APPLICATION FOR ROAD OPENING PERMIT

ONTELAUNEE TOWNSHIP
BERKS COUNTY, PENNSYLVANIA

DATE: _____

APPLICANT: _____

RESPONSIBLE PERSON: _____

ADDRESS: _____ TELEPHONE NO. _____

_____ FAX NO.: _____

CONTRACTOR: _____

CONTACT PERSON: _____

ADDRESS: _____ TELEPHONE NO. _____

_____ FAX NO.: _____

LOCATION AND DESCRIPTION OF PROPOSED WORK (ATTACH SKETCH)

ROAD NAME: _____

LOCATION: _____

LENGTH AND WIDTH OF OPENING IN PAVED CARTWAY: _____

TYPE OF UNDERGROUND FACILITY: _____

SIZE OF UNDERGROUND FACILITY: _____

EXPECTED START DATE: _____

EXPECTED DURATION OF PROPOSED WORK: _____

EMERGENCY REPAIR ☐ YES ☐ NO

ATTACH INSURANCE CERTIFICATE

The undersigned applicant (hereinafter referred to as the "Applicant") acknowledges receipt of a copy of Ordinance No. 2007-6 of Ontelaunee Township (hereinafter referred to as the "Township") pursuant to which the within application is being filed. Applicant agrees to comply with all applicable provisions of Ordinance No. 2007-6.

SIGNATURE OF APPLICANT'S RESPONSIBLE PERSON _____

ORDINANCE NO. 2007-6

AN ORDINANCE TO REGULATE THE OPENING OF ROADS MAINTAINED BY THE TOWNSHIP OF ONTELAUNEE BY REQUIRING A PERMIT; PROVIDING SPECIFICATIONS FOR REPAIRS AND PROVIDING PENALTIES FOR VIOLATIONS

The Board of Supervisors of Ontelaunee Township, Berks County, Pennsylvania under, by virtue of and pursuant to Section 2322 of the Pennsylvania Second Class Township Code, do hereby ENACT and ORDAIN as follows:

Section 1. TITLE. This Ordinance shall be known and may be cited as the Ontelaunee Township Road Opening Permit Ordinance.

Section 2. DEFINITIONS. The following words and phrases when used in this Ordinance shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

A. "Applicant" - the person or entity filing an application under this Ordinance for a permit. Once a permit has been issued, the Applicant, or his assignee if the assignment of the permit shall have been approved by the Township Engineer, shall be deemed the "Permittee".

B. "Emergency" - an unforeseen occurrence or combination of circumstances which calls for immediate action or remedy.

C. "New Road" - a Township road having a new, continuous and unbroken wearing surface consisting of mechanically placed bituminous hot mix or cement concrete material, whether placed over newly constructed base and sub-base or over a modified or unmodified previously existing road surface.

D. "Permit" - a road opening permit issued by the Township pursuant to this Ordinance.

E. "Person" - any natural person, firm, copartnership, association, corporation or political subdivision.

F. "PennDOT" - Pennsylvania Department of Transportation.

G. "Publication 213" - a PennDOT publication containing requirements for work area traffic control during highway maintenance operations and utility work, including any amendment thereto and any substitution or replacement thereof.

H. "Publication 408" - a PennDOT publication containing PennDOT's highway construction specifications, including any amendment thereto and any substitution or replacement thereof.

I. "Right-of-Way" - the area between the right-of-way lines of a road.

J. "Road" - a strip of land, including the entire right-of-way, open to vehicular use by the public. The term "road" shall include road, avenue, boulevard, road, highway, freeway, parkway, lane, alley or viaduct.

K. "Township" - the Township of Ontelaunee, Berks County, Pennsylvania.

L. "Township Supervisors" - the Board of Supervisors of the Township of Ontelaunee, Berks County, Pennsylvania.

M. "Township Engineer" - the person so designated by the Board of Supervisors or his representative so designated either by the Board of Supervisors or by the Township Engineer.

