

BELL ACRES BOROUGH, Allegheny County
1153 Camp Meting Road, Sewickley PA 15143
412-741-5448

1. APPLICANT'S NAME			2. BUSINESS ADDRESS, TELEPHONE NUMBER & E-MAIL		
3. STARTING DATE		4. COMPLETION DATE		5. NAME OF STREET TO BE OPENED	
6. NEAREST INTERSECTING STREET TO OPENING				7. STREET NUMBERS OF ABUTTING PROPERTIES	
8. SIZE OF OPENING (s)					
_____ width _____ depth _____ length			_____ width _____ depth _____ length		
_____ width _____ depth _____ length			_____ width _____ depth _____ length		
9. PURPOSE OF OPENING (s)					

SEE ATTACHED INSTRUCTIONS, ORDINANCE NO. 324
AND TYPICAL STREET OPENING DETAIL DRAWINGS FOR
ADDITIONAL INFORMATION

Applicant's Signature

Date of Application

DO NOT WRITE BELOW THE DOUBLE LINE - FOR DEPARTMENT USE ONLY

10. DATE APPLICATION APPROVED		11. DATE OF REFUND		12. RESTORATION DATE	
13. DEPOSIT AND REFUND INFORMATION				14. BOND INFORMATION	
_____ Amount deposited		_____ Receipt No.		_____ Amount of Bond	
_____ Cost of Work		_____ Amount Refunded		_____ Expiration Date	
15. DATE OF INSPECTIONS AND INSPECTOR'S NAME					
18. REASON PERMIT REVOKED		BY WHOM		DATE REVOKED	

The applicant is hereby authorized to make an opening in or under the above named street at the location designated; provided, however, all work is performed in accordance with the Borough's ordinances, specifications, and regulations governing street openings, and the following special conditions:

or such special conditions as may be imposed during the performance of the authorized work.

Date Application Approved _____

Permit Number _____

Borough's Signature

**BELL ACRES BOROUGH, ALLEGHENY COUNTY
1153 Camp Meeting Road, Sewickley PA 15143
412-741-5448**

STREET OPENING PERMIT GENERAL INSTRUCTIONS

1. An application-permit form is required for every street opening.
2. Two (2) sets of plans showing the work to be performed must accompany each request for a permit.
3. A bond or security deposit must be furnished or paid at the time an applicant is granted a permit.
4. A certificate of insurance must be furnished at the time an applicant is granted a permit.
5. A permit fee must be paid at the time an applicant is granted a permit.
Make check payable to Bell Acres Borough.
6. The original copy of the approved application-permit form must be kept on the job at all times.
7. Work authorized by a permit must be finished by the expiration date shown on the permit.



C. SUBDIVISION & LAND DEVELOPMENT

(1) Subdivisions:

Basic Application Fee and Escrow Amount

- (a) Lot Line Revision: \$250.00 plus \$500.00 escrow amount*
- (b) One (1) to Three (3) Lots \$750 plus \$1,500 escrow amount*
- (c) Four (4) Lots or More: \$1,000.00 plus \$40.00 per lot, plus escrow amount of \$3,000.00*

(2) Land Developments: \$1,250.00 plus escrow amount of \$3,000.00*

* Escrow amount is for estimated cost of notification, postage, legal advertisement, court stenographer and transcript. Applicant is also responsible for any costs incurred by Bell Acres Borough in excess of the initial escrow amount for the above referenced costs, as well as, for professional review fees from the engineering, transportation, legal or other consultant reviews in association with the application based on the current rates charged to the Borough. The escrow amount shall be replenished when it reaches a level of fifty percent (50%) of the original escrow amount.

(3) Storm Management Plan Application \$300.00

Plus \$1,000.00 escrow for any costs incurred by Bell Acres Borough for engineering, legal or other consultant reviews in association with the application. The escrow amount shall be replenished when it reaches a level of \$500.00.

