

Borough of Economy
2856 Conway Wallrose Road
Baden, PA 15005
724-869-4779 724-869-8111 fax
www.economyborough.org

Permit No. _____ Date Issued _____ Fee Paid _____

ROAD OPENING PERMIT APPLICATION

PLEASE PRINT

1. Contact Person Information:
Name _____ Business Name _____
Address _____
Phone _____ Alternate phone _____
Email address _____
2. Information for person or contractor who will perform the work:
Name _____ Phone _____
Address _____
3. Street to be opened _____
Lot/Block No. or Street Address _____
4. Opening Size (feet): Width _____ Length _____ Depth _____ Total Square Yards _____
5. Distance of Opening from the Curb or Pavement Edge: _____
6. Purpose of the Opening: _____

7. Expected start date _____ Expected completion date _____
8. Expected start time _____ Expected quitting time _____
9. Liability Insurance Carrier _____
Liability Insurance Limits _____
Policy No. _____ Expiration date _____
10. Maintenance Bond Carrier _____
Amount of Bond _____ Expiration date _____
11. Estimated cost of work including all materials and labor _____

ROAD OPENING PERMIT

Page 2

I (We) agree that the proposed work shall be done in full compliance with the Ordinances, specifications and regulations of the Borough of Economy and the laws and regulations of the Commonwealth of Pennsylvania in relations thereto, and that I (We), my (Our) heirs, executors, administrators, successors and assigns shall well and truly save, defend, hold harmless and indemnify the Borough of Economy from all actions, suits, demands, payments, costs and charges for or by reason of the proposed opening or excavation, and all damages to persons or property resulting in any manner therefrom, or occurring in the prosecution of the work connected therewith, or from any other matter, cause or thing relating thereto.

Signature of Applicant

Date

NOTE: This form must be accompanied with the following/by:

1. Certificate of Insurance
2. Maintenance Bond guaranteeing work for one year
3. Detailed sketch plan of the proposed work
4. Twenty-four (24) hour notice must be given to the Borough for all inspections

Borough of Economy
Road Opening Application - Page 3

The undersigned hereby makes application for permission to open or cause an opening to be made in _____ one of the roadways in the Borough of Economy, Beaver County, Pennsylvania, for the purpose of _____

The date(s) during which the opening is to be maintained are _____
to _____ at _____ a.m./p.m.

The applicant hereby agrees that the work for the opening, excavating, guarding, shoring, filling and resurfacing will be done in strict accordance with the general and specific regulations as set forth in Borough Ordinance No. 217. The undersigned agrees that the cash deposit or bond as required by Ordinance, may be retained for a period of one (1) year following completion of the project by the Borough, to be applied for the payment of any damages or expenses suffered by the Borough due to any violation of such regulations by the undersigned applicant or for repairs to said roadway made necessary by such opening. *The applicant agrees to contact PA One Call (1-800-242-1776) before beginning to dig.*

Applicant Signature

Date

Permit No. _____

The sum of \$ _____ and/or Bond in the amount of \$ _____ (no less than \$100) having been deposited with the Secretary of the Borough of Economy, Beaver County, Pennsylvania, permission is hereby granted to _____ to open or cause an opening to be made in _____ subject to all conditions and regulations, both regular and special, as set forth in Borough Ordinance 217. Upon compliance with all the conditions herein contained, said deposit will be returned unless otherwise to be retained as agreed above by the applicant.

This permit shall be valid for the period of sixty (60) days beginning this date.

BOROUGH OF ECONOMY

Borough Secretary

Date

Return the completed form to the Borough Secretary with the application/permit fee/bond payable to
Borough of Economy.

Check # _____ Cash Receipt # _____ Received by _____

ORDINANCE NO.475

AN ORDINANCE OF ECONOOMY BOROUGH (the "Borough"), BEAVER COUNTY, PENNSYLVANIA, REPEALING AND REPLACING ARTICLE IV, STREET EXCAVATIONS IN ORDINANCE 217 STREETS AND SIDEWALKS.

WHEREAS the Borough desires to Repeal and Replace Article IV in Ordinance No. 217 to protect and enhance the condition of Borough Roads after they have been excavated.

NOW THEREFORE, Article IV in Ordinance No. 217, adopted on December 11th 1979 is hereby repealed and replaced in its entirety.