N. "Township Road" - a road under the jurisdiction of the Township.

Section 3. PERMIT REQUIRED. It shall be unlawful for any person, including any municipal authority, to perform any work involving the opening of or the excavation in or under any Township road unless and until a permit therefore has been secured from the Township. All work performed within the right-of-way of the Township Road shall conform to the provisions of PennDOT Publication 213, PennDOT Publication 408 and any other related PennDOT publications that involve regulations for work within public rights-of-way, and the latest amendments to those PennDOT publications; unless superseded by more restrictive specifications that may be issued and made available by the Township. A permit shall not be required, however, in the following instances:

A. Placing of newspaper receptacles or mailboxes.

B. Accessing a utility facility through a manhole.

In the case of emergency repairs for utility facilities a permit shall not be required prior to making an opening in the roaad and repairing the facility, however a permit shall be required prior to placement of final backfill material and permanent pavement restoration.

Section 4. OPENINGS AND NEW ROADS

A. Notice of Improvements. When the Township shall improve or pave any road, the Township shall give notice to all persons owning property abutting on the road about to be paved or improved, and to all public utilities and municipal authorities operating in the Township. All such persons, public utilities and municipal authorities shall make all connections as well as any repairs thereto which would necessitate excavation of the road, within ninety (90) days from the giving of such notice. The time shall be extended if permission is requested in writing and approved by the Township.

B. Restrictions Upon Opening New Roads. No permit shall be issued by the Township which would allow an excavation or opening in a paved and improved road surface less than five (5) years old unless the applicant can clearly demonstrate that public health or safety required that the proposed work be permitted or unless an emergency condition exists.

C. Penalty for Opening New Roads. If, by special action of the Township, a permit is issued to open any paved and improved road surface less than five (5) years old, a penalty charge shall be made for the opening, except that the penalty

shall be waived in the event the work is of an emergency nature. The penalty charge shall be on a sliding scale and shall be equal to three (3) percent of the cost of restoring the opening, per month or fraction thereof remaining in the five (5) year restricted period.

Section 5. ADMINISTRATIVE REQUIREMENTS.

A. Application for Permit. An application, for a permit required by this Ordinance shall be submitted to the Township in duplicate. The application shall be accompanied by a fee as determined by resolution. All fees received by the Township shall be paid into the Township Treasury.

B. Conditions of a Permit. A permit shall only be used upon condition that the applicant enter into an agreement with the Township in the form of the agreement that is attached to this Ordinance as Exhibit "A",

requiring a cash deposit in an amount determined by the Township Engineer to ensure proper completion of the work and compliance with the requirements of this Ordinance for the performance, construction and maintenance of the road opening. Any expenses incurred by the Township to correct a violation of the requirements of this Ordinance shall be reimbursed to the Township from the cash deposit. Upon completion of the work authorized by the permit, the Township may release up to 80% of the cash deposit. At the expiration of one (1) year from the date of completion, the balance of the deposit shall be released upon approval of the Township Engineer that the road repair has been performed and maintained as required by the provisions of this Ordinance.

C. Life of the Permit. A permit shall be valid until the completion date specified on the permit. If the permittee has not completed all authorized work by the completion date specified on the permit, an application shall be submitted requesting a time extension. If approved, a supplement will be issued by the Township.

D. Additional Inspection Fees. If the fees incurred by the Township for processing the permit and inspecting the pavement restoration exceed the application fee, the additional fees will be paid to the Township out of the cash deposit required by Paragraph B of this section.

E. Authorization to Begin Work. A permit issued in accordance with the requirements of this Ordinance will be the applicant's authority to proceed with the work and will serve as a receipt for the fees accompanying the application. The permittee shall notify the Township Engineer 48 hours in advance of any backfill or pavement restoration work so that the work may be inspected as it is performed.

F. Additional Notifications. At least 48 hours in advance of beginning work in a road, the permittee shall notify the Township office, the Schuylkill Valley School District, and all area emergency service providers, as identified on the permit.