D. ROAD OCCUPANCY PERMITS

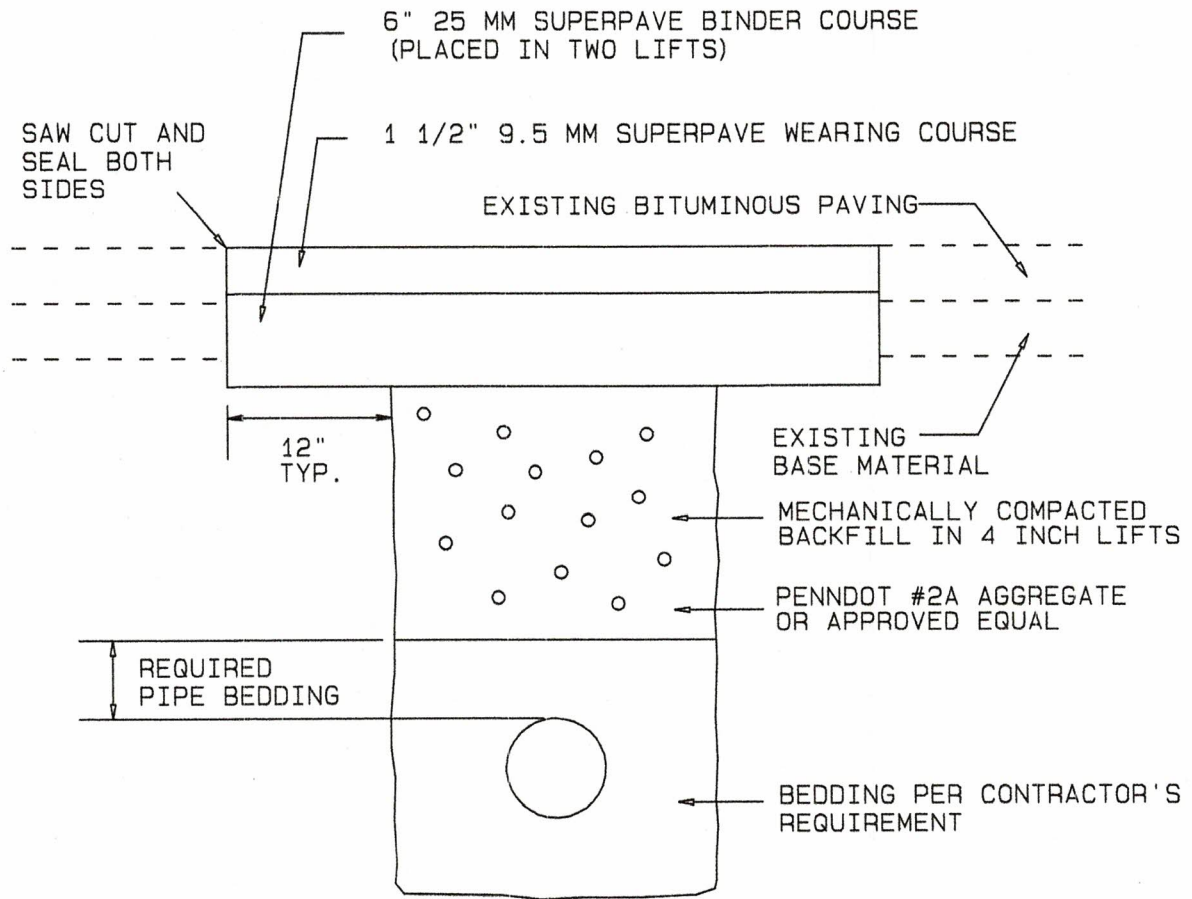
Application and inspection fees for Road Occupancy Permits:

1. Driveway Permit:

- Residential and Non-Residential \$100.00

2. Borough Road Openings:

- Road opening requiring excavation of roadway - \$100.00
- Road opening not requiring excavation of roadway - \$ 50.00
- Surface openings that are constructed parallel to the roadway. This fee is calculated based on the roadway openings that are constructed parallel to the roadway within the Borough Right-of-Way and are more than 100 total linear feet in length.
 - Opening in pavement - \$100.00 base fee plus \$40.00 for every 100 feet of parallel opening.
 - Opening in shoulder - \$50.00 base fee plus \$20.00 for every 100 feet of parallel opening.
 - Opening outside pavement and shoulder - \$50.00 base fee plus \$10.00 for every 100 feet of parallel opening.



