

BOROUGH OF PERKASIE
620 West Chestnut Street, P.O. Box 96
Perkasie, PA 18944-0096
Telephone: 215-257-5065/Fax: 215-257-6875

APPLICATION AND PERMIT FOR STREET OPENING

Date: _____

Applicant: _____ Contact: _____ Phone #: _____

Applicant Address: _____ City: _____ Zip: _____

Location of Opening: _____ Length: _____ Width: _____

Contractor: _____ Contact: _____ Phone #: _____

Contractor Address: _____ City: _____ Zip: _____

Type of Work (New Construction, Reconstruction, Repair, Excavation, Drill/Bore, Removal, Demolition, Emergency): _____

Description of Work to Be Completed (include a plan or sketch as applicable): _____

The Applicant and its Contractor agree to the following conditions:

1. Insurance Certificates for the Applicant and all Contractors working on the project should be supplied to the Borough. The Insurance Certificates should name the Borough of Perkasio and its Engineering firm, Gilmore & Associates, Inc. as Additional Insured.
2. To perform all work in the above noted street(s) located in Perkasio Borough as specified in Chapter 160 Article V of the Borough Code. A copy of the Code is attached hereto as part of the permit application package.
3. To perform all work in the above noted street(s) located in Perkasio Borough in accordance with the "Perkasio Borough Roadway Construction Standards and Specifications" attached hereto as part of the permit application package.
4. Temporary restoration of the Borough street(s) shall be maintained by the contractor or applicant until permanent paving restoration is completed. Temporary asphalt (cold patch) shall be checked at least once per week and immediately following major rain, snow or runoff events. Settlements, ruts, depressions, etc. in temporary asphalt shall be correct by filling the areas with additional cold patch and mechanically compacted.
5. All permanent repairs to streets within the Borough shall be made between 90 days and 150 days after the temporary repair is completed.
6. The Applicant will employ traffic control and protection devices to guarantee the safety of the traveling public by or over this work.
7. The Applicant should contact the Borough Engineer (Gilmore & Associates, Inc.) at 215-345-4330 and the Public Works Director 48 hours prior to the commencement of work for a pre-construction inspection.

8. The Applicant acknowledges Borough Ordinance 973, attached hereto, requiring Applicant to mill/overlay a portion of the Borough street as part of the permanent street restoration.
9. The Applicant shall guarantee and maintain its work for 24 months from the completion of the restoration and replacement work.
10. The Applicant agrees to indemnify and save harmless the Borough of Perkasio from all liability for damages or injury occurring to any person or persons or property, at such openings in streets through, or in consequence of, any act of omission of any contractor, agent, servant, employee or person engaged or employed in, about or upon said work by, at the instance or with the approval or consent of the applicant.
11. The Applicant agrees to fulfill and comply with all the terms, conditions and provisions of the rules, regulations and applicable codes of the Borough of Perkasio.

I hereby acknowledge that I have read the application. That the information given is correct and that I am the owner of duly authorized agent of the owner, I agree to comply with the Borough and state laws regulating construction. I also understand this application does not constitute the actual permit and that work may not begin until the permit application is approved as noted below.

Applicant's Signature: _____

Permit Fee (per Borough Fee Schedule): _____ (Note: Any work requiring a permit started before the permit is issued will be subject to the permit fee being doubled.)

Approved by: _____ Approval Date: _____ Permit Expiration Date: _____

ARTICLE V
Street Openings, Excavations and Pavement Cuts
[Adopted 10-19-1992 by Ord. No. 704]

§ 160-38. Definitions.

The following words, when used in this article, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

APPLICANT — Any person who makes application for a permit.

BOROUGH — The Borough of Perkasio, Bucks County, Pennsylvania.