G. Work Completion Notification. When all permitted work has been completed, the Township Engineer shall issue notification of same, in writing, to the Township and the permittee, noting the date upon which the one (1) year maintenance period has begun.

H. Additional Deposits and Fees. Should the costs of restoration and/or inspections exceed the amount of the cash deposit required by Paragraph B of this Section, the applicant shall, upon written notification from the Township, immediately reimburse the Township for any portion of the cost associated with making the inspections and/or restorations not covered by the cash deposit.

I. Road Restoration Details. All restoration shall be constructed in accordance with the standard details attached to this document, as amended from time to time by resolution.

Section 6. PENALTY FOR VIOLATION. Any person who violates or permits a violation of this Ordinance shall be subject to a civil penalty not to exceed Six Hundred Dollars ($600.00) per violation. In any case where a penalty for a violation of this Ordinance has not been timely paid and the person upon whom the penalty was imposed is found to have been liable therefore in civil enforcement proceedings, the violator shall be liable for the penalty imposed, including additional daily penalties for continuing violations, plus court costs and reasonable attorneys fees incurred by the Township in the enforcement proceedings. The civil enforcement proceedings shall be initiated by complaint or by such other means as may be provided by the Pennsylvania Rules of Civil Procedure.

Section 7. SEVERABLILITY. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance in its

Section 7. SEVERABLILITY. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Ordinance in its entirety or of any other part thereof other than that part declared to be invalid.

Section 8. REPEALER. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

ENACTED and ORDAINED as an Ordinance of the Township of Ontelaunee, Berks County, Pennsylvania, this 4th day of October, 2007.

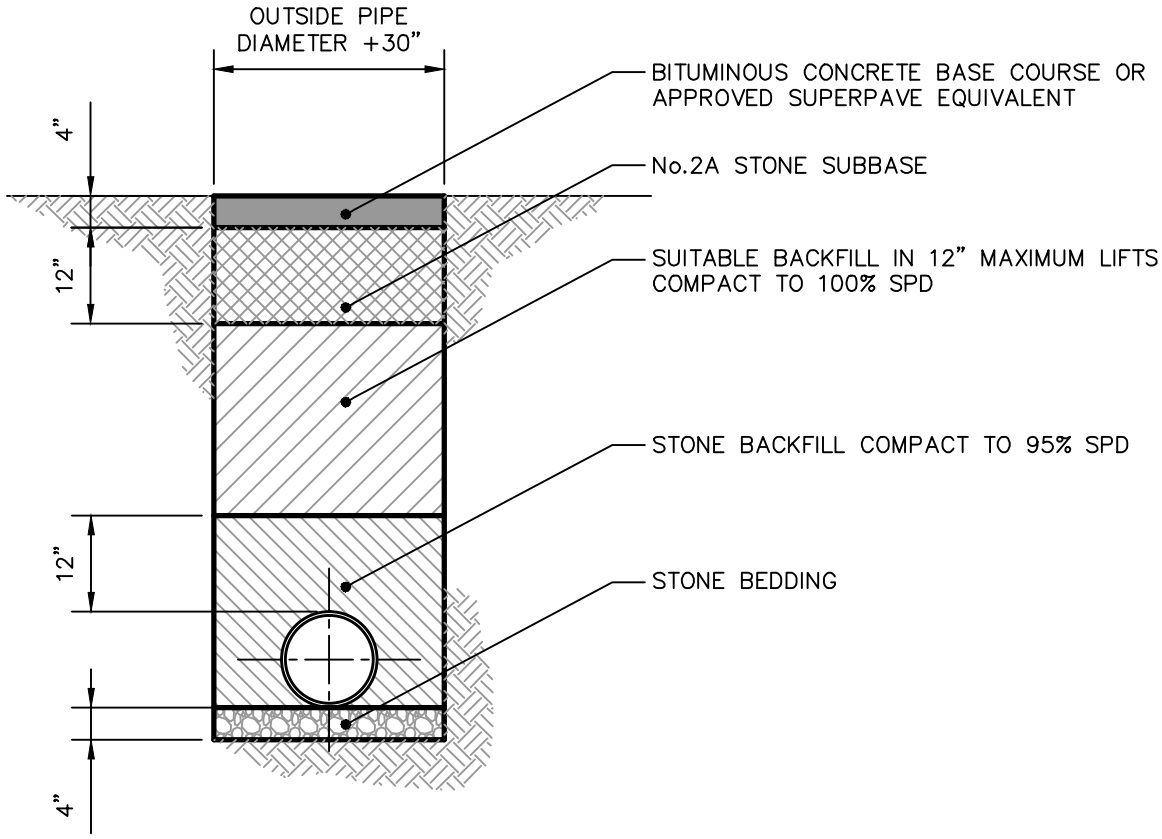
ONTELAUNEE TOWNSHIP
BOARD OF SUPERVISORS