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.
3. ADDITIONAL PAVING WITH
WEARING COURSE BEYOND
THE TRENCH MAY BE
REQUIRED. SEE ORDINANCE
324.

BELL ACRES BOROUGH

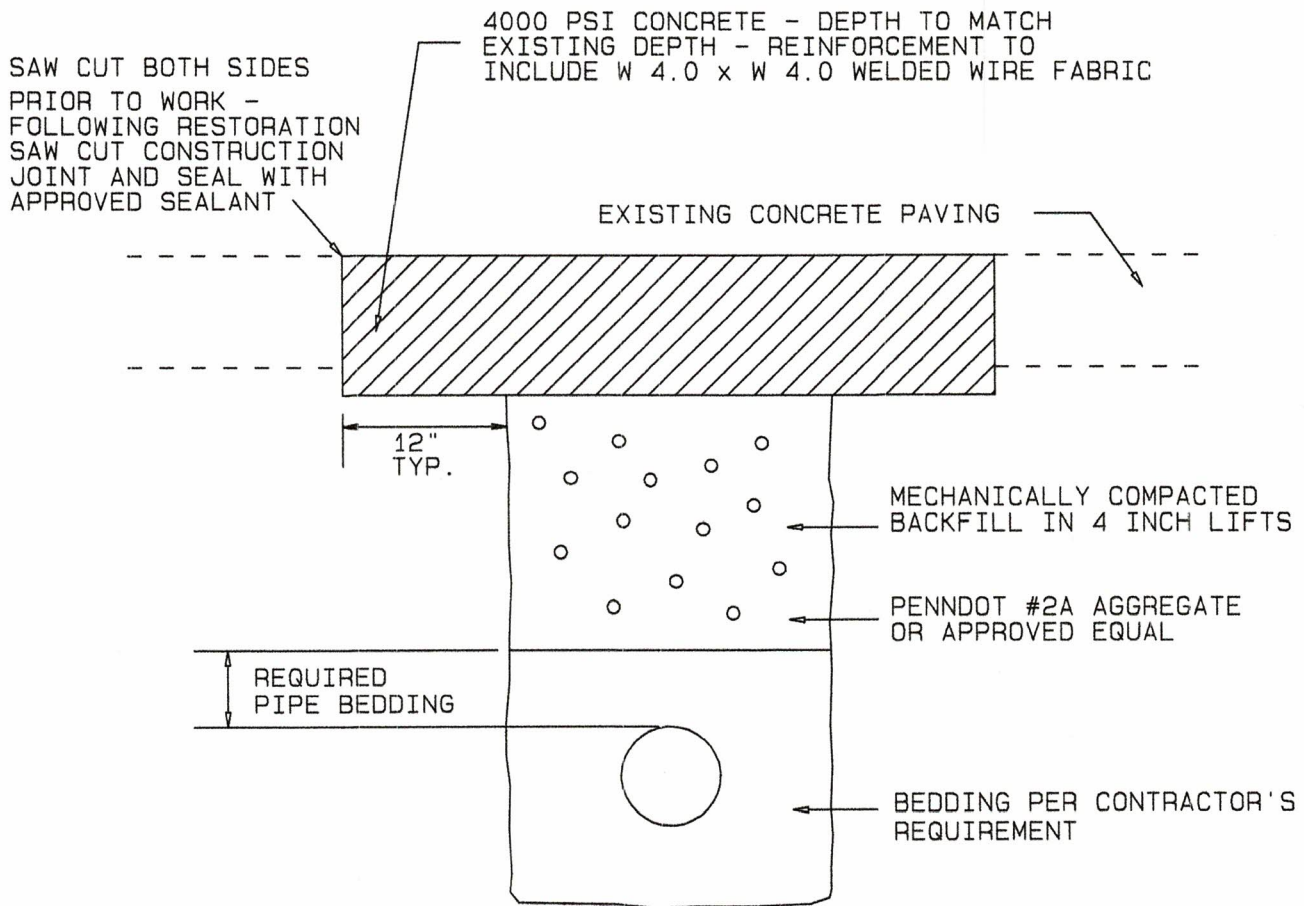
CONSTRUCTION DETAIL
STANDARD

RESTORATION OF
BITUMINOUS SURFACES

SCALE: NONE

DATE: 11/15/23

SHOUP ENGINEERING INC.