§ 160-23 Definitions

- 2.1 APPLICANT: Any person who makes application for a permit.
- 2.2 EMERGENCY: Any unforeseen circumstances or occurrences, the existence of which constitutes a clear and immediate danger to persons or properties.
- 2.3 MANAGER: The Manager of the Borough or his or her authorized deputy, representative or inspector.
- 2.4 NEW IMPROVED STREET: Newly constructed cartways, including base and surfacing of either concrete or asphalt and reconstructed cartways surfaced with a topcoat of at least 1 & ¼ inch of asphalt.
- 2.5 PERMITTEE: Any person who has been issued a permit and has agreed to fulfill all the terms of this article.
- 2.6 PUBLIC UTILITY COMPANY: Any public water or sewer authorities operating within the Borough, and any gas, electric or telecommunications companies subject to the jurisdiction of, and/or control by, the Pennsylvania Public Utility Commission.
- 2.7 STREET: A public right-of-way, road, avenue, boulevard, alley, highway, freeway, parkway, land, viaduct and any other ways intended to be used by vehicular traffic and accepted or maintained by the Borough or open for travel and use by the public.

§ 160-24 Permit Required

A It shall be unlawful for any person to make any tunnel, boring, opening or excavation of any kind in or under the surface of any street without first securing a permit from the Manager

for each separate undertaking; provided however, that any person maintaining pipes, lines or other underground facilities in or under the surface of any street may proceed with an opening without a permit when emergency circumstances demand the work to be done immediately, provided that the permit could not have been reasonably and practically obtained beforehand. In such cases where emergency openings are necessary, however, the Borough shall be notified prior to such openings in one of the following manners:

- (1) Email notification to the Manager.
- (2) Telephonic notification to the Manager.
- (3) Pennsylvania One-Call.

B The person shall thereafter apply for a permit on the first regular business day on which the office of the Manager is open and said permit shall be retroactive to the date when the work began.

§ 160-25 Permit Application

The application for a permit shall be on a form prescribed by the Borough. The application shall be accompanied by a fee in accordance with the schedule of fee set forth by the Borough Council for highway occupancy permits and restoration charges. In addition, the applicant shall submit three copies of a sketch, including but not limited to: the proposed improvement, dimensions of proposed work (including depth) location, width of the traveled roadway, right-of-way, right-of-way lines and distance to the nearest intersecting street.

§ 160-26 Issuance of Permit

A permit shall be issued to the applicant after all the requirements have been filed.

§ 160-27 Time Frame for Commencement of Work

A Work for which a permit has been issued shall commence within 30 days. If not, the permit shall be terminated automatically unless the permittee applies for an extension of time by which to commence work.

B If such an extension is granted, the original permit shall remain in force for the period specified in the extension. Permits which terminate by reason of failure to commence work within 30 days after issuance, or within any extension of time granted hereunder, may be renewed only upon the remittance of an additional permit fee as originally required

§ 160-28 Adherence to Terms of Permit

No person to whom a permit has been granted shall perform any additional work outside the scope of the granted permit. If the situation arises that the permittee determines additional

work may be needed, not more than 10% of the amount specified in the permit, the permittee may apply to the Manager for an amended permit to perform the additional work. If the additional work exceeds 10% of the amount specified in the original permit, an application for a new permit shall be made. Any deposit or bond posted for the original permit shall be deemed to cover any such additional work in the amended permit.

§ 160-29 Notice of Completion

A Upon completion of the work, the applicant shall give written notice thereof to the Borough.

B A certificate of final inspection shall be issued by the Manager to each permittee no sooner than one year and not later than 24 months after the permanent restoration of the excavation has been made, provided that the work authorized by the permit has been performed according to municipal specifications.

C Prior to issuance of a certificate, the Manager shall make a final inspection of the restoration to determine whether municipal specifications have been adhered to.

§ 160-30 Inspection: Defects to be Repaired

Upon completion of the work authorized by the permit, the Borough shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit. Where a settlement or defect in the work occurs, the applicant shall have 60 days after written notice from the Borough to rectify said settlement or defect. If the rectification does not occur by the 60th day, the Borough may complete the work and impose upon the applicant the cost thereof, as well as an additional 20% of such cost.

§ 160-31 Permits Nontransferable

Permits are not transferable from one entity to another, and the work shall not be performed in any place other than the location specifically designated in the permit.

