

BOROUGH OF VERONA

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH OF VERONA, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE 3 OF 2014, THE BOROUGH'S STREET OPENING ORDINANCE, AS CODIFIED AT ARTICLE VIII §215-28 ET. SEQ., VACATING AND REPLACING §215-32 GENERAL SPECIFICATION FOR ROADWAY OCCUPANCY AND TO REQUIRE REPAVING OF A STREET FROM CURB TO CURB ON CERTAIN INSTANCES.

WHEREAS, on July 8, 2014, Council for the Borough of Verona enacted Ordinance 03 of 2014, which is commonly referred to as the Verona Borough Street Opening Ordinance; and

WHEREAS, Ordinance 03 of 2014 is now codified in the Codified Ordinances of the Borough of Verona Article VII, Street Openings Permit and Regulations, §215-28 et. seq.; and

WHEREAS, the Council for the Borough of Verona desires to amend Article VII §215-32 entitled "General specifications for roadway occupancy" in its entirety and replace it with a restated "General specifications for roadway occupancy", which includes a provision that anytime a street opening permit is required to open the street, the street shall, as part of the street opening process, be repaved from curb to curb; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Verona in lawful session duly assembled, and it is hereby **ORDAINED AND ENACTED** that Ordinance 03 of 2014 is hereby affirmed with the following amendments as follows:

SECTION I. VACATING AND REPLACING §215-32 OF ARTICLE VII "GENERAL SPECIFICATIONS FOR ROADWAY OCCUPANCY"

The Borough of Verona hereby vacates Article VIII, §215-32 of the Codified Ordinances of the Borough of Verona in its entirety and replaces it with a new §215-32 set forth as follows:

§ 215-32 General specifications for roadway occupancy.

- A. No excavation in any roadway shall extend beyond the centerline of such roadway until the surface of the initial excavation is restored to a condition which shall provide safe and convenient access for pedestrian and vehicular traffic. At no time will the improved part of a roadway be completely closed to vehicular or pedestrian traffic, unless such closing is authorized, in advance and in writing, by the Foreman or Engineer. If such closure is required, a traffic control plan shall be prepared for

approval by the Engineer with appropriate signage installed and maintained by permittee to safeguard vehicular and pedestrian traffic until the roadway is reopened. Prior to any roadway closures the permittee shall provide notice of such closures to the Township Police Department, the Township Manager, Fire Department, the Allegheny Valley School District and to the Port Authority if impacted by the road closure.

- B. No more than fifty (50) feet, measured longitudinally, of any roadway shall be opened until such time as the previously opened surface of the roadway is restored to a safe and convenient condition for vehicular or pedestrian traffic unless such opening is authorized, in writing, by the Foreman or Engineer.
- C. If four (4) or more cumulative openings are made within two hundred (200) linear feet of pavement, the Engineer may require the permittee to restore the entire disturbed pavement including the area between the openings by milling or other approved method of preparation and resurfacing half the roadway (centerline to curb) where openings are limited to a single lane or one-half (1/2) of the road width. In instances where the Permittee has made openings on both sides of the centerline of a road, or where the road is narrow, the Engineer may require that the Permittee restore the entire width of the roadway (curb to curb) by milling or other approved method of preparation and resurfacing the entire length of the openings plus ten (10) feet past the end of the openings and in compliance with all other Township Specifications.
- D. For any street that has been repaved in the past 3 years, and cuts through the pavement equal 25% of the width of the cartway, the permittee shall be required to mill/ pave/restore/resurface a minimum of one-half (1/2) of the road when openings have been limited to a single lane or one-half (1/2) of the road width. In instances where the Permittee has made openings on both sides of the centerline of a road, or the road is narrow, the Engineer may require that the Permittee restore the entire width of the roadway (curb to curb) by milling or other approved method of preparation and resurfacing the entire length of the openings plus ten (10) feet past the end of the openings and in compliance with all other Township Specifications.
- E. No excavation shall be made, or attempted, if it shall or may interfere with any utility lines or other underground facilities, unless the permittee has first secured the permission of the owners of all such facilities.
- F. The permittee shall locate all underground facilities, including sanitary sewers, storm sewers, gas lines, water lines, telephone and electrical conduits and all other underground facilities, sufficiently in advance of the commencement of the work in order that damage to any such facilities be avoided, as well as to permit their relocation, if necessary. The permittee shall also comply with all the utility notification requirements of any applicable law including those of PA Act 172, the Pennsylvania One Call system.

