

BOROUGH OF WEST NEWTON

ORDINANCE NO. 2025-9

AN AMENDMENT TO ORDINANCE 2007-4 OF BOROUGH COUNCIL OF THE BOROUGH OF WEST NEWTON, WESTMORELAND COUNTY, PENNSYLVANIA ESTABLISHING AMENDED REQUIREMENTS AND SPECIFICATIONS FOR STREET EXCAVATIONS AND RIGHT-OF-WAY OCCUPANCY; ESTABLISHING PERMIT REQUIREMENTS FOR SUCH ACTIONS, ESTABLISHING VARIOUS FEES FOR THESE PERMITS; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THE REQUIREMENTS OF THIS ORDINANCE AND PROVIDING FOR THE ADMINISTRATION OF THE PROVISIONS OF THIS ORDINANCE. ALL FOR THE PURPOSE OF PROVIDING ADEQUATE SAFETY FOR PEDESTRIAN AND VEHICULAR TRAFFIC WHERE WORK IS OCCURRING IN A BOROUGH ROAD; AND INSURING THAT WHEN WORK IS PERFORMED ON A BOROUGH ROAD; THAT ALL WORK IS PERFORMED IN ACCORDANCE WITH THE BOROUGH STANDARDS AND THE ROAD IS RETURNED TO A SATISFACTORY CONDITION WHEN SAID WORK IS COMPLETED IN THIS AMENDMENT.

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THE COUNCIL of the Borough of West Newton, Westmoreland County, Pennsylvania, hereby ordain as follows:

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE BOROUGH OF WEST NEWTON, COUNTY OF WESTMORELAND, PENNSYLVANIA, and it is hereby ORDAINED and ENACTED by it with the authority of the same:

ARTICLE ONE

DEFINITIONS

SECTION 101:                   GENERAL

Certain words used in this Ordinance are defined below. Words used in the present tense shall include the future. The singular number shall include the plural, and the plural the singular. The work "shall" is mandatory and not permissive.

- 101.1           **APPLICANT:** Any person, partnership or corporation who makes application for a permit.
  
- 101.2           **BACKFILL:** Approved material used to fill a trench or other excavation, or the process of doing so.
  
- 101.3           **BOROUGH:** Borough of West Newton.
  
- 101.4           **BOROUGH COUNCIL:** Elected Borough Council of the Borough of West Newton.
  
- 101.5           **BOROUGH ROAD:** Any road which has been dedicated to and accepted by the Borough of West Newton for use as a public road. See cartway.
  
- 101.6           **CARTWAY:** Paved area of the road within which vehicles are permitted, including curbs and shoulders.
  
- 101.7           **CERTIFICATE OF INSURANCE:** Certificate provided by the Applicant which verifies that said Applicant carries the minimum insurance coverages as stipulated in this Ordinance.
  
- 101.8           **DRIVEWAY:** Private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.
  
- 101.9           **EMERGENCY SITUATION:** A situation or event, such as breakage of a utility line, which presents an imminent hazard to the public health, safety and welfare. Not included in this definition is the routine placement or replacements of service facilities which are being constructed or replaced as part of normal expansion or routine maintenance activities.
  
- 101.10          **EXCAVATIONS:** Removal of soil, rocks, sidewalk, driveway or cartway material for the purpose of installing, replacing, repairing or removing underground facilities.

- 101.11 EXCEPTION: Any deviation from the literal terms of this Ordinance which has been approved by Borough Council.
- 101.12 FINAL COMPLETION CERTIFICATE: Certificate issued by the Street Supervisor certifying that all work has been completed in accordance with the provisions of this Ordinance.
- 101.13 FIRE DEPARTMENT: West Newton Borough Fire Department.
- 101.14 INSPECTION FEE: Fee established by resolution by the West Newton Borough Council for the purpose of performing inspections of a work site that has obtained a permit.
- 101.15 NORMAL FLOW: The direction, intensity and volume of storm water runoff typically present during various precipitation events.
- 101.16 PAVEMENT CUTS: Open cutting of a cartway, sidewalk or driveway.
- 101.17 PERFORMANCE BONDS: Security submitted to the Borough which guarantees that all work required as part of an approved permit will be satisfactorily completed. An acceptable security can be a bond, letter of credit or certified check. Said security must be made payable to the Borough of West Newton and shall not have an expiration date.
- 101.18 PERMIT FEES: Fee established by resolution by the West Newton Borough Council for the purpose of administration costs in issuing permits.
- 101.19 PERMITTEE: Any person, partnership or corporation to whom a permit is issued.
- 101.20 POLICE DEPARTMENT: West Newton Borough Police Department.
- 101.21 REGULAR BUSINESS DAY: Monday through Friday, 7:30 AM to 4:00 PM, except designated Borough holidays.
- 101.22 RIGHT-OF-WAY: Land under the control of the Borough which contains Borough roads, sidewalks, driveways, driveway aprons, and other non-paved portions of land which may or may not contain above ground or underground utilities.
- 101.23 RIGHT-OF-WAY OCCUPANCY PERMIT: A permit, which when issued, permits the permittee to perform work within a Borough right-of-

way. The work permitted under this permit shall not include any work authorized by a Street Excavation Permit.