§ 160-32 Expiration of Permits.

Every permit shall expire at the end of the period of time set out in the permit. If the permittee is unable to complete the work within the specified time, he or she shall, prior to expiration of the permit, present a written request to the Manager for an extension of time. This request shall set-forth the reasons(s) for the requested extension. If the Manager finds that the failure to complete the permitted work within the time specified was due to circumstances reasonably beyond the control of the permittee, and that an extension of time to complete the permitted work is necessary and not contrary to the public interest, then the permittee may be granted additional time for the completion of the work.

§ 160-33 State Highways

The provisions of this article shall not be applicable in those instances where the street or highway is maintained by the Commonwealth of Pennsylvania. In the interest of public safety, however, the Manager shall be notified of street excavations on state roadways before work commences.

§ 160-34 Right to use Streets

Each permit shall be granted subject to the right of the Borough, or of any other person entitled thereto, to use the street for any lawful purpose not inconsistent with the permit.

§ 160-35 Revocation of Permit

A Upon notification to the permittee, any permit may be revoked by the Manager for:

- (1) Violation of any condition of the permit or of any provision of this article.
- (2) Violation of any other applicable provision of the Borough Code or any law relating to the work.
- (3) The existence of any condition, or the performance of any act, constituting or creating a nuisance or endangering the life or property of others.

B A permittee shall be granted a period of three days from the date of notice to correct the violation before said permit is revoked.

C Written notice of any such violation or condition covered under this section shall be served upon the permittee or his or her agent engaged in the work. The notice shall contain a brief statement of the reasons for revoking the permit. Notice may be given either by personal delivery or by certified or registered United States mail.

D When any permit has been revoked and the work authorized by the permit has not yet been completed, the Manager shall act as may be necessary to restore the street, or part thereof, to similar condition to that existing before the opening was made. All expenses thereby incurred by the Borough shall be recovered from the deposit or bond the permittee has made or filed with the Borough.

§ 160-36 Duties and Responsibilities of Applicant

It shall be the duty and responsibility of any applicant to:

A Follow the provisions of this article regarding written application to the Manager.

B Agree to save and hold harmless the Borough, its officers, employees and agents from all costs, damages and liabilities which may accrue or be claimed to accrue by reason of any work performed under said permit. The acceptance of a permit shall constitute such an agreement by the applicant whether the same is expressed or not.

§ 160-37 Duties and Responsibilities of Permittee, Fees

It shall be the duty and responsibility of any person receiving a permit to:

A Pay a permit fee as set forth in the Borough's Schedule of Fees resolution.

B Make a deposit to cover any additional costs borne by the Borough and specifically related to the work authorized by the permit. The amount of such a deposit shall be computed by the Manager as provided in 160-40 of this article.

§ 160-38 Openings and Excavations

A No opening or excavation in any street shall extend beyond the center line of the street before being backfilled and the surface of the street temporarily restored. Unless a detour plan is approved by the Manager, one-way traffic must be maintained.

B No more than 250 feet measured longitudinally shall be opened in any street at any given time, except by special permission of the Manager.

C All utility facilities shall be exposed sufficiently, or their definite location shall be determined ahead of trench excavation work, to avoid damage to those facilities and to permit their relocation, if necessary.

D Pipe drains, pipe culverts or other facilities encountered shall be protected by the permittee.

E When work performed by the permittee interferes with the established drainage system of any street, provision shall be made by the permittee to provide proper drainage.

F When any earth, gravel or other excavated material is caused to flow, roll or wash upon any street, the permittee shall cause removal of the same from the street within eight hours after deposit and return the street to safe traffic flow. If the earth gravel or other excavated material so deposited is not removed as specified, the Manager shall cause such removal and the cost incurred shall be paid by the permittee or deducted from his or her deposit.

G Every permittee shall place around the project such barriers, barricades, lights, warning flags and danger signs as necessary for the protection of the public. Additional safety requirements may be prescribed by the Manager.

- (1) Whenever any person fails to provide or maintain the required safety devices, such devices may be installed and maintained by the Borough. The amount of the cost incurred shall be paid by the permittee or deducted from his or her deposit.
- (2) No person shall willfully move, remove, injure, destroy, or extinguish any barrier, warning light, sign or notice erected, placed, or posted in accordance with the provisions of this section.

