

Mechanicsburg Borough Road Occupancy Permit Application

All work under this permit to be completed
on or before: _____

**Permit void after this date. Immediately upon completion
of the work, permittee should notify the Borough.*

Permission is hereby granted to

Permittee

Address

Post Office Zip Code

Phone Number

Under and subject to all the conditions, restrictions, and regulations prescribed by the Borough and on the general provisions and specifications, a true copy whereof is attached and made a part hereof, with the same force and effect as if written or printed herein and under and subject to the special conditions, restrictions, and regulations hereinafter set forth.

(DESCRIPTION AND PURPOSE OF WORK)

ATTACH SKETCH OF WORK AREA WITH ASSOCIATED DIMENSIONS

The Borough Council, may at any time revoke and annul this permit for non-performance of, or non-compliance with any of the conditions, restrictions, and regulations hereof.

APPROVED _____
MONTH DAY YEAR

Borough Signature

TERMS AND CONDITIONS

The terms and conditions embodied in this permit require the permittee to complete this work by the date specified in the permit. Where permittee fails to comply with the condition as to completion of work by the time specified, the following rules will govern:

- (a) **Failure to start work by date specified for completion.** Permit will be cancelled unless permittee desires an extension of time, in which case a supplemental permit may be issued.
- (b) **Work started and not completed by specified date.** Permittee will notify Borough, prior to expiration of allotted time, of inability to complete the work on or before the date specified and request for an extension of time. Such request shall be accompanied by the prescribed fee.
- (c) **Permittee not desirous of carrying out proposed work on account of change in conditions affecting it.** Permittee will notify the Borough prior to the date specified for completion that work will not be carried forward, returning the permit with such notice. The fee for inspection of the work will be refunded by the Borough, provided that they have been notified of cancellation prior to the expiration date.

The fees to be paid under the conditions in (a), (b), and (c) apply only to permits for which fees are collected in accordance with the fixed schedule. All notices relative to time extensions or cancellations shall be forwarded in writing to Mechanicsburg Borough.

Permit No.: _____

Date Issued: _____

Permit Fee \$ _____ PD _____

Inspection Fee \$ _____ PD _____

Security Deposit \$ _____ PD _____

Date Returned: _____

PA ONE CALL ID NUMBER

Address where work is to be performed

Borough Street and Number (Where work is to be done)

APPENDIX A
GENERAL PROVISIONS AND SPECIFICATIONS
Regulating Occupancy of Borough Road Right-of-Way

GENERAL PROVISIONS

1. The permit expires on the date set forth on it unless extended for cause shown. The work authorized by this permit shall be done at such time and in such a manner as shall be consistent with the safety of the public and shall conform to all requirements and standards of Mechanicsburg Borough, designated herein as the "Borough". If at any time it shall be found by the Borough that the work is not being done, has not been properly performed or represents a safety hazard to the public, the Permittee and/or its Contractor, upon being notified in writing by the Borough, shall immediately take the necessary steps, at its own expense, toward placing the work in condition to conform to said requirements or standards.
2. In the event of willful failure or neglect by said Permittee and/or its Contractor or their employees to perform and comply with the conditions, restrictions, and provisions of this permit, the Borough may revoke and annul this permit and order and direct said Permittee and/or its Contractor to remove any or all structures or property belonging to said Permittee and/or its Contractor from the legal limits of the roadway right-of-way and to restore the roadway right-of-way to its former condition.
3. If work is stopped on a project for any reason, and any trench or other opening, in the opinion of the Borough, remains open for an unreasonable period and represents a safety hazard to the travelling public, the Permittee and/or its Contractor shall refill the trench or opening and erect appropriate temporary barricades as directed. Work shall not be resumed thereon until the Permittee and/or its Contractor is prepared to proceed with the work until completion. In the event that the Permittee and/or its Contractor fails to refill the ditch or trench or proceed until completion of the work upon notice from the Borough to do so, the Borough may perform the necessary and required work subject to reimbursement by the Permittee and/or its Contractor.
4. The Permittee shall pay all costs and expenses incident to or growing out of the project including the prescribed fees for the same, the cost of making and maintaining the temporary restoration of the disturbed areas and making permanent restoration, and further shall reimburse the Borough for any inspection costs which the Borough may deem it necessary to incur, and the Permittee shall reimburse the Borough for said costs within thirty (30) days after receipt of the statement setting forth sums expended therefore by the Borough.
5. If the Permittee and/or its Contractor, after making an opening in the roadway to place or repair pipe or for any other purpose, fails to restore any portion of roadway right-of-way to conform with specifications of the Borough, the Borough reserves the right to do the work using the financial security posted with the Borough at the time of application and bill the Permittee for the any additional cost of restoration above the financial security amount.
6. The Permittee will submit to the Borough, a certificate or certificates of insurance for public liability and property damage, in a minimum amount of \$1,000,000 for commercial general liability, to cover any loss, that may be incurred for or on account of any matter, cause or thing arising out of the construction, reconstruction, repair, relocation or installation of the permitted facilities, except in those instances where the Borough by prior arrangement has authorized the Permittee to provide other means of protecting the Borough and its employees.
7. The permission herein granted does not relieve the Permittee and/or its Contractor from obtaining any consent otherwise required from the owner or owners of the abutting property and does not confer upon the