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.
3. ADDITIONAL CONCRETE
RESTORATION BEYOND
THE TRENCH MAY BE
REQUIRED. SEE ORDINANCE
324.

BELL ACRES BOROUGH

CONSTRUCTION DETAIL
STANDARD

RESTORATION OF
CONCRETE SURFACES

SCALE: NONE

DATE: 11/15/23

SHOUP ENGINEERING INC.

**OFFICIAL
BOROUGH OF BELL ACRES
ORDINANCE NO. 324**

AN ORDINANCE OF THE BOROUGH OF BELL ACRES, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING ARTICLE I, "STREET EXCAVATIONS" OF CHAPTER 145, "STREETS AND SIDEWALKS" IN THE CODE OF THE BOROUGH OF BELL ACRES WHICH REGULATES THE OPENING OR EXCAVATION OF BOROUGH STREETS, REQUIRING A PERMIT FOR OPENING OR EXCAVATION OF BOROUGH STREETS, AND ESTABLISHING STANDARDS FOR OPENING, EXCAVATION, AND RESTORATION OF BOROUGH STREETS AND REPEALING ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH.

NOW, THEREFORE, be it ordained and enacted by the Borough Council of the Borough of Bell Acres, and it is hereby ordained and enacted by and with the authority of the same:

SECTION 1. Article I, titled "Street Excavations" is hereby amended within Chapter 145 in the Code of the Borough of Bell Acres, "Streets and Sidewalks" by deleting the existing provisions in full and replacing them as follows:

Chapter 145. Streets and Sidewalks

Article I. Street Excavations

§ 145-1. DEFINITIONS.

As used in this article, the following terms shall have the meanings indicated:

APPLICANT

Any person who makes application for a permit.

EMERGENCY

Any unforeseen circumstances or occurrences, the existence of which constitutes a clear and immediate danger to persons or properties.

MANAGER

The Manager of the Borough or his or her authorized deputy, representative or inspector.

NEW IMPROVED STREET

Newly constructed cartways, including base and surfacing of either concrete or asphalt and reconstructed cartways surfaced with a topcoat of asphalt.

PERMITTEE

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

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.

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.

§ 145-2. PERMIT REQUIRED

A permit is required before any private person, public utility company, municipality, authority, corporation, or organization performs any work within, under, or over the Borough street right-of-way except in the case of emergency repairs in which case a permit is required on the first regular business day or which the office of the Manager is open, said permit shall be retroactive to the date when the work began.

Application review, fee assessment, and permit issuance process will not begin until permit application, project drawings, and all other required and requested documents have been submitted to the Manager. Permit fees are to be assessed by the Manager only upon review of document submittals. All applications must have an emergency contact person listed.

§ 145-3. APPLICANTS

If a corporation, authority, political subdivision or other person in the business of providing utility service owns, operates or intends to operate a facility in the Borough right-of-way, the application will be submitted in the name of, and executed by the facility owner. An application may not be submitted in the name of contractors of the facility owner or operator, nor in the name of persons or entities being serviced by the facility. In the case of the facility owner who is not in the business of providing utility service, such as a developer whose land is located outside a utility's service jurisdiction, the application will be submitted in the name of, and executed by, the owner of the facility at the time of construction. The applicant will indemnify and hold harmless the Borough from claims by anyone claiming residual property interests in the permitted area.

§ 145-4. APPLICATION REVIEW AND APPROVAL

The permit application will be reviewed for any or all of the following: driveway location, sight distances, storm water drainage, traffic impacts, impacts of constructed improvements, conformance to specifications and restoration. Construction, utility or sketch drawings showing the proposed work and required pavement restoration must be submitted with the application for review. A certificate of insurance may be required for permit approval. Once an application has been reviewed and approved, a permit will be issued upon receipt of appropriate fees and bonds. The permit issued is valid for a period of 90 days. It will be the responsibility of the Permittee to request an extension if required. Permit extensions are subject to approval from the Manager. Standards applicable to the work being performed will be provided at the time of issuance.