- G. If an underground facility is damaged by the permittee, such damage shall be repaired and/or restored by the permittee, as necessary in accordance with the directions of the owner of the facility.
- H. No monument of granite, concrete, iron, steel, brass or other lasting material shall be removed or disturbed, or caused to be removed or disturbed, without the permittee first obtaining permission, in writing, from the Foreman or Engineer to do so, in which case the permittee shall pay the Township for all its expenses, including surveys, necessary and incidental to all restoration or replacements of such monuments by the Township.
- I. If a permittee shall cause any earth, sand, gravel, rock, stone or other material to be either deposited upon or caused to roll, flow or wash onto any roadway and there is thereby created a nuisance or a danger to the public health and safety, the permittee shall cause all such material to be promptly removed from the roadway. In the event any such material is not removed within eight (8) hours after notification to the permittee by the Foreman or Engineer to do so, the Township may then take all steps necessary to accomplish such removal, the costs of the removal to be paid to the Township by the permittee.
- J. The permittee shall, where required, provide flagmen and place all such barriers, barricades, lights, warning flags, danger signs and other safety devices around the work area as are reasonably necessary to protect the health and safety of the public. All such safety requirements and precautionary measures shall be based upon and conform, as applicable, to the requirements set forth in , Pennsylvania Department of Transportation publications 212 and 213, latest editions. The permittee shall also comply with any traffic control plan which forms part of the permit. In the event the permittee fails to comply with the provision of this subsection, the Township may take the necessary steps to compel compliance, all costs incurred Township in so doing shall be paid to it by the permittee.
- K. At all times while the work is in progress and prior to its completion, the permittee shall maintain safe crossings for pedestrian and vehicular traffic at all roadway intersections and, in addition, safe crossings for pedestrians at intervals of not more than three hundred (300) feet. Two (2) lanes of traffic shall, where possible, be kept open at all intersections by the installation of steel plates adequate to support all traffic loads. All such steel plates shall be firmly secured and, where appropriate, imbedded in bituminous material so as to withstand the normal flow of traffic without displacement. If the size and character of the excavation makes it impractical to use steel plates, the permittee shall so advise the Foreman or Engineer at the time the application for the permit is filed and the work shall not commence until the Foreman or Engineer consents to the omission of the steel plates.
- L. The permittee shall maintain vehicular access to all private driveways, except during working hours when construction operations prohibit such access, the owner

of any driveway which is affected to be notified of such nonaccess, by the permittee, prior to the commencement of the specific work. The permittee shall also insure that there is free access, at all times, to the fire hydrants in the area covered by the scope of the work.

- M. To the extent that any excavated material may be permitted as backfill material, all such excavated material shall be placed compactly along the side of the trench so as to cause as little inconvenience and danger as possible to vehicular and pedestrian traffic. When the Foreman or Engineer deems it necessary, it order to expedite the flow of traffic or to abate a dirt or dust nuisance, containment measures shall be taken by the permittee to prevent the spread of excavated material into traffic lanes. No excavated material shall be permitted to enter any stormwater inlet or sanitary sewer. The Permittee shall be required to implement soil erosion and sedimentation control measures including placement and maintenance of silt sacks in storm inlets. All excavated material placed/stored on site deemed to be a nuisance or safety concern by the Foreman or Engineer shall be removed daily from the site.
- N. The Foreman or Engineer may, in addition to the conditions set forth herein, impose such other conditions upon the issuance of the permit as may be reasonably necessary to protect the health and safety of the public during the course of the work.

SECTION II. SEVERABILITY.

It is hereby declared to be the intent of the Council of the Borough of Verona that several provisions of this Ordinance are separable. If any Court of competent jurisdiction shall declare any words, sentences, sections or provisions of this Ordinance to be invalid, such a ruling shall not affect any other words, sentences, sections or provisions of this Ordinance not specifically included in said ruling.

SECTION III. REPEALER.

All Ordinances or parts of Ordinances, in conflict with the provisions of this Ordinance, are hereby repealed to the extent of such conflict.

SECTION IV. EFFECTIVE DATE.

This ordinance shall take effect immediately upon its approval in accordance with the Borough Code.

ORDAINED AND ENACTED at a regular meeting of the Council of the Borough of Verona County of Allegheny, Commonwealth of Pennsylvania, a full quorum being present, the ____ day of April, 2022.

ATTEST:

BOROUGH OF VERONA:

Christine DeRunk, Borough Secretary

David C. Matlin, President,
Verona Borough Council (SEAL)

Examined and approved by me this ____ day of April, 2022.

David P. Ricupero, Mayor

Approved as to form:

Craig H. Alexander, Solicitor