William F Klee
Chairman

Kenneth M Stoudt
Supervisor

Attest: Helen M McCutcheon
Secretary

Supervisor



PAVED STREET TEMPORARY RESTORATION

RELEASED FOR:
INFORMATION
NOT FOR CONSTRUCTION

PROJECT MANAGER: DATE: 09/06/07
BASE BY: N/A N.B.:N/A
DRAWN BY: G.H.C. DESIGNED BY: M.S. CHKD: M.S.

LEHIGH VALLEY
610.849.9700
F. 610.849.9701
READING
610.621.2000
F. 610.621.2001
SSM
SPOTTS | STEVENS | McCOY

ONTELAUNEE TOWNSHIP STANDARD DETAIL

ONTELAUNEE TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

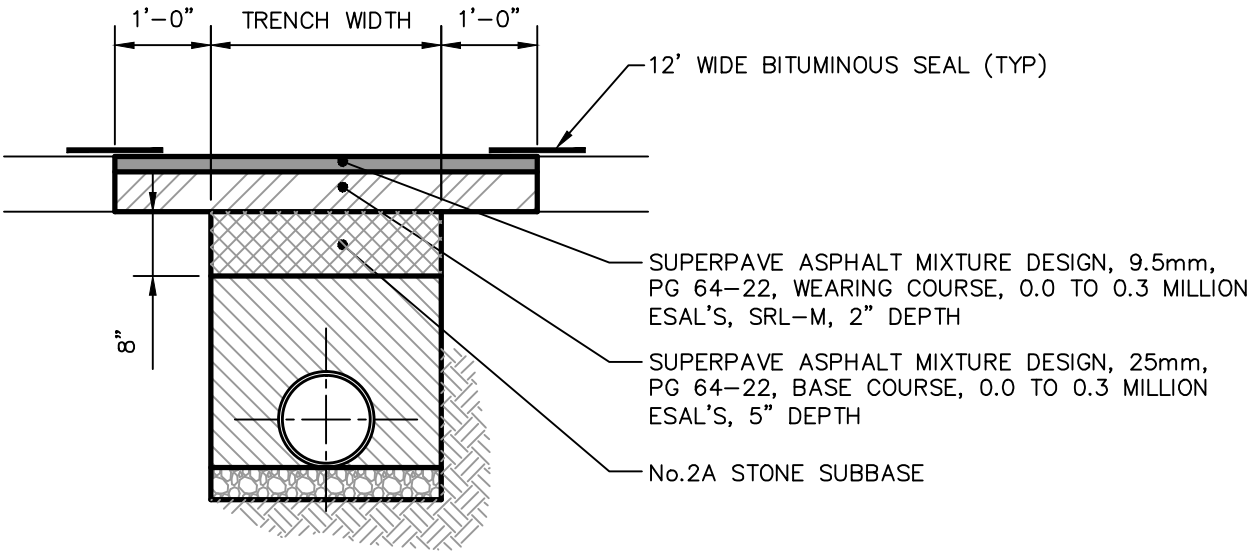
TEMPORARY MUNICIPAL ROAD RESTORATION

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10/04/07	100652.0064 a.001
DATE	DIGITAL FILENAME