§ 145-5. ROAD CLOSURE

All work zone areas must conform to the PennDOT Publication 213, Temporary Traffic Control Guidelines. For single lane closures that still allow traffic to move through the work zones area, the proper Pennsylvania Typical Application (PATA) that is to be used **MUST** be submitted with the application for review. For full road closures that intend to use detour routes, the following documents **MUST** be submitted for review and approval by Manager.

1. MAINTENANCE AND PROTECTION OF TRAFFIC (MPT) plan showing all proper signage and directional flow of traffic through the proposed detour.

2. Full narrative explaining the step by step detour route(s) including the length of time in which the detour is to be requested.
3. Signed approvals from ALL entities having streets in which the detour is to be used.

§ 145-6. STORM SEWER CONNECTIONS

All developments that affect the runoff on Borough streets or flow in the Borough storm system will require a storm water report describing the effects on the Borough street. Developments that do not affect runoff on Borough streets or flow in the Borough storm system will not require a storm water report. The storm water report may either show that there is no increase in storm water on the Borough street or that the Borough storm system has sufficient capacity for any storm water increase. Storm detention and storm sewer calculation may be required in accordance with PennDOT Design Manual, Part 2 and PennDOT publication 584.

§ 145-7. EMERGENCY

In the event of an emergency repair, the entity making the repair MUST notify the Borough on the first regular business day on which the office of the Manager is open. Said permit shall be retroactive to the date work began. A regular permit and fee MUST be filed with the Manager. Once filed, the regular procedure for processing permits will be followed.

§ 145-8. GENERAL PROVISIONS AND SPECIFICATIONS

These General Provisions and Specifications have been adopted for street occupancy permits issued for any and all activity occurring within, under or over the Borough street right-of-way. In addition, any provisions and specifications included in the permit will be considered binding. The work authorized by the Permit will be consistent with the safety of the public and will conform to all requirements and standards of the Borough as specified. If at any time it is found by the Manager that the work is not being or has not been constructed properly, the Permittee, upon being notified by the Manager, will immediately take the necessary steps, at his/her own expense, to place the work in condition to conform to said requirements or standards.

- A. Scope of Permit.** The Permit is binding upon the Permittee, its agents, contractors, successors and assigns. The Permittee included but is not limited to the following: a private person, public utility company, public authority, municipality, corporation or organizations.
- B. Compliance.** The Permittee is responsible for compliance with the terms and conditions of the Permit by its employees, agents and contractors.
- C. Permit at Work Site.** The Permit must be located at the work site and be available for inspection by a police officer or representative of the Borough.
- D. Transfer of Permit.** After a Permit is granted, it may not be assigned or transferred without the written consent of the Manager.
- E. Annulment.** In the event of willful failure or neglect by said Permittee or his employees to perform and comply with the prescribed conditions, restrictions and regulations, the Manager may revoke and annul the Permit and order said Permittee to remove any and all structures or property belonging to said Permittee, and covered by the Permit, from the legal limits of the street or other Borough property.

