedule of Fees for Road Occupancy Permits.
- d) At point of entry of driveway into Road right-of-way and paved or improved portion thereof, the surface and grade of Road shall not be altered; no material of any kind, temporary or permanent, shall be placed within the improved portion of the Road or gutter where the paved or improved area meets the berm; and the work shall not interfere with maintenance, snow plowing and drainage.

e) Within twenty (20) days after submission of an application for Road Occupancy Permit for driveway, the Township shall approve or disapprove with reasons and send by certified mail notice of action to applicant. Upon approval, notice shall be given by applicant as set forth above and Roadmaster or Engineer or other agent of the Township shall inspect work to ensure compliance with approved application, entering approval of work on both Township's copy and applicant's copy, if available.

SECTION 27. Remedies.

In the event any person violates the provisions of this Article or the terms and conditions of any permit issued hereunder, the Municipal road supervisor or the Engineer may order a cessation of the work, order the performance of additional or corrective work by or on behalf of the applicant and at the applicant's expense, revoke the permit, institute such legal or equitable actions as may be appropriate, institute an action for the imposition of a fine under SECTION 28 hereof or take such other actions as may be deemed necessary under the circumstances. The above remedies may be pursued simultaneously or consecutively. No person who has violated the provisions of this Article and has failed or refused to remedy such violation shall be eligible for the issuance of any other permit hereunder until such violation has been remedied.

SECTION 28. Violations and penalties.

Any person, whether as principal, agent or employee, who shall violate or assist in the violation of any of the provisions of this Article shall, upon conviction thereof before a District Justice, pay a fine of not less than six hundred (\$600.00) dollars, not more than one thousand (\$1,000) dollars and, in default of the payment of such fine and the costs of prosecution, shall be sentenced to not more than 30 days imprisonment in the Luzerne County Jail.

A. Acknowledgment of guilt. Any person charged with violating any provision of this Article may sign an acknowledgment of the offense committed, either before or after the beginning of suit, and pay to any duly authorized agent of the township the maximum penalties provided by JENKINS Board of Supervisors, together with costs accruing to that date. Such person shall receive a printed receipt therefore, which shall bear the imprint of the Seal of the township and the signature of its Board Chairman, which shall be evidence of full satisfaction of the offense committed.

B. Penalties. Any person, firm or corporation who shall violate any provision of this Article shall, upon conviction thereof, be sentenced to pay a fine and/or penalty of not more than six hundred dollars (\$600) plus cost, or, in default of payment of such fine and costs, shall be subject to imprisonment for a term not to exceed thirty (30) days. Every day that a violation of this Article continues shall constitute a separate offense.

C. Civil action. In addition to the foregoing, said township may pursue such other and additional remedies as may be authorized by law.

D. In addition to all of the remedies the Township may impose the following:

E. 1. It shall be illegal for any person, partnership, corporation or other legal entity (collectively "person") to violate the terms of this Ordinance and a person violating same shall be prosecuted under the rules of procedure for summary proceedings before district justice. Any conviction of a violation of any section or subsection of this Ordinance shall result in the imposition of a fine of six hundred dollars (\$600.00) plus costs or in default of payment of said fine and costs the offender may be sentenced to a term of imprisonment subject to Pa R Crime P. 456 (c) and 42 Pa C.S. 9730 (b). A separate offense under this Ordinance shall be deemed to occur for each day for which a violation occurs. Nothing herein is intended to impede or restrict the prosecution of any criminal offense for any person continuing to violate the terms of this ordinance or any order to stop or desist from any illegal conduct or from being charged with any separate offense under the criminal codes or otherwise. In addition to the penalties provided herein, the Township may sue at law or in equity to enjoin violations herein and in addition to damages may recover reasonable attorney's fees, court costs, court reporter's fees, and other expenses of litigation by appropriate suit at law or in equity against the person, partnership, corporation, or other legal entity found to have violated this ordinance, or the orders, rules, regulations, and permits issued hereunder.

F. 2. In addition to assessment penalties and liens, under subsection (1), any person who violates or permits a violation of this Ordinance, upon being found liable therefore in a civil enforcement proceeding before a district justice or magisterial district judge, shall pay a fine and/or penalty of six hundred dollars (\$600.00) per violation, plus all court costs, including reasonable attorney's fees incurred by the Township in the enforcement of this Ordinance. Each day the violation exists shall constitute a separate offense. In any case where a penalty for a violation has not been timely paid, and the person against whom the penalty was imposed is found to have been liable therefore in civil proceedings, the violator shall be liable for the penalty imposed, including additional daily penalties for attorney's fees incurred by the Township in the enforcement proceedings. If the violator neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure or as otherwise permitted by law.