100652.0064
WORK ORDER NUMBER

A.001
DRAWING NUMBER



BITUMINOUS PAVING - PERMANENT RESTORATION

NOTES :

1. BASE COURSE DEPTH SHALL BE 6" ON COLLECTOR ROADS.
2. ESAL CATEGORY FOR COLLECTOR ROADS SHALL BE DETERMINED BY THE TOWNSHIP ENGINEER ON A CASE BY CASE BASIS.
3. SRL CATEGORY FOR COLLECTOR ROADS SHALL BE DETERMINED BY THE TOWNSHIP ENGINEER ON A CASE BY CASE BASIS.

FOR TRENCH WIDTH AND BACKFILL MATERIALS SEE SHEET A.001

RELEASED FOR:
INFORMATION
NOT FOR CONSTRUCTION

PROJECT MANAGER: DATE: 09/06/07
BASE BY: N/A N.B.:N/A
DRAWN BY: G.H.C. DESIGNED BY: M.S. CHKD: M.S.

LEHIGH VALLEY
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F. 610.621.2001
SSM
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ONTELAUNEE TOWNSHIP STANDARD DETAIL

ONTELAUNEE TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

PERMANENT MUNICIPAL ROAD RESTORATION

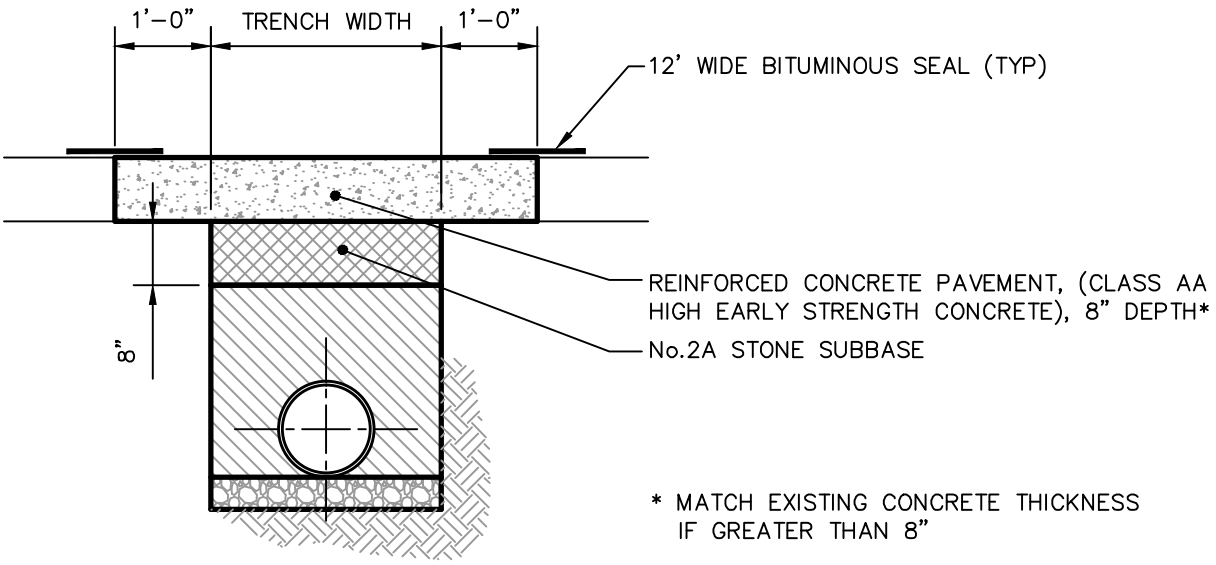
BITUMINOUS PAVING

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10/04/07	100652.0064 a.002
DATE	DIGITAL FILENAME

100652.0064
WORK ORDER NUMBER

A.002
DRAWING NUMBER



CONCRETE PAVING – PERMANENT RESTORATION

FOR TRENCH WIDTH AND BACKFILL MATERIALS SEE SHEET A.001

RELEASED FOR:
INFORMATION
NOT FOR CONSTRUCTION

PROJECT MANAGER: DATE: 09/06/07
BASE BY: N/A N.B.:N/A
DRAWN BY: G.H.C. DESIGNED BY: M.S. CHKD: M.S.