Permittee and/or its Contractor the right to cut, remove or destroy trees or shrubbery within the legal limits of the roadway except under such conditions, restrictions and regulations as the Borough may prescribe.

8. If at any time the structure or facility shall become a hazard from any cause whatsoever, the Permittee and/or its Contractor shall have the same removed or repaired within 48 hours after receipt of written notification, except at times of extraordinary happenings when extension of such time limit may be given by the Borough.

9. After each and every excavation made by the Permittee and/or its Contractor in any road or roadway right-of-way covered by this permit incident to the erection, repair, resetting or removal of any poles, manholes, conduits, water, steam, oil, gas pipes, sewers or any other obstructions or construction, said Permittee and/or its Contractor shall, under the supervision and direction of the Borough, restore the right-of-way to a condition conforming to requirements and/or specifications of the Borough. So long as said Permittee and/or its Contractor operates and leaves in place such structures and appliances, in, upon or along said roadway right-of-way, the Permittee and/or its Contractor shall maintain and keep in order and repair the said structures and appliances. The persons or property at or on said roads through or in consequence of any act or omission of any Contractor, agent, servant, employee or person engaged or employed in, about, or upon the said work, by, at the instance, or with the approval or consent of the Permittee, or from the failure of the Permittee and/or its Contractor to comply with the provisions set forth herein.

10. If at anytime in the future the roadway is widened or the alignment or grades are changed, the Permittee further agrees to change or relocate, any part of the structures covered by this permit which interferes with the improvement of the roadway, at its own expense, to the extent now or hereafter required by law.

11. During the time when the roadway right-of-way covered by this permit is under process of construction and/or until said road or roadway is accepted by the Borough, no Permittee and/or its Contractor will be authorized to enter upon said roadway right-of-way for the purpose of erecting poles, laying conduits, water, steam, oil or gas pipes or sewers, or doing any other work whatsoever which might interfere with the construction of the road or roadway, unless said Permittee and/or its Contractor shall first file with the Borough a duly attested certificate, signed by the Contractor or other authority constructing said road or roadway, containing the full consent to such proposed work of said Permittee and/or its Contractor within the lines of the said roadway right-of-way, together with a satisfactory waiver, release and quit-claim to the Borough, of all damages and all defenses whatsoever for delays by reason of such work and occupation of said roadway by said Permittee and/or its Contractor, or from any cause whatsoever resulting by reason of such work and occupation, provided that the provisions of this paragraph shall not apply in case of emergency; in such case the Permittee and/or its Contractor shall procure the written consent of the Borough to do such work as may be deemed necessary to current the existing emergency conditions.

12. Any work done under this permit shall be subject to the conditions, restrictions and provisions of this permit which shall govern all excavations, openings and trenches for the purpose of making repairs to any poles, conduits, water, steam, oil, gas pipes or sewers, or other structures, or property and appurtenances thereto belonging, erected on or in the roadway right-of-way.

13. This permit is issued subject to any additional rights which the Borough in which the work is to be done may have in such matters.

14. After a permit is granted by the Borough it shall not be assigned or transferred without prior written approval from the Borough.

15. To protect the roadway surface or pavement on said projects, all equipment used by the Permittee

and/or its Contractor shall be approved by the Borough. Such equipment shall have rubber runners or wheels. In the event that other than rubber equipped machinery is used the pavement shall be protected by the use of heavy rubber or similar matter which shall be a minimum of four (4) inches wider on each side than the tracks or wheels or the equipment used.

16. Information as to the date and character of construction or reconstruction of the Borough road or street may be obtained by contacting the Borough.

