

Township of Conewago Ordinance No. 2004 – 3

AN ORDINANCE OF THE TOWNSHIP OF CONEWAGO, DAUPHIN COUNTY, PENNSYLVANIA, AMENDING CHAPTER 21, STREETS AND SIDEWALKS, OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF CONEWAGO, BY PROVIDING STANDARDS FOR STREET OPENING RESTORATION AND ENFORCEMENT PROVISIONS RELATING THERETO.

BE IT ORDAINED AND ENACTED, by the Board of Supervisors of the Township of Conewago, and it is hereby enacted by the authority of the same as follows:

SECTION 1. The Code of Ordinances of the Township of Conewago is hereby amended by adding the following parts to **Chapter 21, Streets and Sidewalks:**

Part 3. Street Opening Restoration

Section 301. Backfill

A. Class 1 Material: All Township roads including driveways within the right-of-way shall utilize Class 1 Material. From one (1) foot above the top of the pipe or utility, the trench shall be backfilled by hand or by accepted mechanical methods. Backfill in the section shall be 2A coarse aggregate or select granular material (2RC) stone free of slag, except in wet or unstable areas where the bedding may be No. 57 coarse aggregate. All materials shall conform to PENNDOT Publication 408, Section 703.3. In no case shall lift thickness placed exceed the limits specified by the manufacturer's recommendations, for the compaction equipment being used, or a minimum of two (2) feet, whichever is smaller. Consolidation shall proceed from the center of the trench to the sides to prevent arching. Backfill material shall be compacted to a minimum density of 95 percent proctor (ASTM D1557).

Section 302. Restoration

A. Drainage

1. Altering drainage shall be prohibited by the following conditions:
 - (a) Unless specifically authorized by the permit, the permittee may not:
 - (1) Alter the existing drainage pattern or the existing flow of drainage water.

(2) Direct additional drainage of surface water toward, onto, or into or in any way affect the highway right-of-way of highway facilities.

(b) The permit does not authorize the permittee to direct, divert or otherwise drain surface waters over the property of another property owner.

(1) The permit does not relieve the permittee from acquiring the consent, permission or other authorization from a property owner who may be adversely affected by drainage alterations.

(2) The permittee is responsible for damage caused to property owners as a result of work done under the permit.

2. A permit will not be issued to authorize the discharge of water into the right-of-way unless the water is surface drainage.

B. Temporary Pavement Restoration.

1. Unless otherwise directed, temporary paving shall be placed and maintained in all trenches within paved areas for a period of 90 days or as directed by the Engineer, after which permanent paving shall be installed.

2. Temporary restoration of a pavement or paved shoulder shall be constructed as follows:

(a) The base shall consist of compacted select granular material (2RC) with a surface of 2-inch bituminous material. If the existing pavement structure includes a course of sub-base material, it shall be replaced to a depth equal to the existing course depth with material meeting the requirements of section 350.2 of Publication 408.

(b) Temporary pavement restoration shall be completed before traffic is allowed to travel on the disturbed area. The temporary pavement may be kept in place for up to 6 months or as specified in the permit, if it is properly maintained.

(c) The temporary pavement shall be removed and permanent restoration performed under subsection C.

C. Permanent Pavement Restoration.

1. It shall be the duty of any person, firm, partnership or corporation causing an opening or excavation to be made in the cartway to saw cut the existing cart-way in a straight and uniform manner 12 inches back from the edge of the trench or 12 inches from the face of the curb or structure and completely remove all existing backfill and earth and restore the cartway as follows:

- (a) Class 1 Material machine tamped and compacted in layers not to exceed six inches to within six inches of cartway grade;
- (b) Four and one-half (4-1/2) inches bituminous concrete base course machine tamped and compacted;
- (c) One and one-half (1-1/2) inch of ID-2 bituminous wearing course machine tamped and compacted; and, finally
- (d) Sealing around edges of trench or between curb and replaced cartway with AC-20.

2. All work shall be done in a good workmanship-like manner and shall not cause any ridges or depressions. All work and materials shall be in accordance with PENNDOT Form 408 or as approved by the Township Engineer.

3. It shall further be the duty of the person, firm, partnership or corporation to maintain cartway for a period of two years after the work has been inspected and approved by the Township Engineer.

D. Restoration Outside Shoulder

If the disturbed area extends outside the existing shoulder, the disturbed area outside the restored shoulder shall be properly graded and a ditch line shall be constructed wherever necessary to maintain highway drainage.

Section 303. Proper Repair of Surface: Collection of Costs

A. Upon the failure or neglect of any person, firm, partnership or corporation to promptly, skillfully, properly or completely open, excavate, fill or maintain the surface of any alley, street or thoroughfare as required by this article, the Township, after notice, may cause the same to be done in a manner as it deems proper, and the Township may collect the cost thereof plus an additional 20%, together with interest and all other charges and expenses from the person, firm, partnership or corporation which made the opening or excavation, and the Township may file a municipal claim therefor or collect the same by civil actin, or any other lawful means.

B. No permit shall be issued to any person, firm, partnership or corporation unless and until the openings or excavations already caused by he, she or it have been properly filled and the surface maintained as aforesaid, in a safe condition and at the proper grade, as determined by the Township Engineer, or other authorized representative of the Township.

Section 304. Enforcement and Remedies.

The enforcement notice and remedies shall be as set forth in Section 206 of Part 2 of Chapter 21 of the Conewago Township Code of Ordinances.

ENACTED AND ORDAINED into law this 14th day of July, 2004 to become effective (5) five days after the date of enactment.

BOARD OF SUPERVISORS
TOWNSHIP OF CONEWAGO
DAUPHIN COUNTY, PENNSYLVANIA

ATTEST:

By: Jay M. Brandt, Chairman

Shirley A. Bretz, Secretary

(SEAL)

Notes: Revised: 03/30/2006 12:00 pm. *Conewago Online* is not affiliated with the township government. This computer version of a public record ©2006 by Joel Buckley. Accuracy is not guaranteed.