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ONTELAUNEE TOWNSHIP STANDARD DETAIL

ONTELAUNEE TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

PERMANENT MUNICIPAL ROAD RESTORATION

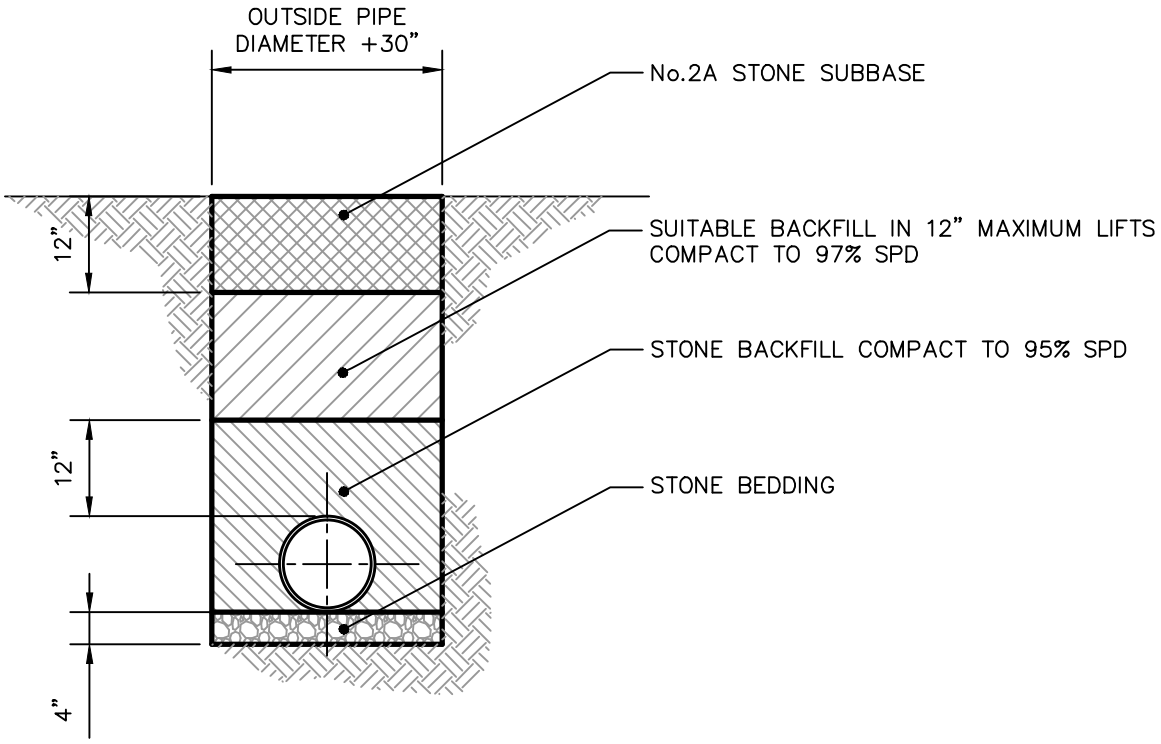
CONCRETE PAVING

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10/04/07	100652.0064 a.003
DATE	DIGITAL FILENAME

100652.0064
WORK ORDER NUMBER

A.003
DRAWING NUMBER



UNPAVED STREET OR SHOULDER TEMPORARY AND PERMANENT RESTORATION

RELEASED FOR:
INFORMATION
NOT FOR CONSTRUCTION

PROJECT MANAGER: DATE: 09/06/07
BASE BY: N/A N.B.:N/A
DRAWN BY: G.H.C. DESIGNED BY: M.S. CHKD: M.S.