- 101.24        **STREET SUPERVISOR:** The designated official appointed by Borough Council whose duty it is to administer the activities of the Road Department.
- 101.25        **SIDEWALK:** A paved, surfaced or leveled area, paralleling and usually separated from the cartway used as a pedestrian walkway.
- 101.26        **SITE PLAN:** A plan of the area to be worked upon which shows all pertinent information including but not limited to right-of-way lines, street locations, sidewalk locations and any existing subsurface and above ground utilities which may be impacted by the work to be performed.
- 101.27        **STREET EXCAVATION PERMIT:** A permit which, when issued, permits the permittee to open cut any Borough Road, sidewalk driveway or tunnel under any Borough Road, sidewalk or driveway.
- 101.28        **SUBSURFACE FACILITIES:** Any public utility or private transmission lines which are located below grade.
- 101.29        **TUNNEL:** To perform work which utilizes equipment that tunnels or bores beneath the cartway, sidewalk, driveway, driveway apron or other areas of a Borough Road or right-of-way, including moles.

ARTICLE TWO

ADMINISTRATION AND ENFORCEMENT

SECTION 201: STREET SUPERVISOR

The Street Supervisor, who shall be appointed by Borough Council, shall:

- 201.1 Administer and enforce the provisions of this Ordinance in accordance with its literal terms and shall not have the power to permit any construction which does not conform to this Ordinance.
- 201.2 Issue street excavation permits and right-of-way occupancy permits.
- 201.3 Maintain a permanent file of all applications for permits and permits issued as Public Records.
- 201.4 Perform all necessary inspections and initiate any enforcement proceedings which are necessary to insure compliance with the provisions of this Ordinance.

STREET EXCAVATION PERMIT

SECTION 202:

A street excavation permit shall be obtained before any person, partnership or corporation may:

- a. open cut any Borough road; or
- b. open cut any sidewalk; or
- c. open cut any driveway; or
- d. utilize any type of device or equipment which tunnels under any Borough road; or
- e. utilize any type of device or equipment which tunnels under any sidewalk, driveway or driveway apron.

202.1 Application for a street excavation permit shall be accompanied by:

- a. a completed and signed application form; and
- b. required non-refundable permit fee amount as determined by the Borough; and

- c. any inspection fee amount as determined by the Borough Engineer; and
  - d. a Pennsylvania One Call serial number for each and every street opening; and
  - e. the required Performance Bond as required in Section 204.1 c.; and
  - f. a Site Plan as defined in Section 101.25; and
  - g. a Location Plan which generally indicates the distance the street excavation will occur from the nearest intersecting street; and
  - h. a profile indicating the elevation(s) of the subsurface facilities which are being removed, repaired, or constructed. This profile shall indicate the depth below the roadway surface the work is going to be performed; and
1. additional documentation as the Street Supervisor may require.

202.2 The completed application shall be submitted to the Street Supervisor at the Municipal Building. Upon receipt, the Street Supervisor shall:

- a. review all documentation for completeness and accuracy;
- b. review and render a decision regarding the application within ten (10) working days of his receipt of said application;
- c. request review and recommendations to the Borough Engineer if such review is warranted.

202.3 Upon approval of an application, the Street Supervisor shall provide the Applicant with two (2) signed copies of the permit. The Applicant must maintain one (1) copy of the approved application at the job site.

202.4 The granting of any street excavation permit shall confer a right upon the permittee, subject to the terms and conditions of the permit, to temporarily occupy and use the street surface during the course of construction work covered by the permit, and to thereafter occupy the space within which the work is to be located, subject in every case to the specific right of the Borough to require temporary or permanent relocation or removal of any of the facilities entirely at the permittee's expense in the event said

facilities are in conflict with the Borough's interest or the public interest in the use of the street.

- 202.5 In granting any permit, the Borough may attach such special conditions thereto as may be reasonably necessary to protect public and private property.
- 202.6 By accepting the permit, the Applicant agrees to perform the work in accordance with the terms and conditions of the permit, and of any special conditions which may be attached thereto, and to save the Borough, its officers, employees and agents from any costs, damages and liabilities which may accrue by reason of the work.
- 202.7 Every permit issued hereunder shall expire thirty (30) days after it is issued. If the Permittee shall be unable to complete the work within the specified time, he shall, prior to expiration of the permit, present in writing to the Borough a request for an extension of time, setting forth therein the reasons for the requested extension. If, in the opinion of the Borough, such an extension is necessary, the permittee may be granted additional time for the completion of the work.
- 202.8 The Applicant must notify the Street Supervisor and Police Department at least 48 hours before work is commenced and shall not backfill any open cut before the Street Supervisor has inspected the site.
- 202.9 The Street Supervisor may revoke any permit issued under the provisions of the Ordinance if he/she deems the terms of the permit are being violated. Upon revocation of the permit, the Street Supervisor shall provide the Permittee with a written explanation of the terms of the permit which are being violated and establish a time frame under which the Permittee must complete all necessary reparations to bring the job into compliance with the provisions of the permit.
- 202.10 If final paving repairs are not completed to the satisfaction of the Borough, the Borough reserves the right, after notice to the Permittee, to complete final paving repairs, including the removal of substandard work. These repairs will be funded by the Performance Bond which the Permittee must provide. Upon the satisfactory completion of all work, the Street Supervisor shall issue a Final Completion Certificate and return the required Performance Bond or remaining portion thereof, if any. If the cost exceeds the amount of the Performance Bond the Permittee must reimburse the Borough for the additional amount. Any Permittee who fails to reimburse the Borough shall be fined \$600.00 plus cost to complete repairs on the street.