EMERGENCY — Any unforeseen circumstance which calls for immediate action. ⁶

PERMANENT REPAIRS — Such restoration of excavated areas as so defined in the "Perkasie Borough Roadway Construction Standards and Specifications"⁷ which standards and specifications are a part of the Code of the Borough of Perkasio, subject to change only by ordinance. Copies of the said Standards and Specifications shall be available at the Borough Hall. [Amended 10-17-2005 by Ord. No. 895]

PERMITTEE — Any person who has been issued a permit and has agreed to fulfill all of the terms of this article.

PERSON — Any natural person, partnership, firm, association, utility or corporation, but shall not include the Borough of Perkasio or any Department of the Borough of Perkasio.

STREET — The entire right-of-way of a public street, public highway, public alley, public way, public road or public easement within the Borough.

STREET OPENING — Any ditch, excavation, tunnel or opening in or under the surface of any street, or within any street right-of-way, except, however, work performed by any property owner or his agent or contractor within that portion of the street right-of-way abutting his property and lying between the curblin and the property line, or a line 12 inches beyond the curblin in the case of construction or repair of curbs.

§ 160-39. Permit required.

- A. No person shall make any street openings, by drilling or otherwise, in or upon any of the streets of the Borough of Perkasio, Pennsylvania, without first obtaining a permit from the Borough Manager or his designee.
- B. Permission to make such street openings, by drilling or tunneling or boring or otherwise, may be obtained upon compliance with the following conditions:

6. Editor's Note: See also § 160-44, Emergency openings.

7. Editor's Note: The "Perkasie Borough Roadway Construction Standards and Specifications" are included at the end of this chapter.

- (1) Written application must be made to the Borough Manager for a permit. Upon application, a permit shall be issued by the Borough Manager, or his designee, within a one-week period.
- (2) Such application must set forth the name of the street and a description of the property in front of which the proposed street openings are to be made, by drilling or otherwise, as well as the character, extent and purpose of such proposed street openings, said statement of character, extent and purpose to include a statement of approximate width, length and depth of street surface to be opened.

§ 160-40. Application fee. [Amended 9-18-2000 by Ord. No. 835]

An application fee as set from time to time by resolution of the Borough Council shall be paid to the Borough Manager, in order that the applicant's permit request be processed.

§ 160-41. Failure to complete work prior to date of expiration of permit.

- A. In case the work applied for has not been completed before the date of expiration as shown on the permit, which date shall be fixed when the permit is granted and shall not be more than 120 days from date of issuance, the Borough Manager may, if he deems it advisable, take the proper steps to backfill the trench and replace the street surface over the opening for which the permit has been issued and bill the permittee. The Borough Manager shall give notice to the permittee, in writing, that such action is impending. The permittee shall be given 48 hours to respond to such written notice. If an extension of time on the said date is necessary for the completion of the work, a written application for an extension of time must be filed with the Borough Manager.
- B. All permits for the opening of street surfaces are subject to revocation at any time by the Borough Manager or by Borough Council or in the event of failure of the permittee to comply with any of the conditions upon which the permit has been granted, said conditions to be in accordance with the provisions of this article. In the event of revocation of a permit, the Borough Manager shall take the proper steps to backfill the trench and replace the street surface over the opening for which the permit was issued and bill the permittee. All such repairs shall be made pursuant to Pennsylvania Department of Transportation Specifications, PUB No. 408.

§ 160-42. Permanent repairs to street surfaces.

All permanent repairs to street surfaces within the Borough shall be made between 90 days and 150 days after the temporary repair is completed.

§ 160-43. Responsibility of permittee.

- A. The permittee shall assume all responsibility for such excavation, tunneling or opening, and for refilling the same, and for all damages whatsoever that may arise by reason of the excavation, tunneling or opening.