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ONTELAUNEE TOWNSHIP STANDARD DETAIL

ONTELAUNEE TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

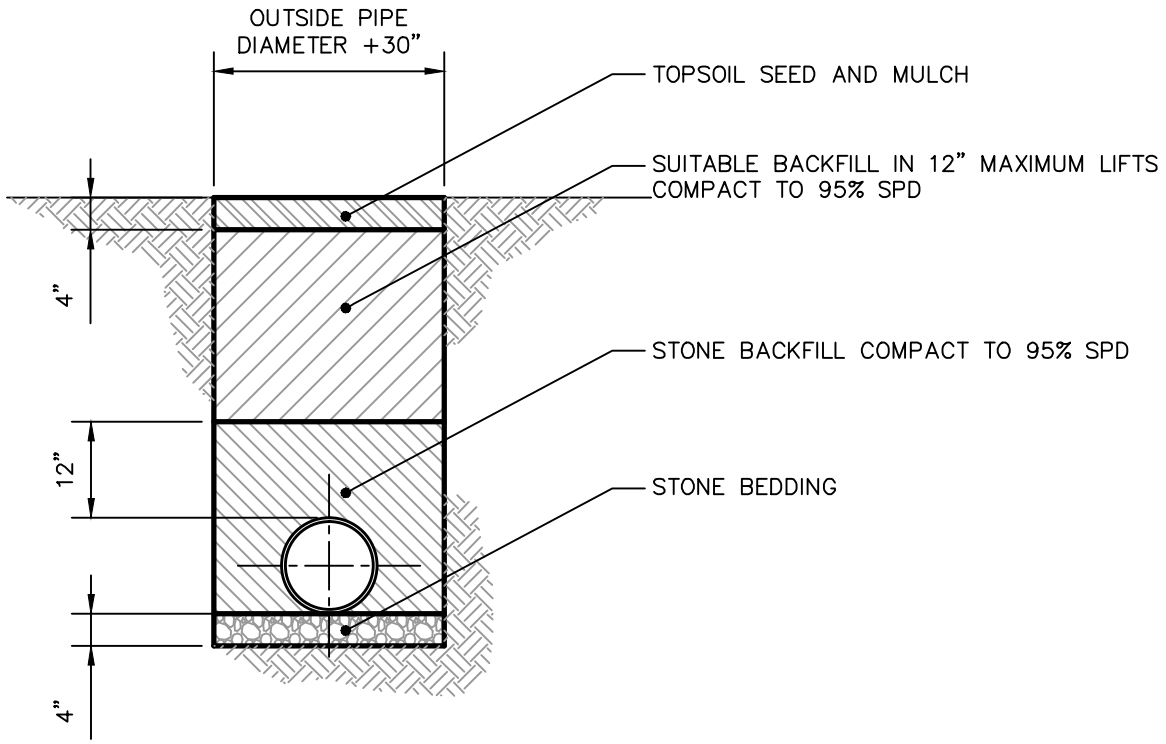
TEMPORARY MUNICIPAL ROAD RESTORATION

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10/04/07	100652.0064 a.004
DATE	DIGITAL FILENAME

100652.0064
WORK ORDER NUMBER

A.004
DRAWING NUMBER



GRASSED AREA BACKFILLING AND RESTORATION

RELEASED FOR:
INFORMATION
NOT FOR CONSTRUCTION

PROJECT MANAGER: DATE: 09/06/07
BASE BY: N/A N.B.:N/A
DRAWN BY: G.H.C. DESIGNED BY: M.S. CHKD: M.S.