SECTION 203: RIGHT-OF-WAY OCCUPANCY PERMIT

A right-of-way occupancy permit shall be obtained before any person, partnership or corporation shall:

- a. perform work in any Borough right-of-way which does not include the activity which requires a street excavation permit.

203.1 Application for a right-of-way occupancy permit shall be accompanied by:

- a. a completed and signed application form; and
- b. required permit and inspection fee; and
- c. a Site Plan which clearly shows where in the right-of-way the work will occur; and
- d. additional documentation as the Street Supervisor may require.

203.2 The completed application shall be submitted to the Street Supervisor at the Municipal Building. Upon receipt, the Street Supervisor shall:

- a. review all documentation for completeness and accuracy; and
- b. review and render a decision regarding the completed application within ten (10) working days of his receipt of said application.

203.3 Upon approval of an application, the Street Supervisor shall provide the Applicant with two (2) signed copies of the permit. The Applicant must maintain one (1) copy of the approved application at the job site.

203.4 The granting of a right-of-way occupancy permit shall confer upon the Permittee, subject to the terms and conditions of the permit, permission to temporarily occupy and use the road right-of-way during the course of construction work covered by the permit, and to thereafter occupy the space within which the work is to be located, subject in every case to the specific right of the Borough to require temporary or permanent relocation or removal of any of the facilities entirely at the Permittee's expense in the event said facilities are in conflict with the Borough's interest or the public interest in the use of the right-of-way. The right-of-way occupancy permit does not authorize the Permittee to perform any work which is governed by the requirements of a street excavation permit.

- 203.5 In granting any permit, the Borough may attach such special conditions thereto as may be reasonably necessary to protect the public and private property.
- 203.6 By accepting the permit, the Applicant agrees to perform the work in accordance with the terms and conditions of the permit, and of any special conditions which may be attached thereto, and to save the Borough, its officers, employees and agents from any costs, damages and liabilities which may accrue by reason of the work.
- 203.7 Every permit issued hereunder shall expire thirty (30) days after it is issued. If the permittee shall be unable to complete the work within the specified time, he shall, prior to expiration of the permit; present in writing to the Borough a request for an extension of time, setting forth therein the reasons for the requested extension. If, in the opinion of the Borough, such an extension is necessary, the permittee may be granted additional time for the completion of the work.
- 203.8 The applicant must notify the Street Supervisor and Police Department at least 48 hours before work is commenced and shall not backfill any trenches before the Street Supervisor has inspected the site.
- 203.9 The Street Supervisor may revoke any permit issued under the provisions of this Ordinance if he/she deems the terms of the permit are being violated. Upon revocation of the permit, the Street Supervisor shall provide the Permittee with a written explanation of the terms of the permit which are being violated and shall establish a timeframe under which the Permittee must complete all necessary reparations to bring the job into compliance with the provisions of the permit.
- 203.10 Upon the satisfactory completion of all work, the Street Supervisor shall issue a Final Completion Certificate.

SECTION 204: PERMIT FEES, INSPECTION FEES, AND PERFORMANCE BONDS

- 204.1 Fees and bonds shall be established as follows:
- a. Permit fees and inspection fees shall be established by resolution of Borough Council.
  - b. Performance bonds shall be provided in one of the following manners:

1. A Bond minimum of \$5,000.00 provided at the date of each application for a street excavation permit. This bond will be returned when all work is performed satisfactorily.
2. A Bond minimum of \$5,000.00 provided to the Borough on the date of the first street excavation permit application for that calendar year. This bond shall be good for the entire year in which it is issued. The bond will cover all street excavation activities during that calendar year. This bond will be returned when all jobs started in that calendar year are completed satisfactorily.

SECTION 205:

ENFORCEMENT PROCEDURES

The Street Supervisor or members of the Police Department may prevent or restrain any work which is proceeding without benefit of a street excavation permit or right-of-way occupancy permit. If this situation occurs, the person, partnership or corporation performing the work must immediately apply for a permit and must perform any task which will ensure a safe condition for motorists and pedestrians as the Street Supervisor or Police Department may require. In addition, a permit must be applied for and obtained before work can continue.

205.1

The Street Supervisor upon discovery of a situation where work is being performed on a site for which a permit has been issued and this work is not in compliance with the provision of such permit, may take corrective actions as he/she deems necessary including, but not limited to, preventing or restraining any additional work until any necessary repairs are completed. Under no circumstances shall the Permittee leave the job site in an unsafe or hazardous condition.