G. 3. In addition to all of the remedies, the Township is authorized to exercise and reserves all rights of enforcement and remedies for Municipal Claims and Tax Liens as permitted by law.

H. 4. In addition to or in lieu of a civil action before a district justice or magisterial district judge, or Court, the Township may enforce this Ordinance in equity. The appropriate officers or agents, including Township Supervisors, Township or Code Officer of the Township are hereby authorized to seek equitable relief, including injunctions, to enforce compliance herewith.

I. 5. The Township shall be exempt from the payment of costs in any civil case brought to enforce this ordinance.

J. 6. Each day a violation occurs shall be a separate offense.

7. The reasonable attorney's fees shall be at the rate of one hundred and twenty-five dollars (\$125) per hour. Said sum may be amended by Resolution of the Township, from time to time.

PENALTIES FOR WORK DONE WITHOUT PERMIT/ENFORCEMENT

Any utility, corporation, person or entity making pave cuts or openings upon Public Roads, cart way, side walk or tree lawn within the Township without furnishing the required notification, application, permit and remitting the appropriate Pave Cut Fee as set forth herein or violating any other provision set forth in this Ordinance, may be cited in accordance with this Ordinance and upon conviction shall be sentenced to pay a fine of not less than \$600.00 six hundred dollars not more than \$1000.00 one thousand dollars and costs of prosecution, as well as, the costs of restoring and/or maintaining the Pave Cut(s) and roadways in accordance with any applicable *PennDot and Township Engineering Standards*.

Failure to return to Jenkins Township to permanently repair a cut and/or roadway as required hereby shall result in the imposition of a fine of not less than \$600.00 six hundred dollars not more than \$1000.00 one thousand dollars and costs of prosecution in addition to the imposition of costs as set forth herein.

SECTION 29 WORK DONE WITHOUT AN INSPECTOR

Any construction, backfill or permanent pavement work performed without the presence of a Township designated inspector present shall be removed and replaced under the observation of a Township authorized inspector at the cost of the contractor performing the work. The removal and replacement of any uninspected work will be at no cost to the Township.

SECTION 30 MAJOR IMPROVEMENTS OF SERVICES AND/OR LINE REPLACEMENT BY UTILITIES; PROCEDURES FOR NEW PAVEMENT CUTS

Upon notification from the municipality of a planned street repaving, resurfacing or reconstruction, all utilities will be required to test their lines and service and to schedule necessary capital improvements or new main lines and service connections prior to resurfacing or reconstruction.

Thereafter any cuts which will be permitted in new pavement and any permits issued for the same shall be subject to the following:

- A. Pavement shall be considered new for a period of five (5) years from the date of final and complete placement of new pavement.
- B. Any utilities or contractors who make cuts in new pavements shall be required to make permanent restoration and repaving and resurfacing of said openings in pavements. Permanent restoration must be completed within thirty (30) days of the initial cut. Any delay or failure of restoration will be reported to the pertinent utility, and repairs by the utility will begin within twenty-four (24) hours after notification. Upon failure of the utility to repair the cut in a satisfactory manner, the municipality shall have the option to do the work or to contract to complete the work and bill the utility for the costs of permanent restoration, plus twenty percent (20%). In addition, penalties for noncompliance shall be levied against the utility or contractor. All backfilling of new pavement cuts shall be in accordance with the backfilling requirements and provisions set forth in this Article. Prior to the placement of the base course, the existing base and surface must be exposed twelve (12) inches on each side of any depressions that may have developed, Restoration of base pavements shall consist of 25mm Super Pave Base Course for the full depth of the adjacent permanent base or for a depth of six (6) inches, whichever is greater. The wearing course or top coat shall be placed at a minimum depth of one and one half (1 1/2) inches and shall be 9.5 mm Super Pave Wearing Course and shall be rolled to conform to the existing road and the edges sealed, Surface treatments such as sand or chip seals are prohibited. On long cuts (those greater than twenty-five (25) feet in length), surface finishing must be rolled with not less than a six-ton roller, Small cuts may be finished with a mechanical tamper or vibrator. All openings in new pavement, regardless of size, must be permanently restored.