17. If, in the construction work the Permittee will be required to use certain blasting operations in the excavation the Permittee agrees to make, execute and deliver to the Borough, a bond in the sum stipulated by the Borough with surety in the form of a surety company, duly registered and authorized to do business in Pennsylvania, conditioned that the Permittee will save harmless the Borough, from any damages whatsoever to its subgrade, subbase, modified subbase, drainage facilities, road pavement, and any other installations or matters in, under or upon the roadway right-of-way for a period of two (2) years from the date of the completion of the last work covered by this permit.

18. Maintenance and protection of traffic for work authorized by this occupancy permit must be carried out in accordance with the requirements of the Borough and in accordance with current PennDOT Work Zone Traffic Control regulations. In this connection, the Permittee shall provide and maintain all necessary precautions to prevent injury or damage to persons and property from operations covered by this permit. A traffic control plan may be required as directed by the Borough.

SUBSURFACE OPERATIONS

19. Any opening or impairment of any nature whatsoever of any improved surface within the Borough right-of-way as authorized by Borough permit of any kind shall be made in accordance with the following specified provisions:

(a) Plates or bridging will be required on all openings made within the improved surface which have a shortest dimension in length or width of six (6) feet or less whenever work cannot be completed prior to peak traffic hours within the same day, or in the manner specified on the permit. The plate or bridging is to be extended a minimum of eighteen (18) inches on either side of the opening and secured to the existing cartway.

(b) A marker for identification showing the name of the Permittee or a symbol assigned to the Permittee shall be placed at each opening or impairment made for service installations or repairs within the improved surface of Borough roadways. It shall be placed at the nearest edge of the cut closest to the edge of the improved surface and shown on plans attached to the application.

(c) The Permittee is responsible for all costs and expenses of making and maintaining temporary or permanent restorations of disturbed areas. When permanent restoration is made the Permittee shall be responsible for such areas for any subsequent failure of the roadway surface during a period of 18 months following completion of the permanent restoration work.

20. No openings for the purpose of placing pipe lines or other structures under the improved surface of the road or roadway by drilling, boring, driving or tunneling shall be made closer than three (3) feet to the edge of the road pavement, and trenches for conduits, water, steam, oil, gas pipes, sewers, and other obstructions placed parallel with the road or roadway shall be dug so that the near edge of the trench is at least three (3) feet outside of the edge of the road pavement with a minimum depth of three (3) feet below the surface of the road or roadway unless the Borough shall authorize in writing a lesser clearance. A greater distance shall be used

wherever practicable.

21. In cases where the road or roadway is not paved, the trench shall be placed so that its near edge is at least fifteen (15) feet from the general center lines of the traveled road or roadway unless authorized as provided in Paragraph 20. The center line shall be determined by the Borough.

22. The trench for such construction shall not be opened for a distance of more than five hundred (500) feet at any one time, unless especially authorized by Borough. At no time will the Permittee be permitted to leave more than fifty (50) feet of trench open at the end of a working day whenever utilizing the shoulder of a Borough roadway for the utility.

23. In case it is necessary to cross under any improved road or roadway, any pipe line shall be installed on a horizontal plane at a minimum depth of three (3) feet below the surface of the road or roadway. When an open cut is approved, the applicant shall mill and restore the wearing surface a minimum of 10' on either side of the limits of transverse trenching for the full width of the cartway, or mill and restore the wearing surface a minimum of 10' on either side of the limits of longitudinal trenching for the full lane width in which the trench is located.

24. Where necessary to cross the improved road or roadway by trenching, the crossing shall be made, under one-half of the improved road width, and the pipe or structure placed and the hole carefully restored before traffic is permitted to use that half of the road. The second half of the trenching is to be completed in the same manner, so at least one-way traffic will be maintained over one-half the improved road or roadway while the second half is being excavated.

25. Where a storm sewer or other structure or facility is encountered, it shall be replaced or restored by the Permittee and/or its Contractor in accordance with the direction of the Borough Roadmaster.

26. The Permittee and/or its Contractor shall place the tops of manholes so that they shall be even with the elevation and slope of the roadway and/or shoulder at the proposed location.

27. The overnight storage of construction materials within the road right-of-way shall not be permitted. All excess excavated material shall be removed and disposed of outside the legal limits of the roadway as the work progresses, unless the approval of the Borough is obtained for disposal of the material within the legal limits of the roadway. All parts of the roadway and various structure disturbed shall be restored to a condition equal to that which existed before starting the work. Guide rails shall be replaced to the present alignment and any guard posts discolored through the work of the Permittee and/or its Contractor shall be refinished by washing or repainting.