205.2

In the event that the Permittee does not take the necessary corrective actions within the timeframe the Street Supervisor establishes, the Borough may utilize the Performance Bond and take the necessary measures to correct the problem. Upon the satisfactory completion of all work, the Street Supervisor shall issue a Final Completion Certificate and return the required Performance Bond or remaining portion thereof, if any. If the cost exceeds the amount of the Performance Bond the Permittee must reimburse the Borough for the additional amount. Any Permittee who fails to reimburse the Borough shall not have any other permits issued under this Ordinance, and any other current permits issued under this Ordinance shall be revoked until such time the Permittee reimburses the Borough for the additional amount.

ENFORCEMENT PENALTIES

SECTION 206:

Any person, partnership or corporation found to be in violation of any provisions of this Ordinance by the Street Supervisor or his designee shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) and costs of prosecution, and, in default of payment of such fines and costs, to imprisonment for not more than thirty (30) days. Each day that a violation is continued shall constitute a separate offense.

SECTION 207: INSPECTION

The work shall be subject at all times to inspection by the Street Supervisor. Under no circumstances shall a trench be backfilled without prior inspection of the work by the Street Supervisor or his designee.

207.1

After final inspection and acceptance of the work, and after payment of any refund or collection of any insufficiency due, the Borough shall issue a Final Completion Certificate. The date of such Final Completion Certificate shall fix the eighteen (18) month time period during which the Permittee absolutely is responsible for maintenance of permanent pavement repairs, trenches or any other reparations performed. Any problems which arise during this eighteen (18) month period and are attributable to the work performed by a Permittee or his assigns shall be rectified immediately. Failure to perform reparations determined necessary by the Street Supervisor or his designee will result in the completion of repairs by the Borough. The Borough will recover all funds expended in performing said repairs by providing the Permittee with an itemized bill listing all costs the Borough incurs. Any Permittee who fails to reimburse the Borough shall not have any other permits issued under this Ordinance, and any other current permits issued under this Ordinance shall be revoked until such time the Permittee remits to the Borough the costs of the repairs.

INSURANCE

SECTION 208:

An Applicant shall provide a Certificate of Insurance to the Street Supervisor and have said certificate properly executed by the Applicant's insurance carrier. Properly executed Certificates of Insurance shall be filed with the Street Supervisor and verify that the Applicant is insured against claims for property damages which may arise from or out of the performance of the excavation work, whether such performance be by the Applicant or anyone directly or indirectly employed by him. Such insurance shall include protection against liability arising from completed operations, underground utility damage and collapse of any property. Liability insurance for bodily injury shall be in an amount not less than

one million dollars (\$1,000,000.00) for each person and one million dollars (\$1,000,000.00) for each accident and for property damages an amount not less than one million dollars (\$1,000,000.00). Failure of an Applicant to file a Certificate of Insurance shall be a sufficient reason for denying a permit. The Applicant shall save and hold harmless the Borough from any and all damages and liability by reason of personal injury or property damage arising from work done by the Applicant under the provisions of this Ordinance. The Applicant's Certificate of Insurance shall name the Borough as an additionally insured.

SECTION 209:           EMERGENCY SITUATIONS

Any person, partnership or corporation performing work without a permit because of an emergency situation as defined in Section 1, shall verify the emergency nature of the circumstances in writing to the Street Supervisor within the first regular business day after such emergency occurs. All work performed in an emergency situation must be done in compliance with the requirements of Article 3 of this Ordinance and a permit must be applied for on the first regular business day following the date the emergency occurred. The Street Supervisor or his designee will determine the amount of additional information that will be required. All fees and bonds will be required to be provided with the application form. Prior to commencing work in an emergency situation, the person, partnership or corporation performing the work must notify the Police Department and Street Supervisor of the nature of the emergency.

EXCEPTIONS

SECTION 210:           Exceptions to the requirements of this Ordinance shall not be permitted except upon written request by the Applicant and approval by Borough Council at a public meeting. Borough Council may request and utilize the recommendations of the Street Supervisor and/or the Borough Engineer with respect to any exception request. Borough Council may impose any reasonable conditions to the granting of an exception.

VALIDITY

SECTION 211:           The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court or competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of Borough Council that this Ordinance would have been adopted, if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein. This Ordinance

may be included in a general codification of Borough Ordinances. The Section numbers may be amended to accommodate such codification.

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ARTICLE THREE

PERMIT SPECIFICATIONS

SECTION 301:       GENERAL

301.1               Unless specifically permitted by the Borough:

- a.       No street opening shall extend across more than one-half of the cartway at one time.
- b.       Two-way traffic shall be maintained.
- c.       Access to driveways and/or buildings abutting the street shall be maintained.
- d.       Not more than 250 lineal feet of any street shall be opened at any one time.
- e.       No excavated materials or backfill materials shall be stockpiled on the roadway surface or sidewalk.
- f.       All repairs shall be made in accordance with the requirements herein within fifteen (15) working days of the opening of the street, subject to the availability of proper materials. The Permittee shall have fifteen (15) days from the date of Spring start up of the asphalt batch plant to complete all permanent repairs to those areas where temporary repairs have been made.