- C. The permanent restoration of special-type pavements such as concrete, brick, Belgian block, cobblestone, gutters or tiles, shall consist of relaying the original wearing course in accordance with the original installation specifications in such a manner as to prevent settlement or other determination.
- D. Whenever any utility or contractor shall make cuts in new pavement for purposes of replacing a main line on a street or part thereof or for purposes of making any capital improvements or improving or upgrading an existing system, or when any utility or contractor shall for any purposes, except emergency purposes, make a cut or cuts in new pavement totaling ninety (90) square feet or more within any block in the Township, the utility shall be required to backfill and permanently restore, refinish, mill and repave the entire width of said street from curb to curb for the entire length of the block or blocks of said street or streets where there is located any pave cut or cuts or parts thereof with said backfilling and restoring, refinishing, milling, and repaving to be done in accordance with the provisions of this Article. (The purpose of this provision is to encourage utilities to replace their main lines and make capital improvements or improve or upgrade their systems prior to new repaving so as to prevent subsequent cutting of new pavement.)
- E. The utility shall be required to notify the Municipal Road Supervisor or Township Engineer prior to commencement of permanent restoration. Such permanent restoration must be commenced and completed promptly. Any delay or failure of restoration will be reported to the pertinent utility, and such work shall commence by the utility within twenty-four (24) hours after notification, upon failure of the utility to restore the street in a satisfactory manner, the municipality shall have the option to do the work or to contract to complete the work and bill the utility for the costs of permanent restoration, plus twenty percent (20%). In addition, penalties for noncompliance shall be levied against the utility or contractor.

SECTION 31 REPLACEMENT OF PAVEMENT MARKINGS.

The utility and/or its contractor must replace, in kind, all pavement markings damaged or removed by pave cuts and work incident thereto. All markings must be replaced within five (5) days after permanent restoration. Should the contractor fail to replace the same, the municipality shall contract to have the necessary repairs made and bill the utility for the costs of the work, plus a twenty-percent (20%) penalty.

SECTION 32 REPLACEMENT OF TRAFFIC CONTROL DEVICES.

Electronic traffic control devices and ancillary equipment damaged or removed because of pavement excavation or work incident thereto must be replaced by the utility or its contractor, in kind, in whole or in part as required the Municipal Road Supervisor or Township Engineer. The municipality shall contract to have the necessary repairs made and bill the utility.

SECTION 33 REPLACEMENT OF PROPERTY PINS OR MONUMENTS.

All property pins or survey control monuments damaged or altered, as a result of the contractor's work, shall be replaced at the contractor's expense by a Registered Pennsylvania Professional Land Surveyor.

SECTION 34 UTILITY CONNECTIONS.

The Township of JENKINS provides by this Article for the laying, renewing and repairing of all gas, water or other pipes or conduits in any street before the paving, repaving or repairing of the same and for making the necessary house connections with said pipes and also for the necessary house connections and branches with and leading into main or lateral sewers, provided that in no case, except as a sanitary measure, of which the municipality shall be the judge, shall JENKINS Township require such house connections to be extended further from such sewers or from such gas, water or other pipes or conduits than to the inner line of the curbstone of such corporations, persons and owners affected and, in default of compliance therewith, cause said pipes to be laid, renewed or repaired and said connections made and collect the costs of paving and repairing all pipes or conduits with interest; and the cost of the sewer connections shall be a first lien against the land for whose benefit such connections are made. A separate lien may be filed therefore, or such sewer connection costs may be included in any lien filed for the costs of such street improvement, and the lien and the proceedings thereon shall be as in the case of other municipal liens.

SECTION 35 DETERMINATION OF LINES AND GRADES FOR STREET CONSTRUCTION OR RECONSTRUCTION

The Township Engineer shall have the final decision for determination of lines and grades for street reconstruction. This decision shall be based on good engineering practice and municipal standards. The determination by the Township Engineer shall be final.

SECTION 36 REQUIRED UTILITY LINE DEPTHS

The following minimum depths (to the top of the pipe or conduit) for pipes and conduits are assigned to the utilities operating under this Article, unless specific site conditions warrant lesser depths, and then only as approved by the Township Engineer:

Gas lines shall be a minimum of thirty (30) inches below grade.

- A. Water service lines shall be a minimum of thirty-six (36) inches below grade; a water main shall be a minimum of five (5) feet below grade.
- B. Electric lines and conduits shall be a minimum of twenty-four (24) inches below grade.
- C. Telecommunication lines and conduits shall be a minimum of thirty-six (36) inches below grade.

SECTION 37 ADDITIONAL UTILITY PLACEMENT PROVISIONS

Aerial installations of electric power transmissions and telecommunications lines suspended from supporting poles having their base and/or support wires within the public right-of-way and interfering with a roadway construction, reconstruction or repair project shall be located upon written order from the Road Master, Engineer, to a point specified therein. The Township Engineer may require the utility to place its aerial facilities underground where it is deemed necessary or desirable. hereafter, aerial installations shall be placed subject to approval by the Township Engineer. The Township Engineer shall assign horizontal corridors on a case-by-case basis for all new construction. All gate boxes, shutoff valves and other regulating devices underground for individual customers for gas, water, steam, electric and telecommunications lines shall be located inside the inner line of the curbstone or, in the case where no curbing exists, to a point specified by the Township Engineer or his agent.