B. The permittee shall have the following responsibilities:

- (1) The permittee shall assume all responsibility for such excavation, tunneling or opening, and for refilling the same, and for all damages whatsoever that may arise by reason of the excavation, tunneling or opening.
- (2) The permittee shall pay all costs and expenses incident to or arising from the project, including the prescribed fees for same, the cost of making and maintaining temporary restoration of the disturbed areas and making permanent restoration.
- (3) The permittee shall notify the Borough Manager of the date that work undertaken pursuant to a permit issued under § 160-39 of this article has been completed.
- (4) Permanent restoration shall be made pursuant to the "Perkasie Borough Roadway Construction Standards and Specifications"⁸ which standards and specifications are a part of the Code of the Borough of Perkasie, subject to change only by ordinance. Copies of the said Standards and Specifications shall be available at the Borough Hall. [Amended 10-17-2005 by Ord. No. 895]
- (5) The person causing such cut or opening to be made in the street shall provide suitable barricades and guards to protect persons using the street from injury, and at night the cut or opening shall be marked with sufficient hazard lights to warn persons using the street of such cut or opening.

§ 160-44. Emergency openings.

Each and every street opening shall be made only after application has been made therefor and permit granted by the Borough Manager, or his designee, except in the event of an emergency opening. "Emergency" shall mean any condition constituting a clear and present danger to life or property by reason of escaping gas, exposed wires, collapsed water or sewer lines or other breaks or defects in the user's line. The Borough Manager shall be notified immediately of the need for an emergency opening. Permit application for all emergency openings shall be filed within five days after the emergency cut has been made.

§ 160-45. Gutters, lights and identification.

- A. All gutters shall be left open so as not to obstruct the free passage of water and sidewalks and footways must be kept in a safe and passable condition. All excavations or material from them shall have placed upon them sufficient lights and barricades to identify them from all directions during the day and after dark.
- B. If, for safety purposes, the Department of Public Works deems it necessary to install additional warning devices such as lights, barricades or signs, the permittee shall be notified of the decision and shall receive instructions on the installation. In case of emergencies, the Borough may install all additional warning devices deemed necessary by the Department of Public Works. The permittee shall be notified of this decision. The

8. Editor's Note: The "Perkasie Borough Roadway Construction Standards and Specifications" are included at the end of this chapter.

Borough shall invoice the permittee for rental and installation costs incurred from the date of installation until the permittee installs warning devices.

- C. Work performed pursuant to the issuance of a permit under § 160-39 of this article shall be completed pursuant to the standards set out at Chapter 459 of the Pennsylvania Code, and the Pennsylvania Department of Transportation Specifications, PUB No. 408.

§ 160-46. Additional work.

In no case shall a permittee open or remove a greater area of street surface than specified in the original application. The permittee shall not open any street at any location not specified in the original permit. If the permittee determines during construction that an additional area of the street will have to be opened, he shall notify and secure permission from the Department of Public Works for the additional opening. Upon receipt of permission, the permittee shall file a supplementary application for the work no later than the next work day.

§ 160-47. Guaranty of work.

The permittee shall guarantee and maintain its work for 24 months from the completion of the restoration and replacement work. Within this twenty-four-month period, upon notification from the Borough of necessary correctional work required, the permittee shall correct or cause to be corrected all restoration work required within 10 working days of receipt of the notification. The Department of Public Works shall determine the extent of restoration required and the method of correction. Any and all work not completed within the ten-day period may be completed by the Borough at the discretion of the Director of Public Works. The Borough shall invoice the permittee for all costs incurred by the Borough in the performance of this work.

§ 160-48. Conditions for issuance of permits.

Permits shall be granted only to the owners of the property on which the work is done, or to public utilities or authorities whose service lines or poles occupy the streets of the Borough, under a legal right or franchise. No permits shall be issued to contractors or subcontractors. Issuance of a permit may be delayed up to a period of one year where the proposed work will interfere with work being done or to be done within one year, by or for the Borough of Perkasié.

§ 160-49. Indemnification.

The permittee agrees to indemnify and save harmless the Borough of Perkasié from all liability for damages or injury occurring to any person or persons or property, at such openings in streets through, or in consequence of, any act or omission of any contractor, agent, servant, employee or person engaged or employed in, about or upon said work by, at the instance or with the approval or consent of the permittee.