LEHIGH VALLEY
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READING
610.621.2000
F. 610.621.2001
SSM
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ONTELAUNEE TOWNSHIP STANDARD DETAIL

ONTELAUNEE TOWNSHIP, BERKS COUNTY, PENNSYLVANIA

GRASSED AREA BACKFILLING AND RESTORATION

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10/04/07	100652.0064 a.005
DATE	DIGITAL FILENAME

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WORK ORDER NUMBER

A.005
DRAWING NUMBER

TOWNSHIP OF ONTELAUNEE, BERKS COUNTY, PENNSYLVANIA

RESOLUTION 2013-7

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF ONTELAUNEE, COUNTY OF BERKS, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING MUNICIPAL FEES FOR THE ADMINISTRATIVE EXPENSE OF PROCESSING A ROAD OPENING PERMIT APPLICATION AS REQUIRED UNDER ORDINANCE 2007-6 OF THE TOWNSHIP OF ONTELAUNEE.

WHEREAS, Ordinance 2007-6 of the Township of Ontelaunee requires all persons wishing to perform any work involving the opening of or the excavation in or under any Township Road; and

WHEREAS, Section 5 of Ordinance 2007-6 of the Township of Ontelaunee requires the Board of Supervisors to establish a fee schedule to alleviate costs to the Township associated with a Road Opening Permit Application. Review and Inspection Fee; and

WHEREAS, the Board of Supervisors of the Township of Ontelaunee desires to establish a Municipal Review Fee for the activities that require a Road Opening Permit Application, but are outside the scope of subdivision or land development; and

WHEREAS, the Township of Ontelaunee desires to adopt a Fee Schedule to provide for the Application, Review and Inspection Fees for a Road Opening Permit.

NOW, THEREFORE, BE IT RESOLVED by The Board of Supervisors of the Township of Ontelaunee as follows:

The fee schedule for the Township of Ontelaunee for Road Opening and Excavation shall be:

1. Application Fees:

Upon submission of an application, an application fee, as noted below, shall be paid to the Township and is non-refundable.

Openings or excavations in any highway, road, avenue, public alley, sidewalk or footpath having an unimproved surface	$10.00 per square yard or fraction thereof
Openings or excavations in any highway, road, avenue, or public alley having an improved or paved surface	$15.00 per square yard or fraction thereof

Openings or breaks in improved sidewalks	$20.00 per square yard or fraction thereof
Breaking the surface of any improved curb for the purpose of building any driveway across the same or for any other purpose	$5.00 for each section of ten (10) linear feet or fraction thereof
Erection, setting or planting of any pole	$25.00 for each pole except in case of replacements the application must be made but no permit fee shall be charged.
Construction of sidewalks, curbs & gutters and the giving of lines thereof	$25.00 for the first fifty (50) linear feet of fraction thereof & one dollar ($1.00) for each linear foot or fraction thereof in excess of fifty feet

2. Escrow – Upon approval of an Application for a Road Opening Permit and as a condition of issuance of the permit, a cash escrow shall be deposited with the Township in an amount determined by the Township Engineer to ensure proper completion of the work and compliance with the applicable Ordinance for performance, construction and maintenance of the road opening.

3. Review and Inspection Fees

   A. Fees incurred by the Township in processing the permit and inspecting the work, including restoration exceeding the application fee shall be paid to the Township out of the cash escrow required by B. above.

   B. If the costs incurred in performing any requisite restoration as a result of the street opening or inspection of the work exceed the amount of the required cash escrow, applicant shall reimburse the Township, upon written notification, of the costs associated with the inspection and restoration in excess of the cash escrow.

FURTHER RESOLVED, the Ontelaunee Township Fee Schedule Resolution shall remain unchanged except as amended herein.

FURTHER RESOLVED, that this Resolution shall take effect immediately.

FURTHER RESOLVED, that if any provision, sentence, clause, section, or part of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Board of Supervisors of Ontelaunee Township that this Resolution would have been adopted had such

unconstitutional, illegal or invalid provision, sentence, clause, section or part not been included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

IN WITNESS WHEREOF, the Board of Supervisors of Ontelaunee Township has adopted this Resolution in lawful session this 3rd day of October 2013.

BOARD OF SUPERVISORS
TOWNSHIP OF ONTELAUNEE,
BERKS COUNTY, PENNSYLVANIA

BY: _____
Chairman

_____
Supervisor

_____
Supervisor

ATTEST: _____
Secretary