SECTION 38 MUNICIPALITY RESPONSIBILITY IN UTILITY RELOCATION

- A. An existing utility right-of-way is owned by the utility, as opposed to the municipality, and interferes with a municipal construction project; and,
- B. Utility relocation may be necessary for the installation, maintenance or repair of municipally owned or operated utility systems, such as, the municipal sanitary and/or storm sewer systems, or where the installation or modification of a municipally owned or operated utility is a part of a road way construction project.
- C. In the limited instance above, where both A and B apply, the Municipality shall be responsible for costs and fees under this Ordinance.

SECTION 39 UTILITY RELOCATION PROCEDURES

- A. Upon receipt of a letter from the Township Engineer authorizing the start of physical work, the utility shall commence work within thirty (30) days unless otherwise stated by the Municipal Road Supervisor, Code Officer or Township Engineer with reasonable cause shown in order to clear the construction area. The utility shall perform the relocation work in accordance with the approved plan of the Engineer. The utility shall ensure compliance with the provisions of all relevant local, state and federal acts, rules and regulations.
- B. Utility relocation shall be accomplished by the utility to assure its completion prior to the commencement of roadway construction. Areas of utility relocation work, which cannot be accomplished prior to the start of construction but can be accomplished simultaneously without restricting the roadway project contractor, may be done concurrently with the contractor's operations when approved by the Engineer and the municipality's contractor.
- C. It is acknowledged that field conditions occasionally necessitate revision of the utility relocation plan. It shall be the responsibility of the utility to report and justify such revisions and to correct any data on file with the Engineer.

The utilities are required to obtain the contractor's concurrence prior to such revisions within the right-of-way of the project under construction. Minor modifications of the relocation plan may be made without prior approval of the Engineer. All such changes shall be brought to the attention of the project engineer and shall be noted in the daily inspection report.

SECTION 40 AUTHORIZATION OF TOWNSHIP ENGINEER AND MUNICIPAL STREET DEPARTMENT

The Board of Supervisors provides by this Article that the responsibility and authority for the administration and enforcement of this Article shall rest in the office of the Township Engineer and/or Municipal Road Supervisor

SECTION 41 ACTIONS UPON NONCOMPLIANCE

When work performed by a utility or contractor under this Article is found in violation of the same, the contractor or utility may be given the opportunity to make corrections as required by the municipality. If the corrections are not completed in the specified time or not completed as specified, the municipality may suspend all work, whether completed or in progress, in noncompliance with this Article and take appropriate safety precautions. All work performed or contracted by the municipality to attain compliance in this regard shall be billed to the utility or contractor, plus a twenty-percent (20%) penalty. In addition, a penalty for noncompliance shall be imposed.

SECTION 42 RESUMPTION OF SUSPENDED WORK

The utility shall actively resume work upon order from the municipality or Township Engineer after suspension.

SECTION 43 PROVISION FOR PENALTY

If the utility or contractor fails to make adequate corrections to work found in noncompliance with this Article in the time specified, a penalty shall be imposed until said corrections are completed to specifications.

SECTION 44 NONISSUANCE OF PERMITS

- A. The municipality reserves the right to bar any contractor or his employee from working within the municipal limits whose work is found in noncompliance with this Article. The municipality reserves the right to refuse issuance of a permit to any applicant who fails to maintain pave cuts in accordance with this Article or who failed to pay sums due to the municipality within thirty (30) days from the date of billing.
- B. The municipality reserves the right to refuse issuance of a permit to cut new pavement.

SECTION 45 DESIGNATION OF RESPONSIBLE AGENT

Every public utility shall file with the municipality a designation, in writing, of the name and the post: office address of a person within the Commonwealth of Pennsylvania upon who service of any notice, order or process may be made under this Article, such designation may, from time to time, be changed by like writing, similarly filed.

SECTION 46 GUARANTEE OF WORK

The Applicant/Permittee shall guarantee and maintain his work for twenty-four (24) months from the completion of the restoration work. Within this twenty-four (24) month period, upon notification from the Township of necessary correction work required, the applicant/permittee shall correct or cause to be corrected all restoration work required within five (5) calendar days of receipt of the notification. The Township Engineer shall determine the extent of restoration required and the method of correction. Any and all work not completed within this five (5) day period, or within any extension of time granted by the Township for just cause, may be completed by the Township. The Township shall invoice the applicant/permittee for all costs incurred by the Township in performance of this work. Payment not made within thirty (30) days of the invoice date will be chargeable against the posted bond or cash deposit, including all fees and costs involved in the collection of this payment.