- F. Pennsylvania One-Call.** The Permit does not waive any requirement under the Underground Utility Line Protection Law (One-Call System).
- G. Execution.** The Permittee must use due diligence in the execution of the work authorized under the Permit in order to not endanger or unnecessarily obstruct travel along the street. Operations will be conducted at all times to permit safe and reasonable free travel over the streets within the limits of the work herein prescribed. All safety measures for the free movement of traffic must be provided by the Permittee at their own cost. The work zone must conform to the PennDOT Publication 2113, Temporary Traffic Control Guidelines.
- H. Removal.** If at any time the permitted structure or facility should fail from any cause whatsoever, the Permittee will have the same removed or repaired within 48 hours after receipt of written notice to do so, unless by reason of some extraordinary happening the Manager may extend such time limit.
- I. Repairs.** The conditions, restrictions and regulations herein written also will govern all excavations, openings and trenches for the purpose of making repairs to any poles, conduits, water, steam, oil or gas pipes, sewers or other structures and facilities and appurtenances thereto belonging.
- J. Location of Trenches.** Trenches for conduits, water, steam, oil and gas pipes, sewers and other structures will be constructed in an approved location by the Manager. The location of such facilities is subject to the review of the Manager.
- K. Explosives.** Use of explosives are not permitted.
- L. Cutting Trees.** The permission herein granted does not confer upon the Permittee the right to cut, remove, or destroy trees or shrubbery within the legal limits of street or relieve Permittee from obtaining any consent otherwise required from the owner of the property adjacent thereto.
- M. Storing Materials.** Excavated or other material must be placed or stored on the side of the operation farthest from the road or pavement, unless otherwise authorized by the Manager, and in such manner that there will be no interference with the flow of water in any gutter, drain, pipe, culvert, ditch or other waterway. Erosion and sedimentation controls shall be installed as needed.
- N. Open Trench.** Trenches for construction along the roadway will not be opened for a distance of more than two hundred fifty (250) lineal feet at any time, unless especially authorized by the Manager. Sidewalls of a trench under 4 feet in depth shall be kept as nearly vertical as possible. When over 4 feet in depth, the trench shall comply with the requirements established by Occupational Safety and Health Administration (OSHA) standards.
- O. Facilities Encountered.** Where a pipe drain, pipe culvert or other structure or facility is encountered, it must be replaced, restored, strengthened or protected by the Permittee in accordance with the prevailing standards of the Permit and as instructed by the Manager.
- P. Pipes under Pavement.** In a case where it is necessary to cross under any improved street cartway, the opening for a pipeline must be drilled, bored, or driven so that the top of the pipe will not be less than three (3) feet below the surface of the road or highway. Trenching may be authorized by the Manager in situations where trenchless methods are not feasible. If trenching is approved by the Manager, not more than one-half of the width of the pavement will be opened, the structure then placed and the trench refilled with approved suitable

material and tamped with an approved mechanical tamper before disturbing the remaining half of the road.

- Q. One-Way Traffic.** Every attempt must be made to maintain traffic through the work zone. When only one-way traffic is possible, the work zone must conform to the guidelines set forth in PennDOT Publication 213, Temporary Traffic Control Guidelines. 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. The Manager must approve the one-way traffic operation plan prior to implementation.
- R. Poles.** All poles must be placed on the outside of the ditch or gutter lines, and in all cases a clear space greater than the width of the berm or shoulder will be preserved between the near face of the poles and the edge of the improved or traveled road, unless the Manager authorizes otherwise. Poles will be placed outside barriers unless otherwise permitted. No poles or other overhead structures may be placed where they will obstruct the view of drivers on the road, nor within five (5) feet of any warning or directional sign, unless specifically permitted, nor where they will obscure any street sign of warning, direction or destination.
- S. Wires.** All wires, appurtenances or supports which cross the roadway, attached to poles or otherwise suspended, must be placed or erected so as to provide a minimum vertical clearance above the surface of street pavement as required by electric company standards and applicable state and federal regulations.
- T. Guy Wires.** All guys must be placed so as to avoid interference with traffic of any kind on the street, and must present a neat appearance when installed. Installation of guys must conform to electric company standards and applicable state and federal regulations.

§ 145-9. PERMIT INSPECTION

The Borough requires that any permitted work in the Borough right-of-way be subject to inspection by a Borough Inspector to ensure that work in the Borough right-of-way is completed in a safe manner and in accordance with current Borough standards.

- A. The inspector shall monitor, through random and scheduled inspections, the restoration of the Borough right-of-way and enforce construction standards and restoration procedures.
- B. The inspector MUST be contacted by the Permittee to monitor the restoration of the Borough right-of-way. Failure to properly notify the inspector of pending facility installation work or restoration work may result in possible removal and replacement of facilities or additional restoration work.
- C. The inspector shall ensure that all restorations result in a condition at least equal to that which existed before starting work.

§ 145-10. RESTORATION OF FACILITIES

- A. Restoration.** All surplus excavated material must be removed and disposed outside the legal limits of the street as the work progresses, unless the approval of the Manager is obtained for disposal of the material within the legal limits of the street. All parts of the street and various structures disturbed will be restored to a condition equal to or better than what existed before starting work. Guide rails will be replaced to the present alignment, and to PennDOT Publication 72M, Roadway Construction Standards.