301.2               The Permittee shall locate in advance of excavation all surface and subsurface utility lines and structures, as required by Pennsylvania Act 172, also known as the Pennsylvania One Call System. The Permittee shall take all precautions necessary to avoid damage to other utility lines, and to public and private property. In the event damage does occur to the property of others, the Permittee shall promptly and satisfactorily repair all damages and restore the property to a satisfactory condition.

301.3               Provisions shall be made to accommodate the flow of storm drainage, and no excavated material or trench shall be permitted to interfere with the normal flow of surface water.

301.4               Traffic control shall be maintained in accordance with Pennsylvania Department of Transportation, Publication 203 and the Permittee shall furnish and maintain upon the work site such signs, barricades, lights and

flagmen as may be necessary to insure safe travel for vehicular and pedestrian traffic. Maintenance and Protection of Traffic is the responsibility of the Permittee.

- 301.5 If blasting activities are performed, such operations shall be performed by persons authorized by all Federal, State, County, and Local authorities to undertake such activities and shall be carried out in strict accordance with Federal, State, County or Municipal laws or regulations governing the same. A copy of all required permits for blasting shall be provided to the Borough prior to any blasting activities taking place.
- 301.6 Appropriate measures must be taken to provide access for emergency vehicles and to all properties affected by the work at all times.

**SECTION 302: PAVEMENT CUTS, EXCAVATION AND BACKFILL**

- 302.1 Cuts through bituminous wearing surfaces shall be scored on a neat, straight line to the full trench width, using either a pneumatic spade or a concrete saw. Cuts through Portland cement concrete shall be sawed to a sufficient depth to enable removal of concrete with a clean, straight break.
- 302.2 Excavated material shall be removed immediately or laid completely off the roadway surface to cause as little inconvenience as possible to public travel. Pedestrian sidewalks shall be kept clean and free of obstructions, and, where necessary, temporary bridging or plank walkways shall be provided. Excavated material not suitable for backfill shall be immediately loaded into trucks and removed as excavation is in progress. Construction materials shall not be stored in the public street except immediately in advance of installation. Loose earth and stone shall be promptly cleaned from the streets and sidewalks, and dust shall be regularly swept up and removed.  
  
Sidewalls of a trench under four foot (4') in depth shall be kept as nearly vertical as possible. When over four foot (4') in depth, the trench shall comply with the requirements established by the Occupational Safety and Health Administration Standards.
- 302.3
- 302.4 Through rock, utility lines and facilities shall be cushioned by not less than six inches (6") of clean sand or other approved granular material around and beneath the work, so that a cushion completely surrounds the work to afford protection in the event of future excavation in close proximity thereto.

302.5 When a tunneling device is used to install the utility lines and facilities, a minimum depth of thirty-six inches (36") must be maintained from the top of the utility line to the top of the roadway surface.

302.6 When the utility lines are outside the roadway surface but still in the right-of-way, a minimum depth of twenty-four inches (24") must be maintained from the top of the utility line to the top of the ground surface.

302.7 Upon receiving a favorable inspection by the Borough Street Supervisor, backfilling shall follow immediately after installation of the facilities. Specifications for backfilling are outlined in the West Newton Borough Standard Details. A typical trench detail is attached in Appendix A. Backfill shall meet all Pennsylvania Department of Transportation Form 408 Construction compliance. Excess material shall be promptly removed, and the street surface hand-swept prior to paving repairs.

SECTION 303: RESTORATION OF BITUMINOUS PAVEMENT

303.1 Temporary pavement repairs shall consist of the trench being backfilled with 2A natural stone or gravel (no slag) and topped with three and one-half inches (3½") of cold patch. In all cases, the permittee is responsible to maintain temporary pavement repairs in good condition, free of chuck-holes and soft spots, and to clean the street surface of any debris or earth which may be carried over the street.

303.2 Final pavement restoration shall be made only when weather conditions are suitable.

- a. All road crossings trench restorations shall be carried out as shown in the Bituminous Trench Repair Detail in Appendix A. If, because of weather conditions or time of year, temporary paving and 2A natural stone or gravel is utilized, these temporary materials must be removed to a depth of 13½" below finished street paving grade. All temporary materials shall be removed and replaced with permanent repairs as soon as weather conditions permit. Any soft or spongy spots shall be removed to form bearing, and replace with 2A natural stone or gravel (no slag) as shown in the Bituminous Trench Repair Detail and thoroughly compacted. In any case, edges of the original paving shall be cut back on a straight line so that not less than 3½" of undisturbed subgrade is exposed, forming a twelve inch (12") wide shoulder or ledge along either side of the trench. Edges of the existing subbase shall be neatly cut to expose a sound vertical face and fully excavated to the required thirteen- and one-half inches (13½") (regardless of the depth of existing street paving and base) at least

twelve inches (12") on each side of the trench excavated for the utility line installation/ replacement/ repairs.

b. The restoration of the bituminous paved area shall include a 1½" wearing course overlay extending a minimum of 2 feet on either side of any street opening. When a street opening affects only one side of the roadway, restoration shall extend from the curb to the centerline. When the street opening crosses the centerline or disturbs both sides of the roadway, full-width restoration from curb to curb shall be required. In all cases, the width of the wearing course overlay must be at least 2 feet beyond the edge of the excavation on each side.