§ 160-50. Violations and penalties. [Amended 9-18-2000 by Ord. No. 835]

Violations of this article shall be punishable as set forth in Chapter 1, General Provisions, Article II, Violations and Penalties. Each violation of any provision of this article shall constitute a separate offense.

**BOROUGH OF PERKASIE
ORDINANCE NO. 973**

**ORDINANCE OF THE BOROUGH OF PERKASIE AMENDING THE OFFICIAL BOROUGH
CODE OF ORDINANCES CHAPTER 160 - STREETS AND SIDEWALKS -ADDING NEW
SECTION 160-43.B.(6), REGARDING MILLING AND OVERLAYING OF STREETS IN THE
CASE OF ROADWAY TRENCHING**

WHEREAS, the Borough Code at 53 P.S. § 45101 *et seq.*, authorizes the Borough Council of the Borough of Perkasia ("Borough Council") to make and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the property management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough and its citizens; and

WHEREAS, the Borough Council believes that it will be in the best interest of the residents of the Borough of Perkasia to revise and amend Chapter 160 of Borough Code of Ordinances to make the following inclusion; and

WHEREAS, Borough Council has met all the procedural requirements of the Borough Code relative to advertising and any required public hearings for this Ordinance amendment; and

WHEREAS, Borough Council, after due consideration of the proposed ordinance at a duly advertised meeting, has determined that the health, safety, and general welfare of the residents of Perkasia Borough will be served by the amendment of the Borough Code of Ordinances as follows.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Perkasia, Bucks County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. Section 160-43.B.(6) shall be added to the Borough Code of Ordinances and state as follows:

When a trench is cut into any roadway within the Borough, the permit holder shall be required to mill and overlay the half-width of the roadway a depth of 1 ½ inches for the entire length of the trench cut. In cases where the trench cut occurs on both sides of the roadway and/or along the centerline of the roadway, the permit holder shall be required to mill and overlay the entire width of the roadway a depth of 1 ½ inches for the entire length of the trench cut.

SECTION 2. All ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed, it being understood and intended that all ordinances and the Borough Code, such as are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

SECTION 3. The Council of the Borough of Perkasio does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of this Ordinance, including this provision.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, by any court of competent jurisdiction, such provision shall be separate, distinct and independent, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. The failure of the Borough of Perkasio to enforce any provisions of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

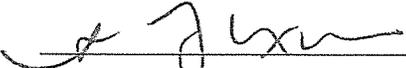
SECTION 6. This Ordinance shall take effect immediately and be in force from and after its enactment as provided by law.

SECTION 7. Under the authority conferred by the Borough Code, 53 P.S. § 45101, *et seq.*, and other relevant statutory law, the Council of the Borough of Perkasio in the County of Bucks, Commonwealth of Pennsylvania does hereby enact and ordain this Ordinance for the Borough of Perkasio.

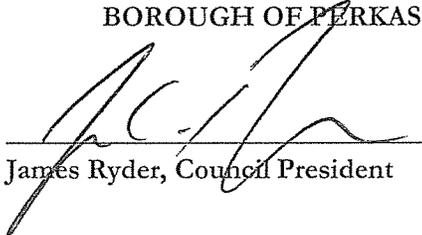
Approved by the Borough Council of the Borough of Perkasio, this 21st day of April, 2014.

Attest:

