

ORDINANCE NO. 17-02

BROWNSVILLE TOWNSHIP, FAYETTE COUNTY

DIGGING UP OF STREETS AND ALLEYS

ORDINANCE REPLACING ORDINANCE NO. 95-1 FOR DIGGING UP OF TOWNSHIP STREETS AND ALLEYS, PROVIDING FOR THE APPLICATION AND ISSUANCE OF A PERMIT, PROVIDING FOR REGULATION OF THE DIGGING UP OF STREETS AND ALLEYS AND PROVIDING FOR PENALTY FOR VIOLATION.

THE TOWNSHIP OF BROWNSVILLE HEREBY ORDAINS AS FOLLOWS:

Section 1. It shall be unlawful for any person, firm, utility or corporation to dig up, excavate, tunnel, undermine or in any manner break up any street, alley or other public place or to make or cause to be made any excavation in or under the surface of any street, alley, or public place for any purpose or to place, deposit or leave upon any street, alley, or public place any earth or other excavated material obstructing or tending to interfere with the free use of the street, alley or public place unless such person first obtains a street permit from the Township Board of Supervisors and complies with all Township regulations relative to work being done.

Section 2. Applications for said permits shall be made to the Township Board of Supervisors and shall describe the location of the intended work to be done, the size thereof, the purpose thereof, the name of the person, firm, utility or corporation for whom or which the work is being done, any other information as may reasonably be required by the Township, and the applicant agrees that he will comply with all the ordinances and regulations relating to the work to be done.

Section 3. A permit fee of \$50.00 shall be charged by the Township for issuance of the street permit.

Section 4. The permittee shall make permanent restoration of the surface of the street, alley, or public place for which the permit was granted in strict accordance with the specifications and regulations prescribed by the Township Board of Supervisors.

Acceptance or approval of the work done by permittee by the Township Supervisors shall not prevent the Township from asserting a claim against the permittee for incomplete or defective work if discovered within 24 months from the completion of the work done.

Section 5. Any person, firm, utility or corporation that trenches over 100 feet on any Township streets or alleys will be required to pave said street or alley curb to curb. This includes but is not limited to sewer lines, water lines, gas lines, telephone lines, cable lines and fiber optic lines.

Section 6. The permittee shall diligently and expeditiously proceed with the work covered by the permit and shall promptly complete such work and restore the street, alley or public place to its original condition.


Section 7. Nothing in this ordinance shall be construed to prevent working in a street, alley or public place as may be necessary for the preservation of life or property or for the location of trouble in conduit or pipe, or for making repairs in emergency situations, providing that the person doing such work shall apply to the Board of Township Supervisors for such a permit on the first working day after the work is commenced.

Section 8. Any person, firm or corporation violating any of the provisions of this ordinance shall be fined not less than \$50.00 nor more than \$300.00 for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

All ordinances or parts of ordinances inconsistent hereby with are hereby repealed.

ORDAINED and ENACTED by the Supervisors of Brownsville Township, Fayette County, Pennsylvania, on this 2nd day of October, 2017.


BROWNSVILLE TOWNSHIP SUPERVISORS



Homer Yeardie



Thomas S. Barry



Ronald Zupic

ATTEST:



Secretary