B. Base Repair. Base Repair of the roadway is required on all excavations. When a concrete base is longitudinally cut, the full slab is to be removed and replaced in kind. When a concrete base is laterally cut, the contractor is to follow the PennDOT RC-26 standards. When the edge of the pavement is two feet or less from the limits of the base repair area, the base repair **MUST** extend to the end of the pavement to avoid future roadway failure in that area.

C. Asphalt Pavement Restoration.

- (1) The **MINIMUM** pavement patch length parallel to the roadway centerline is 10 feet long.
- (2) Anytime the driving lane surface is affected or damaged or has multiple openings, the patch must extend from the pavement joint at the centerline to the outside edge of pavement. If the road has been resurfaced, paved, and improved within the past ten (10) years, the Permittee **MUST** complete permanent paved restoration of the entire width and length of the road with an asphalt wearing course, unless otherwise approved by the Manager.
- (3) When a new patch is within the limits of an existing patch, the limits of the new patch must extend to the limits of the existing patch in order to avoid multiple transverse joints in the roadway of that area.
- (4) When multiple openings are created along the roadway within 30 feet of each other, the Manager may require continuous full lane or shoulder paving along the entire length of the affected area.
- (5) When minimum pavement patch limits are to all within an intersecting road or driveway, the patch limits **MUST** be extended beyond the apron radius to the tangent point of the curb.
- (6) **ALL** pavement patches **MUST** be sealed and pavement markings **MUST** be restored at the time of restoration in order to be accepted as completed work by the Manager.
- (7) For winter restoration, the Manager may require a temporary cold patch based on field conditions. Steel Road Plates will **NOT** be allowed on roadway during winter operations.
- (8) The limits of pavement patches may be adjusted by the Manager based on field conditions at the time of restoration after an on-site assessment at the Permittee's request.
- (9) Temporary repairs to bituminous pavement shall consist of the trench being backfilled with select granular material and topped with at least 3 ½ inches of cold patch. In all cases, the permittee is responsible for keeping 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.
- (10) Final pavement restoration shall be made only between April 1 and October 31 each year. If, because of weather conditions or time of the year, temporary paving and natural stone or gravel are utilized, these temporary materials must be removed to a depth of at least 13 inches below finished street paving grade. All temporary materials shall be removed and replaced with permanent repairs as soon as weather conditions permit. All permanent repairs shall be made as follows:
 - (a) If the trench length does not cross the center line of the cartway, the entire disturbed lane shall be milled to a depth of 1.5 inches and repaved after the trench has been

properly backfilled and binder installed as per the trench restoration detail(s). In areas where the trench runs along or crosses the center line of the cartway, the entire pavement width (curb-to-curb width) of the affected street shall be milled (as needed) and repaved with wearing. All paving shall run a length of at least ten feet (10 ft.) in excess of trench length on each side of the disturbed area and be properly keyed in and sealed.

- (b) All restoration of bituminous pavement shall be performed to the satisfaction of the Manager.

D. Standard Restoration. All restoration will be completed prior to expiration of the permit. If the Permittee, after making an opening in the surface to place or repair a facility or for another purpose, fails to restore a portion of the right-of-way to conform with this section, the Manager will provide notice to the Permittee. The Permittee will have 30 days to complete the restoration from the date of notice. If the restoration remains incomplete after 30 days, the Borough reserves the right to do the work, if practicable, and the Permittee must reimburse the Borough for the costs within 30 days after receipt of the Borough's invoice.

E. Backfilling Trenches. An opening shall be backfilled by the Permittee in accordance with the following:

- (1) The opening may first be backfilled with fine aggregate materials, meeting the requirements of Section 703.1 of PennDOT Publication 408, or granular material to protect the facility, placed to a height not to exceed one foot over the top of the facility, if the material is compacted to not more than 4 inch loose layers or as authorized under PennDOT Publication 408. To help protect its facility from future excavations, the permittee is required to place a permanent ribbon colored under this subsection at least one foot above its facility. If the facility is nonmetallic, the permittee is also required to place a metallic ribbon at a depth from which the ribbon can be sensed by typical metal locating instruments.
- (2) The opening shall then be backfilled with select granular material, unless retained suitable materials, as defined in Section 459.1 (relating to definitions), is authorized or other coarse aggregate material meeting the requirements of Section 703.2 of PennDOT Publication 408 is specified in the permit. Select granular material or other aggregate material will be required for use as backfill of openings in pavements, paved shoulders, and improved (for example, oil and chip) shoulders as well as unimproved (for example, stabilized or earth surface) shoulders within three feet of the edge of pavement. Retained suitable material will normally be authorized for use as backfill of openings outside shoulders and in unimproved shoulders more than 3 feet outside the edge of pavement and up to within 3 feet of the surface.
- (3) Backfill should be compacted as follows:
 - a. General Rule. Except as provided in Subsection D(2) above, backfill material shall be placed in loose layers not to exceed 8 inches if vibratory compaction equipment is used or as authorized under PennDOT Publication 408. Each layer shall be thoroughly compacted to preclude subsidence, under Section 601.3(e) of PennDOT Publication 408.