H Access to private driveways shall be provided except during working hours when construction operations prohibit provision of such access.

I Free access must be provided at all times to fire hydrants.

J Excavated materials shall be laid along the side of the trench to cause as little inconvenience as possible to public travel. To expedite the flow of traffic or to abate dirt or dust nuisance, the Manager may require the permittee to place excavated material in trucks and provide toe boards or bins; and if the excavated area is muddy and causes inconvenience to pedestrians, temporary wooden plank walks shall be installed by the permittee as directed by the Manager. If the street is not wide enough to hold the excavated material without using part of the adjacent sidewalk, the permittee shall keep a passageway at least one-half of the sidewalk width open along such sidewalk line.

K Work authorized by a permit shall be performed between the hours of 7:00 am and 10:00 pm Monday through Saturday, unless the permittee obtains written consent from the Manager to do the work at an earlier or later hour. Such permission shall be granted only in the case of an emergency or if the work authorized by the permit is to be performed in traffic-congested areas.

L In granting any permit, the Manager may attach such other conditions thereto as may be reasonably necessary to prevent damage to public or private property, or to prevent the operation from being conducted in a manner hazardous to life or property or in a manner likely to create a nuisance. Such conditions may include, but shall not be limited to:

- (1) Limitation on the period of the year in which the work may be performed.
- (2) Restrictions as to the size, weight, and type of equipment.
- (3) Designation of routes upon which materials may be transported.
- (4) Designation of the place and manner of disposal of excavated materials.

(5) Requirements as to the control of dust, the cleaning of streets, the prevention of noise and other results offensive or injurious to the neighborhood, the public, or any portion thereof.

(6) Regulations as to the use of streets in the course of the work.

M Temporary Road closures may be permitted for construction, installation, or maintenance of the street or adjacent utilities, if residents have a detour to access both sides of the closure.

§ 160-39 Backfilling and Restoration

A All-pavement cuts, openings, and excavations shall be made properly and backfilled properly by the permittee according to Borough specifications. The width, location, thickness, and grade of the streets in the Borough shall be fixed in accordance with construction standards as prepared by the Borough Engineer. The specifications shall be fixed in accordance with construction standards as prepared by the Borough Engineer. The specifications shall be made available to the permittee to ensure that the proper requirements are met and are generally shown in Appendix A of this article.

B If the weather conditions are such as to prevent the completion of permanent restoration of the street surface at the time backfilling is completed, the permittee shall install a temporary surface (cold patch) in accordance with Borough specifications until such time as weather conditions will permit permanent restoration of the street surface.

C The Manager shall be notified by the permittee a least 48 hours before the beginning of back filling and/or restoration and shall be notified of the approximate time each will begin.

D No backfilling or restoration shall be performed unless or until the Manager is present, or until permission has been granted for backfilling or restoration after inspection by the Manager.

E After excavation is commenced, the work of backfilling the same shall be performed diligently. The permittee is required to complete permanent restoration of the street surface in accordance with Borough specification within seven days after repairs and/or installation is completed. Furthermore, the permittee shall be required to install and maintain a temporary surface in accordance with municipal specifications during:

(1) The period between the completion of repairs and/or installation and the commencement of final restoration.

(2) The periods during the actual project when workers do not require access to the excavation.

F Inspections of all work authorized by a permit shall be made by the Manager at such times and in such manner as required to assure compliance with provisions of this article. If the nature

of the work to be performed under any permit is such as to require the services of a full-time inspector, the Manager shall provide for the services of such an inspector.

G All inspection costs shall be borne by the permittee. Such cost shall be based upon a schedule of charges on file in the office of the Manager.

H If any settlement or failure in a restored area occurs within a period of two years from the date of completion of the permanent restoration and the permittee fails to make such correction after notification, any expense occurred by the Borough correcting such settlement shall be paid by the permittee.

I In no case shall any opening made by a permittee be considered in the charge or care of the Borough or any of its officers or employees, and no officer or employee of the Borough is authorized in any way to take or assume any jurisdiction over any such opening, except in the exercise of the police power when it is necessary to protect life and property.

J Unless otherwise approved by the Manager, openings or excavations on streets paved within the past (7) years the permittee shall, in addition to restoring the opening or excavation, pave the entire width of the road with an asphalt wearing course to a point fifteen (15) feet beyond each opening or excavation. Appropriate milling and/or keyways shall be used.