BOROUGH OF PERKASIE



Andrea L. Coaxum, Secretary



James Ryder, Council President

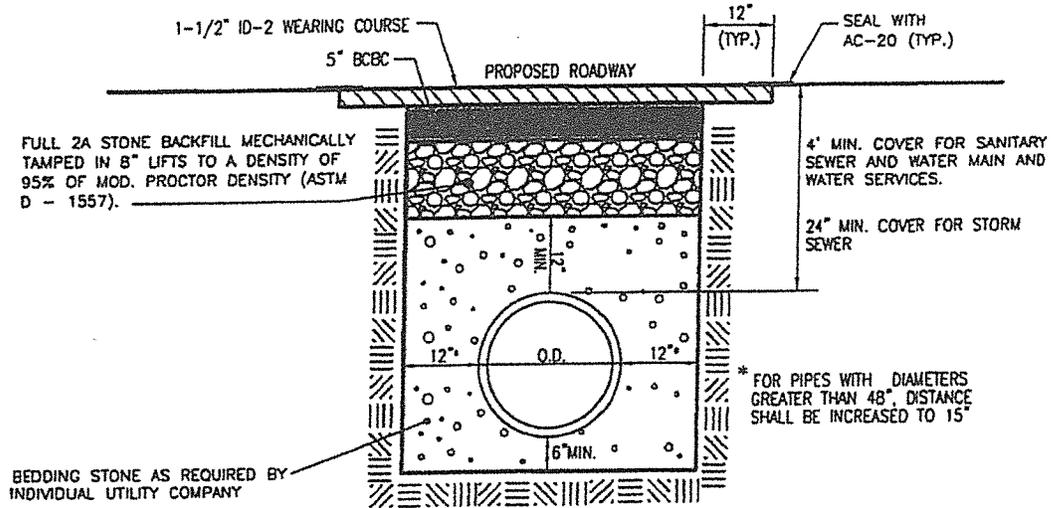
Examined and approved this 21st day of April, 2014.



John Hollenbach, Mayor

PERKASIE CODE

Figure 18

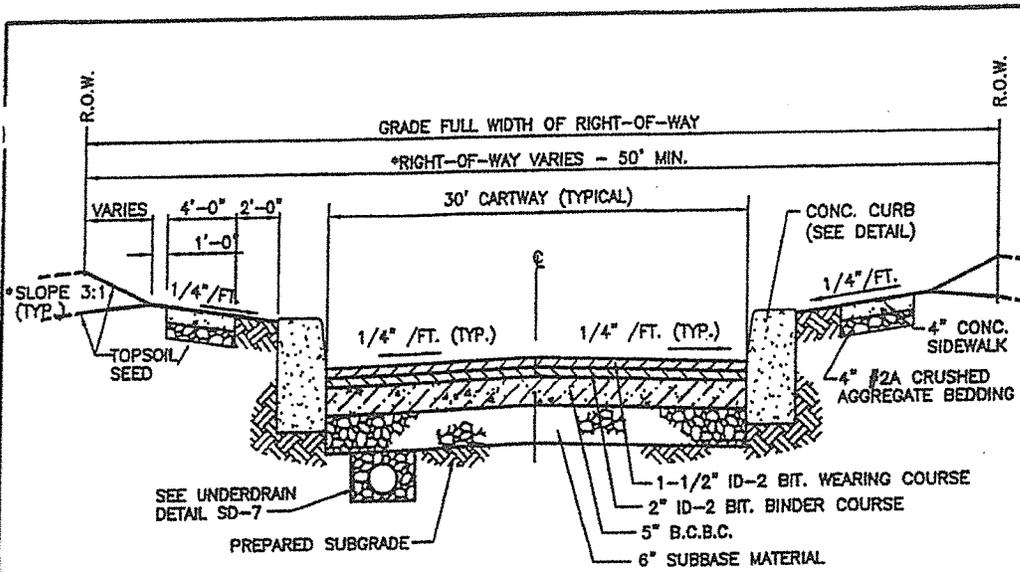


NOTE:
ALL UTILITY TRENCHES WITHIN EXISTING ROADWAYS, PROPOSED ROADWAYS, ALL RIGHT OF WAYS, EASEMENT TO SCALE, PROPOSED DRIVEWAYS, APRONS AND SIDEWALKS MUST, WITHOUT EXCEPTION, BE BACKFILLED WITH FULL DEPTH 2A STONE AFTER TOP SCREENING. ALL UTILITY TRENCHES MUST BE COMPACTED (MECHANICALLY TAMPED) IN 8" LIFTS. I.E. GAS, ELECTRIC, WATER, CABLE ETC.