28. All openings required to be made in the cartway or road pavement for the installation, renewal or repair of a utility including utilities under the control or owned by a municipality shall be made pursuant to permit, or written authorization issued to the municipality, by the Borough. The applicant shall submit a pavement restoration detail for review and approval by the Borough. Restoration shall occur in accordance with the following requirements on backfilling and pavement replacement:

- a. The limits of all openings shall be sawcut prior to excavation. Pavement
- b. All openings under an improved cartway or shoulder shall be backfilled with Type 2A aggregate meeting the specifications of the Pennsylvania Department of Transportation. Such material shall be compacted to 95% of the maximum dry density in accordance with ASTM D1557. Material shall be placed in lifts not to exceed 4" depth prior to compaction where hand operated equipment is used, or 8" lifts when heavy equipment is employed.

- c. All pavement openings shall be restored with a minimum 5" bituminous concrete base course and 1 ½" bituminous wearing surface meeting the approved Superpave mix designs set forth by the Pennsylvania Department of Transportation, to a dimension 1' greater than all sides of the excavation. An increase in pavement thickness may be required based on the functional classification of the road. Any required increase shall be noted as a condition of permit approval.
- d. All vertical surfaces and joints shall be sealed with hot-applied asphalt sealing material meeting the requirements of PennDOT Specification 408, latest edition.

SURFACE OR OVERHEAD OPERATIONS

29. On all roadways, utility poles, guys and other ground mounted utility appurtenances shall be placed at least thirty (30) feet from the edge of the traveled roadway where sufficient right-of-way is available. When sufficient right-of-way is not available the poles shall be placed as near to the right-of-way line as possible. No poles or other overhead structures shall be placed where they will obstruct the view of traffic on the roadway, nor within five (5) feet of any warning or direction sign, unless specifically permitted in writing.

30. All wires, except power transmission and supply lines, appurtenances, or supports attached to poles which cross the roadway shall be placed or erected so as to provide a minimum vertical clearance of eighteen (18) feet within right-of-way limits of roadway. Where power transmission and supply lines cross a roadway in urban and rural areas, vertical clearance and other requirements of the National Electrical Code must be complied with. All guys shall be placed so as to avoid interference with traffic of all kinds on the roadway, and must present a neat appearance when installed; if for electric light or power lines they must be adequately insulated at a point not less than ten (10) feet vertical above the ground; if for telephone lines when in proximity to electric light or power lines they must be adequately insulated at a point not less than eight (8) feet vertical above the ground.

(a)Exception. When guys are permanently grounded in conformity with accepted grounding practice, insulators may be omitted; provided, however, that Permittee states in the application for permit the method whereby such guys, when installed, will be properly grounded, and will, thereafter, be maintained, through periodic inspection of all ground connections. This exception applies primarily to guys exposed to circuits carrying more than fourteen thousand (14,000) volts and to guys permanently grounded throughout in connection with any grounded supply circuits using continuous ground wires.

31. All poles that may be erected shall be numbered and each number together with the initials of the Permittee, shall be plainly designated thereon by and at the expense of said Permittee.

ADDITIONAL RESTORATION

32. All disturbed portions of the highway, street, alley or thoroughfare, including all appurtenances and structures such as guardrails or drainpipes, shall be restored to a condition equal to that which existed before the start of any work authorized by the permit.

33. If the permittee opens the pavement, whether to install a new facility or to modify an existing facility or for any other reason, and the wearing course is less than five years old, the permittee shall, in addition to the minimum restoration conditions outlined herein, overlay the pavement in accordance with the following conditions:

- a. When a longitudinal opening longer than 10 feet and wider than three feet in the pavement, the permittee shall overlay the traffic lane(s) in which the opening was made for the entire length of highway that was opened.
- b. When two or more transverse trench openings made in the highway pavement less than 100 feet apart, the permittee shall overlay all traffic lanes in which the openings were made, for the entire length of highway between such openings.

34. Regardless of the age of the wearing course, when both longitudinal and transverse trench openings are made in the pavement, the Borough may require the permittee to overlay all traffic lanes in which such openings were made, for the entire length of highway that was opened, if the Borough determines that the present serviceability index of the highway, street, alley or thoroughfare, has been impaired by the openings.

THE APPLICANT ACKNOWLEDGES RECEIPT OF THESE PROVISIONS AND AGREES TO COMPLETE ALL WORK IN ACCORDANCE WITH THE TERMS SET FORTH HEREIN

Applicant Signature

Date

Print Applicant Name

Print Applicant Company