K Unless otherwise approved by the Manager, openings or excavations exceeding one hundred (100) feet in length on streets paved more than seven (7) years ago, the permittee shall, in addition to restoring the opening or excavation, pave the one-half of the width of the road with an asphalt wearing course to a point fifteen (15) feet beyond the opening or excavation. Appropriate milling and/or keyways shall be used.

§ 160-40 Deposits

A Computation of Deposit. The Manager, upon receipt of a properly completed application, shall determine the amount of the deposit to be made by the permittee in accordance with the schedule of charges established pursuant to Subsection E of this section; provided, however, that the minimum deposit required shall not be less than \$100. The deposit shall be paid at the time the permit is issued, and the deposit shall be used to reimburse the Borough for the costs of any work and/or materials furnished by it in connection with work authorized by the permit, to cover the cost of all necessary inspections of said work or any other expenses incurred by the Borough in carrying out the provisions of this article.

B Form of Deposit. The deposit may be either in the form of certified, treasurer's or cashier's check or in lawful money of the United States.

C Insufficient Deposit. If any deposit is less than sufficient to pay all costs, the permittee shall, upon demand, pay to the Borough an amount equal to the deficiency. If the permittee fails or refuses to pay such deficiency, the Borough may institute an action to recover the same in any

court or competent jurisdiction. Until such deficiency is paid in full, no additional permits shall be issue to such permittee.

D Yearly Deposit. Whenever any public utility company shall anticipate applying for permits for more than one street opening or excavation per calendar year, such public utility company may post one deposit in an amount and form as hereinbefore provided for the calendar year or part thereof to cover the cost of deposits which would otherwise be required for the anticipated permits.

E Deposit and Cost Schedules. The Manager shall establish a schedule of charges for inspection, labor, materials and other such expenses as may be incurred by the Brough in carrying out the provisions of this article. This schedule shall be established by the Manager in accordance with the reasonably anticipated cost to be incurred by the Borough in making such inspections, including reasonable administrative and overhead expenses, and in accordance with the currently prevailing costs in the area for any labor and materials which may be provided by the Borough. The Manager shall revise said schedule from time to time to reflect any increase or decrease in the costs used to establish said charges, and the fee schedule will be adopted by a resolution of the Borough Council. The schedule shall be open to public inspection in the office of the Manager upon request.

F Decision on Costs. The decision of the Manager as to the costs of any work done or repairs made by him or her under his or her discretion, pursuant to the provisions of this article, shall be final and conclusive.

G Refund of Deposit. Upon notification by the permittee that all work authorized by the permit has been completed and after restoration of the opening, the Manager shall refund to the permittee his or her deposit, less all costs incurred by the Borough in connection with said permit. In no event shall the permit fee be refunded.

§ 160-41 Liability Insurance

A Each applicant, upon the receipt of a permit, shall provide the Borough with an acceptable certificate of insurance indicating that he or she is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work, whether such performance is by himself or herself, his or her subcontractor or anyone directly or indirectly employed by him or her. Such insurance shall cover collapse, explosive hazards, and underground work by equipment on the street and shall include protection against liability arising from completed operations. The amount of the insurance shall be prescribed by the Manager in accordance with the nature of the risk involved; provided, however, that the liability insurance for bodily injury shall be in an amount no less than \$500,000 for each person and \$1,000,000 for each accident, and for property damages, in an amount no less than \$100,000, with an aggregate of \$300,000 for all accidents.

B Public utility companies and authorities may be relieved of the obligation of submitting such a certificate if they submit satisfactory evidence that they are insured in accordance with the requirements of this article or have adequate provision for self-insurance.

C Public utility companies and authorities may also file an annual certificate of insurance in lieu of individual certificates for each permit.

§ 160-42 Notice to Abutting Owners and Tenants

If the work to be undertaken by the permittee is such that it will affect the use of properties abutting or adjoining the project, the Manager may require the permittee to submit a list of owners and/or tenants and/or addresses of all properties abutting the area where the work authorized by the permit is to be performed. Upon receipt and Manager approval of such list, the permittee shall give written notification to the affected property owners and/or tenants of the proposed work to be done.