TYPICAL ROADWAY UTILITY TRENCH DETAIL

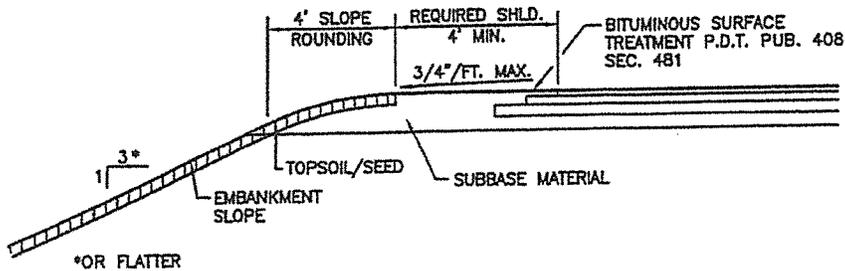
N.T.S.

STREETS AND SIDEWALKS



TYPICAL CURBED ROADWAY SECTION

NOT TO SCALE

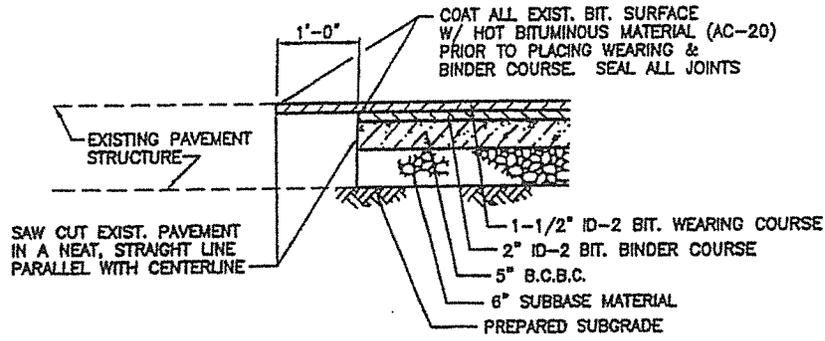


SUBBASE CONSTRUCTION—CUT CONDITIONS

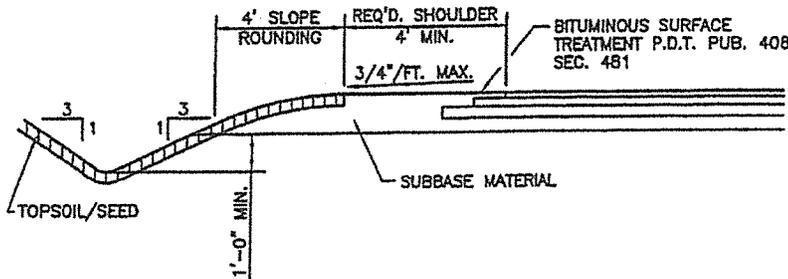
NOT TO SCALE

Bouchard and James, Inc. Consulting Engineers • Planners • Land Surveyors Doylestown, PA. • Stroudsburg, PA.			
TITLE:			TYPICAL CURBED ROADWAY SECTION
PROJECT:			SPECIFICATIONS/STANDARD DETAILS
OWNER:			PERKASIE BOROUGH
DRAWN BY:	Z.D.L.	SCALE:	NOT TO SCALE
DETAIL:			R-1
CHK'D. BY:	R.D.J.	DATE:	06/03/05
SHEET:			1 OF 4

STREETS AND SIDEWALKS



PAVEMENT KEY DETAIL
NOT TO SCALE



SUBBASE CONSTRUCTION-FILL CONDITIONS
NOT TO SCALE

Boucher and James, Inc. Consulting Engineers • Planners • Land Surveyors Doylestown, PA • Stroudsburg, PA			
TITLE: PAVEMENT KEY DETAIL			
PROJECT: SPECIFICATIONS/STANDARD DETAILS			
OWNER: PERKASIE BOROUGH			
DRAWN BY: Z.D.L.	SCALE: NOT TO SCALE	DETAIL: R-3	
CHK'D. BY: R.D.J.	DATE: 08/03/05	SHEET 3 OF 4	