303.3 Upon treating the cut edges of the original paving with a minimum PG64- 22 tack coat, the final pavement repairs shall be performed as designated in the Typical Bituminous Concrete Keyway Detail (Appendix A). Lastly, the joint where the new pavement meets the original must be sealed with either a minimum PG64-22 tack coat and dusted with sand.

SECTION 304: RESTORATION OF OTHER SURFACES

304.1 Requirements for permanent repairs to surfaces other than bituminous pavement will be determined by the Borough in each specific case. In general, final restorations in any case shall be equal to the original surface.

304.2 The restoration of the concrete paved area shall include repairing the roadway from the centerline of the roadway to the curb for a minimum of 2-feet in each direction on either side of any street opening. In the event that a street opening would disturb on both sides of the centerline of a street the restoration will be required from curb to curb for a minimum of 2-feet in each direction on either side of any street opening.

304.3 The restoration of the brick paved area shall include repairing the roadway from the centerline of the roadway to the curb for a minimum of 2-feet in each direction on either side of any street opening. In the event that a street opening would disturb on both sides of the centerline of a street the restoration will be required from curb to curb for a minimum of 2-feet in each direction on either side of any street opening. The original bricks shall be retained 'On site to be used in the repair. Any broken or missing bricks shall be replaced by the Permittee during restoration with bricks of like color. The replacement bricks, including color must be approved by the Street Supervisor prior to installation.

304.4 Sidewalks must be replaced to meet the criteria as shown in the Concrete Sidewalk Detail in Appendix A. The joints between the last disturbed sidewalk slab section and the first undisturbed section shall be saw cut and

one fourth inch (1/4") pre-molded expansion joint filler placed along both edges. Backfill material shall be adequately compacted so that no shrinkage shall occur and two inches (2") of granular base material placed evenly. Prior to pouring the concrete, the sidewalk subbase and forms must be inspected and approved.

304.5 Concrete curb shall be removed to the nearest joint or the curb may be saw cut if necessary. Concrete curbs shall be removed full depth and replaced as shown in the Concrete Curb Detail in Appendix A. All work shall be done under the supervision of the Street Supervisor.

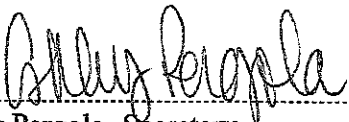
SECTION 305: SPECIAL RESTORATION REQUIREMENTS

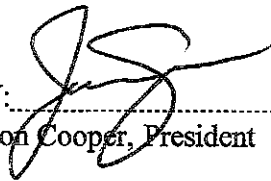
305.1 Wherever unusual conditions exist, or arise during construction, the Borough may change the permanent restoration requirements from those given herein. In all cases, marks of construction beyond the area of actual trench shall be satisfactorily restored, and shall be located within the limits of the required wearing course overlay area. In cases where a substantial portion of the original roadway paving is removed or damaged, thereby, disturbing the envelope of the roadway, the Borough may require the Permittee to resurface the entire street area, in addition to constructing the final paving repairs over trench areas as described above. A substantial portion shall be defined as six (6) openings or more within a one-hundred-foot (100') section of the roadway. The Borough may also elect to accept payment from the Permittee to the Borough for final paving repairs, in a sum to be determined by the Borough based upon then current costs for such work plus 15%, and to apply the sum so paid toward the cost of reconstruction of the entire street. The decision as to whether to require the Permittee to make the repairs or accept payment from the Permittee to the Borough for final paving repairs is the sole decision of the West Newton Borough Council.

AMENDMENT ORDAINED AND ENACTED this 15<sup>th</sup> day of JUN, 2025.

ATTEST:

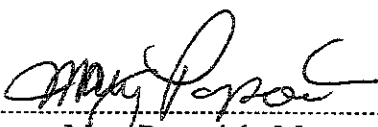
WEST NEWTON BOROUGH  
COUNCIL

BY:   
Ashley Pergola, Secretary

BY:   
Jason Cooper, President

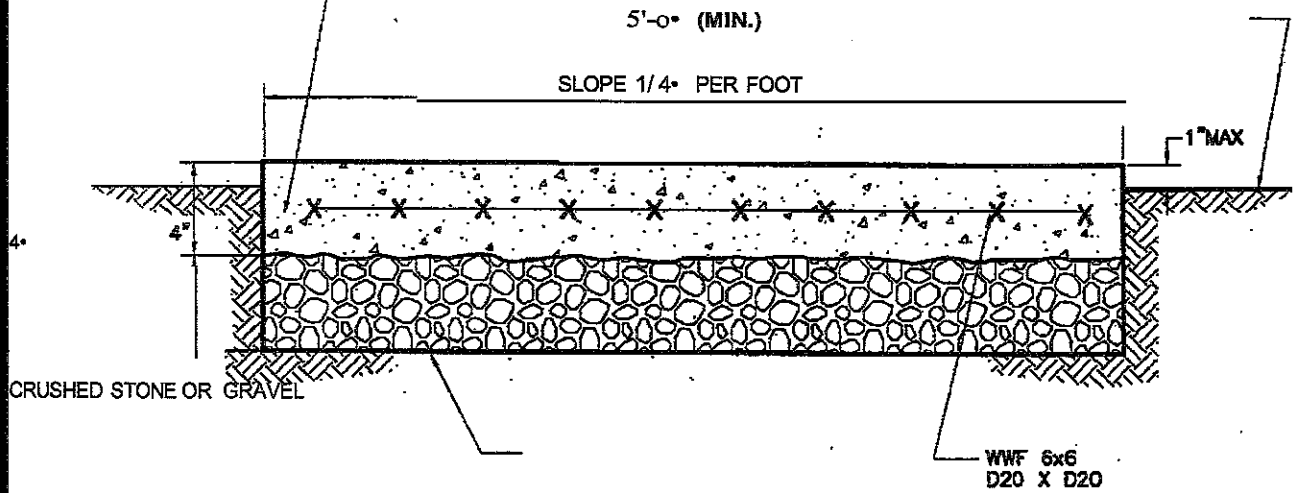
(Borough Seal)

EXAMINED AND APPROVED BY ME THIS 15<sup>th</sup> DAY of July, 2025

BY:   
Mary Popovich, Mayor



CLASS M, PENNDOT APPROVED  
 4000. PSI, 5% AIR ENTRAINED CONCRETE APPLY LINSEED OIL OR OTHER  
 APPROVED SEALER PER PENNDOT 4-08 TO PREVENT SPALLING  
 FINISHED GRADE