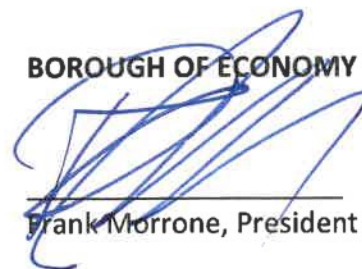
§ 160-43 Violations and Penalties

Any person, firm or corporation who shall violate any provision of this article, upon conviction thereof in an action brought before a Magisterial District Judge in the manner provided for in the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000, plus costs, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this article continues or each section of this article which shall be found to have been violated shall constitute a separate offense.

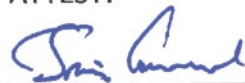
8th Enacted this 8th day of June, 2021. This Ordinance shall Take Effect the day of June, 2021.



BOROUGH OF ECONOMY


Frank Morrone, President

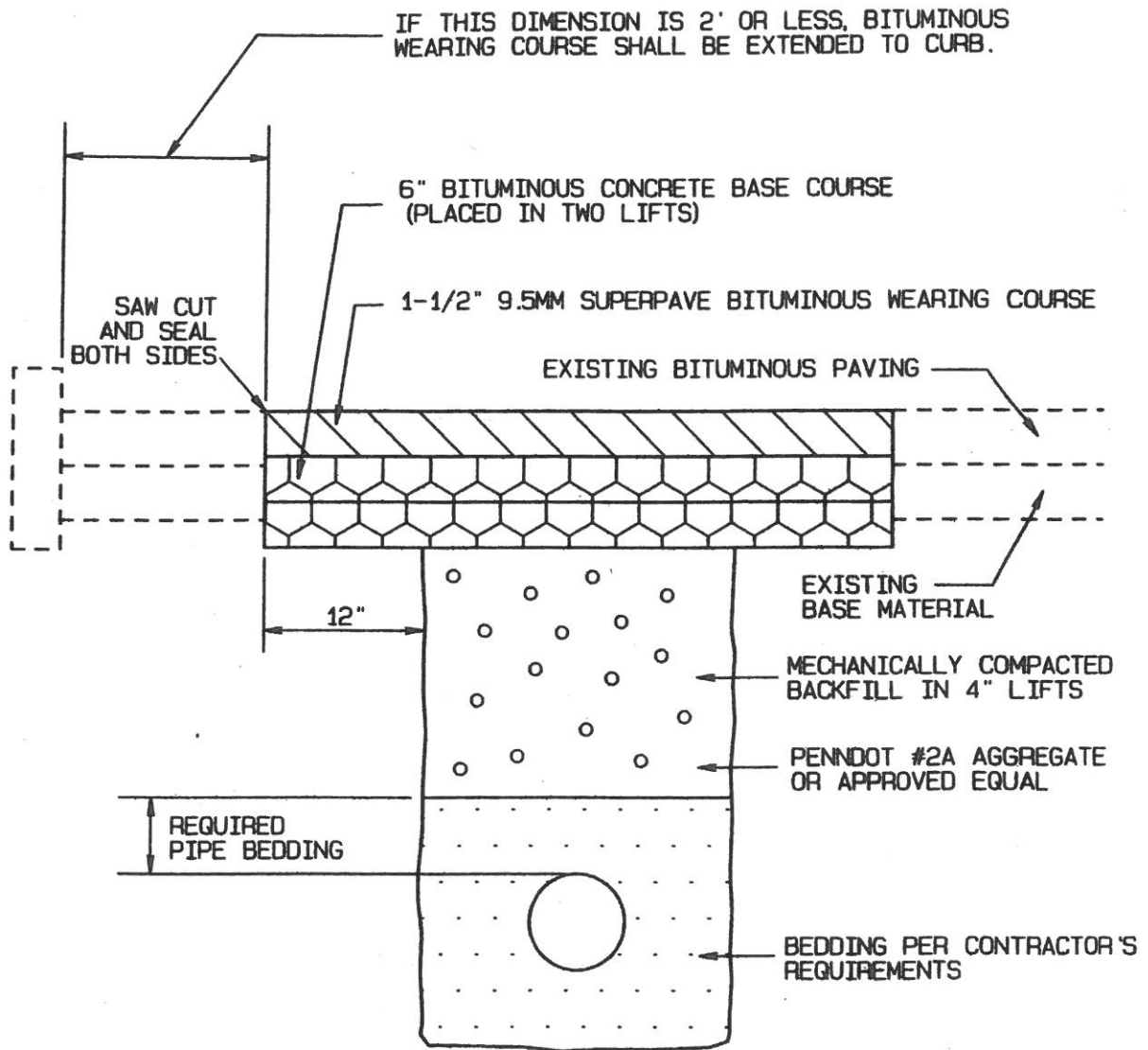
ATTEST:



Travis Cavanaugh, Assistant Manager/Secretary

Examined and Approved on this 8th day of June, 2021


Jo Ann Borato, Mayor

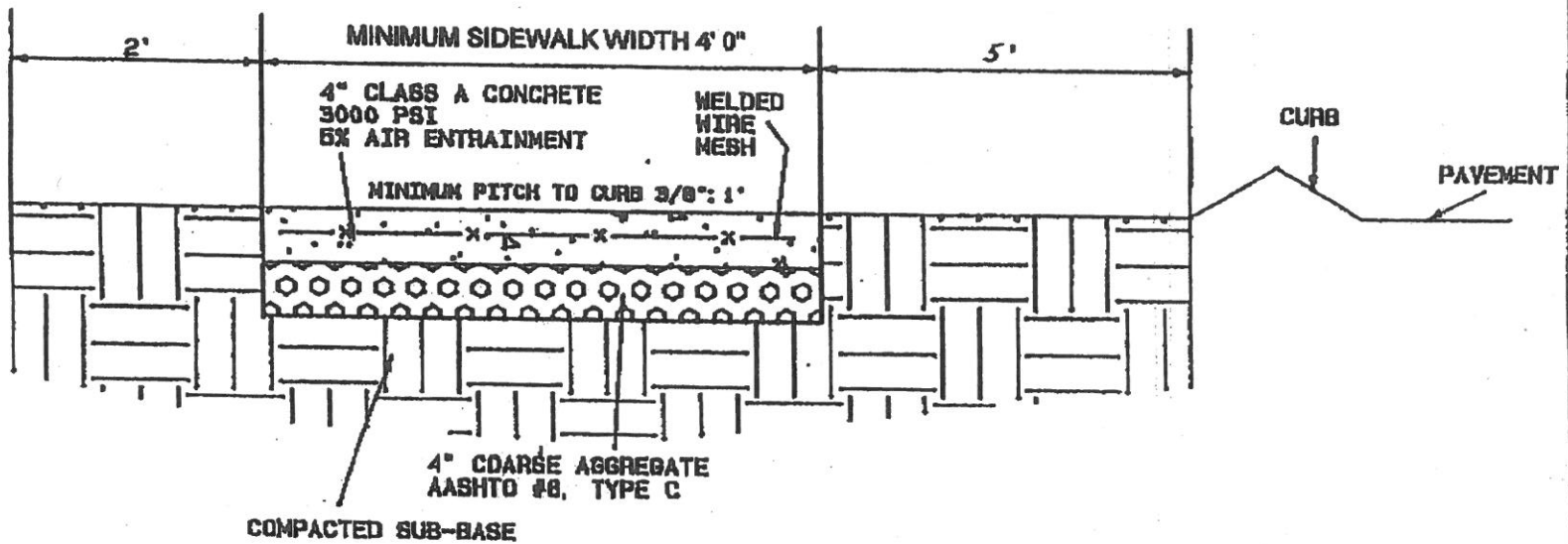


FOR USE ON OPEN CUTTING OF EXISTING BOROUGH ROADS FOR INSTALLATION OF UTILITY LINES, SEWER LINES, WATER LINES, ETC.

NOTES:

1. APPROVAL MUST BE OBTAINED FROM THE BOROUGH PRIOR TO OPEN CUTTING A STREET.
2. BORINGS SHALL BE REQUIRED UNLESS IMPRACTICAL.

ECONOMY BOROUGH	
CONSTRUCTION DETAIL STANDARD NO. 16	
RESTORATION OF BITUMINOUS SURFACES	
SCALE: NONE	DATE: 01/18/99
SHOUP ENGINEERING INC.	



CONSTRUCTION DETAIL
STANDARD No. 13
SIDEWALK
SECTION

SCALE: NONE	DATE: 11/29/95
SHOUP ENGINEERING INC.	

REV. 12/6/95