

GORDON BOROUGH, SCHUYLKILL COUNTY  
COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 2017-04

AN ORDINANCE OF GORDON BOROUGH AMENDING PORTIONS OF GORDON BOROUGH ORDINANCE NO. 07122016, THE GORDON BOROUGH STREET EXCAVATION ORDINANCE, TO CREATE A NEW PERMIT APPLICATION FEE AND NEW REGULATIONS AND REQUIREMENTS FOR REFILLING EXCAVATIONS.

WHEREAS, on July 12, 2016 Gordon Borough enacted Gordon Borough Ordinance No. 07122016, the Gordon Borough Street Excavation Ordinance; and

WHEREAS, Gordon Borough Council believes it is in the best interests of the Borough to make certain amendments to the requirements of Ordinance No. 07122016;

NOW, THEREFORE, be it ORDAINED as follows:

1. Section 6B of Gordon Borough Ordinance No. 07122016 is hereby amended to require that any applicant for a permit shall pay a permit application fee at the time of the application. The application fee shall be \$100.00, plus either \$50.00 for an excavation of 10 lineal feet or less, or \$50.00 per every 10 lineal feet as rounded up to the closest 10 foot increment for an excavation in excess of 10 lineal feet. This fee may be amended by the Borough from time to time by Resolution.
2. Section 8 of Gordon Borough Ordinance No. 07122016 is hereby amended to require that any permittee is subject to the following regulations; and that any permittee immediately refill or restore the excavation performed following completion of the project or work for which the excavation was approved, and that in refilling or restoring the excavation the permittee comply with the following regulations.

SUB-SECTION 8.1 TRENCHING ACROSS IMPROVED AREA

A. Trenching shall not be permitted across the improved area of a Road unless authorized by the permit.

B. Trenching across the improved area of a Road may be authorized by the permit where drilling, boring, driving or tunneling are not feasible because:

1. The subsurface is solid rock
2. There are other facilities located longitudinally under the improved area and their location precludes methods other than trenching.
3. Adjacent development in a very congested urban area makes the construction of a tunneling or boring shaft impossible.

## SUB-SECTION 8.2 TEMPORARY RESTORATION

- A. Cold or hot (SuperPave, ID-2, or other as approved) mix shall be installed immediately after work is performed in Roadway and berm. Compacted thickness shall be minimum of two (2) inches.
- B. Maintain temporary paving in a condition satisfactory to the Borough Engineer.
- C. Thirty (30) days after issuance of substantial completion, permanent restoration must be completed.

## SUB-SECTION 8.3 PERMANENT RESTORATION

- A. Any person opening or disturbing any Road shall comply with the requirements of this Section.
- B. Where macadam is disturbed, the excavation or opening shall be made by a clean cut with a diamond wheel or similar instrument. Openings shall be saw cut back twelve (12) inches from the limit of the trench.
- C. Any person opening or disturbing any Road shall backfill any resulting excavation with Type 2A aggregate as specified in the Pennsylvania Department of Transportation Publication 408, Section 703 (2) (c) - Table C. Backfill shall be limestone. Compaction of the aggregate shall be in lifts of no more than six (6) inches. Backfill shall be placed and compacted to within five and one-half (5 ½) inches of the existing road grade.
- D. Four (4) inches of SuperPave asphalt mixture Base course shall be placed over the backfill in accordance with the Pennsylvania Department of Transportation Publication 408, Section 305, and shall conform to the most recent calculation methodology available from PennDOT. Unless otherwise directed, the design shall be HMA Base course, PG 64-22, 0.3 to <3.0 million ESALS, 25 mm mix, SRL-G.
- E. One and one-half (1 ½) inches of SuperPave asphalt mixture Wearing Course shall be placed over the Base Course (see B above) in accordance with the Pennsylvania Department of Transportation Publication 408, Section 421, and shall conform to the most recent calculation methodology available from PennDOT. Unless otherwise directed, the design shall be HMA Wearing Course, PG 64-22, 0.3 to <3.0 million ESALS, 9.5 mm mix, SRL-G.

F. The joints at all Road openings shall be cleaned and sealed in accordance with the Pennsylvania Department of Transportation Publication 408, Section 469. Joint sealer shall be PG 64-22, or approved equal.

#### SUB-SECTION 8.4 MULTIPLE ROAD CUTS

If more than two (2) cross cuts are made in a Road within one (1) block or less than 300 feet, contractor must overlay entire section, curb to curb or full Roadway width.

#### SUB-SECTION 8.5 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.

#### SUB-SECTION 8.6 TRAFFIC PROTECTION AND MAINTENANCE

A. 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.

B. 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 Borough Engineer before detouring any traffic.

C. 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.

D. 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.

3. The rest and remainder of Gordon Borough Ordinance No. 07122016 is hereby re-affirmed and remains in full force and effect.

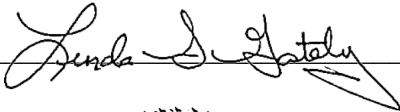
4. This Ordinance shall be effective immediately upon enactment or on first day allowed by law thereafter, whichever is sooner.

ORDAINED and ENACTED this 14th day of November, 2017.

BOROUGH OF GORDON  
Schuylkill County, Pennsylvania

BY:   
Council

ATTEST:





APPROVED:

  
Mayor