SECTION 47 EFFECT ON EXISTING CONTRACTS AND OBLIGATIONS

All litigation, hearings, investigations and other proceedings, whatsoever, pending under any act repealed by this Article, shall continue to remain in full provisions of this Article. All orders, rules or regulations issued or filed under any act repealed by this Article, and In full force and effect for the term issued or until revoked, vacated or modified under the provisions of this Article, and all existing contracts and obligations entered into or created under any act repealed by this Article, and in force and effect upon the effective date of this Article, shall remain in full force and effect, except for any matters relating to future fees for permits and permanent pavement restoration fees, which shall be governed by those fees set forth in this Article.

SECTION 48. Construal of township actions.

- A. Neither the issuance of a permit hereunder nor the taking of any other actions hereunder shall be construed as an express or implied acceptance by the township of the dedication of any street.
- B. The provisions of this Ordinance shall not apply to the installation of utility poles.

- C. Approval by the Township's inspector(s) of all or part of any permitted Work shall not constitute acknowledgment that the Work was performed in accordance with the Permit, nor shall such approval of the inspector act as a release of the permittee or waiver by the Township of its right to seek performance or restitution from the permittee.

SECTION 49. FULL FORCE AND EFFECT.

All other articles, sections, and provisions of the Ordinances of the Township of Jenkins shall remain in full force and effect as previously enacted and amended.

SECTION 50. SEVERABILITY.

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 51. REVISIONS.

The Jenkins Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 52. REPEALER.

All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 53. ENFORCEMENT.

Enforcement of the provisions of this chapter shall be jointly shared by any police department serving the Township, including the State Police, Township Zoning Officer, Township Manager, Township Road Supervisor, Township Engineer

SECTION 54.

The attached document titled "SCHEDULE A; APPLICATION AND INSPECTION FEES" shall be incorporated herein and be made a part Of this Ordinance and sets forth the particular fee schedule, Inspection requirements and insurance requirements for activities within the purview Of this Ordinance, Any changes, modifications or alterations Of Schedule A shall and may be revised by the Board of Supervisors through resolution from time to time, as required.

EXHIBIT "A"



Application for Jenkins Township Pave Cut or Excavation Permit

Date _____

Permit Fee _____

Location where work is to be completed:

Jenkins Township PA 18640

Description of work to be performed, size of cut and approximate area of opening.

Person, Firm or Corporation making request:

Address

Start Date

Expected Completion Date

Applicants signature:

The fee shall be paid by check or money order and shall be made payable to:

Jenkins Township

The following procedures must be adhered to in all excavations in the Municipality of Jenkins Township

Your are asked to follow a normal procedure of hauling away all excavated material, backfilling with a 2A modified stone tamped every foot, top with four inches of BC, BC and two inches of blacktop or the same surface covering as the adjoining materials. You will be responsible for the ditch and to correct any abnormalities within 1 year of completion. By signing this application you agree to the provisions of the JENKINS TOWNSHIP ORDINANCE REGULATING OPENING OR EXCAVATIONS IN AND UNDER TOWNSHIP ROADS OR STREETS.

PA ONE CALL # _____

SECTION 55. Effective Date. The Township Ordinance shall take effect and be in force immediately upon enactment.

ENACTED AND ORDAINED this 12th day of July, 2017.

FEE SCHEDULE

Fees shall be as follows:

PERMITS/SERVICES/PENALTY

Processing and issuing a permit \$50.00 ea.

Issuing road closure permit \$50.00 ea.

Inspection First hour (minimum inspection) \$85.00/hr.

Second hour or hours thereafter \$85.00/hr.

Engineering fees incurred by the Township shall be paid within thirty days of billing, in

addition to the hourly rates provided above,

All invoices to permittee shall be fee plus 10%.

Inspection fees between the hours of 4:00 pm and 7:00 am will carry a surcharge of 20%

Inspection fees beyond 8 hours in a day will incur a premium surcharge of fee times 1.5%. No additional surcharge will be applied.

Jenkins Township Board of Supervisors:

Stanley Rovinski, Chairman

Joseph Sperrazza, V. Chairman

Robert Linskey, Sec./Treasurer

ATTEST:

Robert Linskey, Secretary/Treasurer

Barbara Fairchild, Manager