- b. **Compaction Outside Pavement Shoulders.** At least 15 days prior to the start of work, the applicant may submit its written compaction plan to the Manager requesting backfill in an opening outside the pavement and shoulder to be placed in layers thicker than eight inches prior to compaction. The compaction plan shall include full details of equipment, materials and work methods as well as the permittee's acknowledgement of its obligation and commitment to regularly monitor the restored surface until 18 months after the acknowledged completion of the permitted work and to promptly correct failure or subsidence of the street.
 - c. **Existing Pavement Elevation.** Compaction shall be completed to the bottom elevation of the existing pavement.
- (4) The Manager may require the permittee to have material proposed for use as backfill and compacted material tested, at the expense of the permittee, for conformance to the applicable gradation and compaction requirements of PennDOT Publication 408.
 - (5) Test holes shall be backfilled, as soon as safely possible, with existing type material or other material authorized by the Manager and sealed. The Manager may authorize test holes in the pavement or shoulder to be restored without a 1 foot cutback of the surrounding surface.
 - (6) All cuts, excavation, and backfill shall be performed to the satisfaction of the Manager.

F. Inlets, Manholes, Valve Boxes and Existing Utilities. The Permittee must restore the street surface to match the existing utilities and facilities within the Borough right-of-way. Should adjustments be required to raise or lower the facilities during the restoration process, it will be the responsibility of the Permittee to arrange for the grade adjustments.

G. Surface Disturbed. The Permittee must restore the ground surface within the limits of the work covered by the Permit to a condition equal to that existing prior to the opening of the trench, unless otherwise provided in the Permit, and must maintain it in such condition for a period of twelve (12) months after completion of the work.

§ 145-11. BOND IN LIEU OF DEPOSIT

An applicant shall deposit with the Borough a bond in the amount hereinafter fixed, with good surety, said bond to be approved by the Manager. The amount of said bond shall be as follows: At least \$1,000 for each opening and at least \$10,000 for an indefinite number of openings. Said bond shall be given upon the condition that the principal will indemnify and save the Borough of Bell Acres from any expense for repairing and resurfacing such opening due to the failure of the Permittee to refill and resurface such opening in accordance with the terms hereof and for the faithful compliance upon the part of the Permittee with all of the conditions of the permit granted, and this article and the liability on said bond shall extend for a period of one year after the resurfacing of such opening.

§ 145-12. 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 for the 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.

§ 145-13. 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 may be required to give written notification to the affected property owners and/or tenants of the proposed work to be done.

§ 145-14. STANDARD DRAWINGS

Restoration of surfaces within the street right-of-way must be performed in accordance with the standard drawings on file with the Manager.

§ 145-15. VIOLATIONS AND PENALTIES

A 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.


SECTION 2. All ordinances or parts of ordinances pertaining to the subjects covered by this ordinance shall remain in full force and effect, except to the extent which they are inconsistent herewith in which case this ordinance shall control. The provisions of this ordinance shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances.

SECTION 3. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decisions shall not affect the validity of the remaining portions of this ordinance. The Borough Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect in accordance with applicable law.


ORDAINED and **ENACTED** into law by Borough Council of the Borough of Bell Acres, Allegheny County, Pennsylvania, at its meeting held on the 13 day of November, 2023.

ATTEST:


Secretary

BOROUGH OF BELL ACRES

By:


President

Approved by me this 13th day of November, 2023.


Mayor