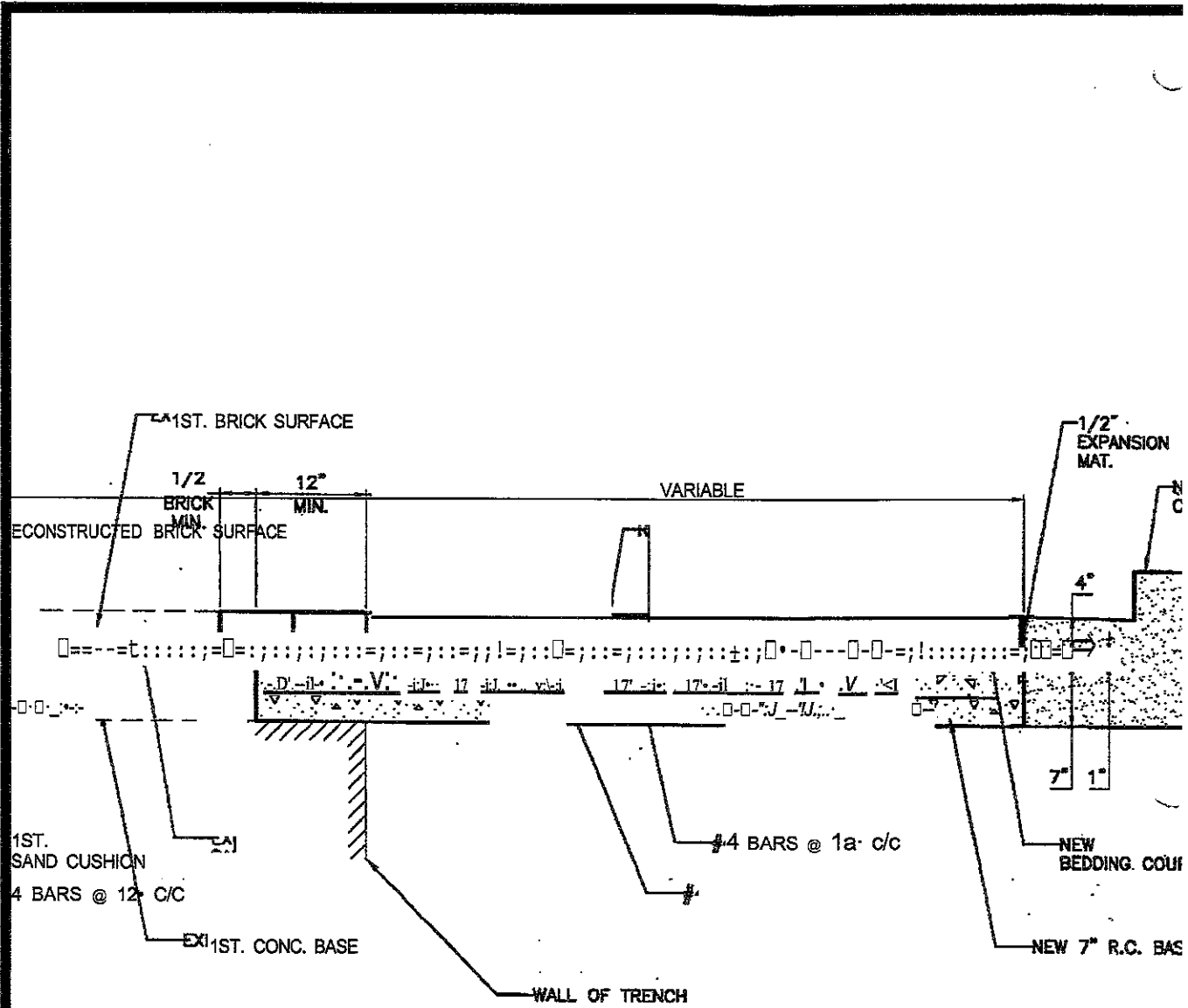


**NOTES: -**

1. SCORE WALK EVERY FIVE FEET (5'). 1/2" PREFORMED EXPANSION JOINTS EVERY 20. FEET. PROVIDE A STIFF BROOM FINISH WITH TROWELED EDGES.
2. INSTALL 8" DEPTH CONCRETE WHERE SIDEWALKS INTERSECT DRIVEWAYS.
3. PROVIDE IWO (2) No 4 DOWELS AT PROPERTY LINES
4. PREPARATION OF REINFORCEMENT MUST BE INSPECTED BY BOROUGH PRIOR TO POURING OF CONCRETE.

NEWPORT-CO. DWG. LBYD011, 01/12/07 11:53 AM, 05/14/07, W:\ES\1000\DWG\NEWPORT-CO.DWG

DATE:  
 5/14/2007



**BRICK ROADWAY RECONSTRUCTION**

N. T. S.

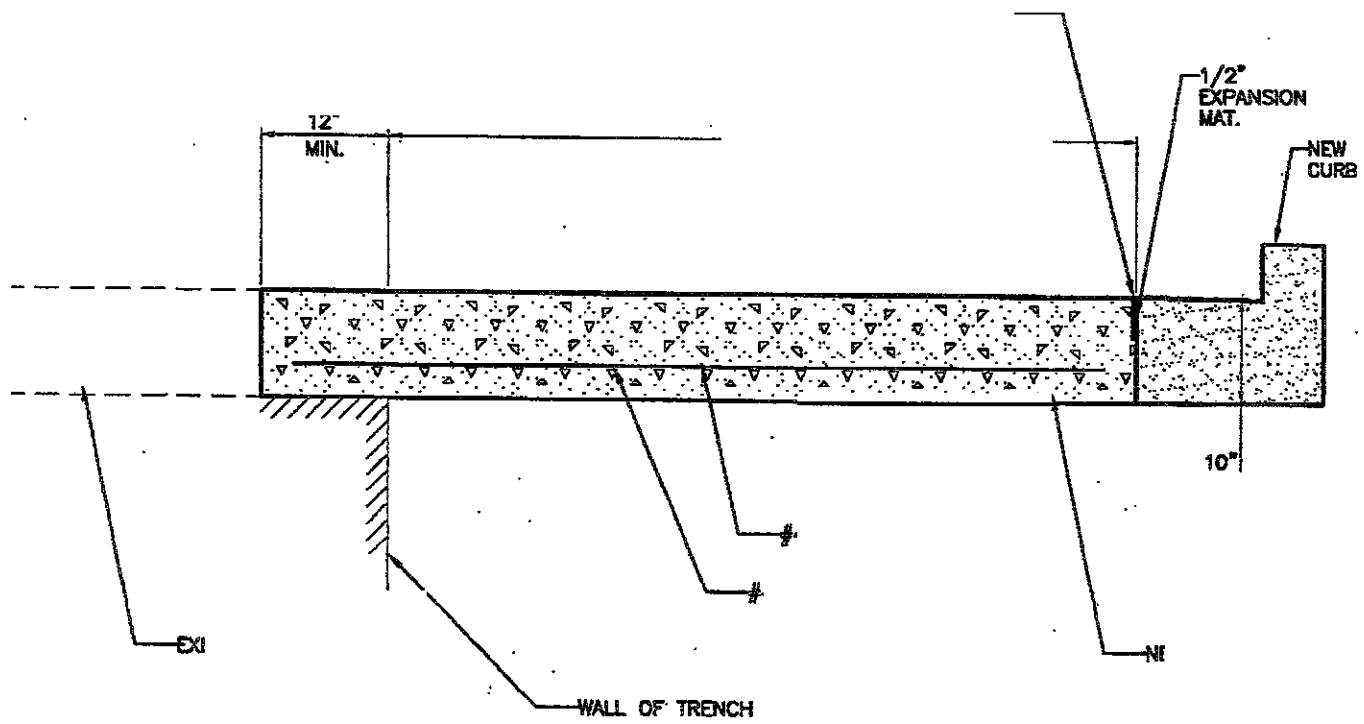
NOTE: ACCORDANCE WITH PA DOT 408 SPECIFICATIONS

1. CONSTRUCTION SHALL BE IN
2. SUPPLY ADDITIONAL BRICK OF THE SAME SIZE, COLOR AND TYPE TO REPLACE MISSING OR BROKEN BRICK AT DEVELOPERS COST.
3. MAKE FULL BRICK JOINTS BETWEEN EXISTING AND REPAIRED/NEW SECTIONS.

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DATE:  
5/14/2007

PLANNING AND DESIGN DIVISION, PENNSYLVANIA DEPARTMENT OF TRANSPORTATION



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