Chapter 177. Streets and Sidewalks

Article I. Street Excavations

§ 177-9. Regulation for restoration.

A. All pavement cuts, openings and excavations shall be properly made, backfilled and restored by the permittee to their preconstruction condition and in accordance with the following specifications:
[Amended 10-1-2018 by Ord. No. HR-423]

(1) All areas of road required to be restored per the terms of this section shall be milled to a depth of at least 1.5 inches and then repaved with 9.5 millimeters of hot asphalt or as otherwise required by the permit issued by the Township for such pavement cut, opening or excavation.

(2) Any project affecting at least 25 linear feet of roadway will require milling and paving of the entire surface area defined by the length of the area affected and the width measured from the exterior boundary of the road to its center line.

(3) Any project that affects area on both sides of the center line of a road will require milling and paving of the entire width of the roadway for the entire length of the area so affected.

(4) Any project that requires more than one cut, opening or excavation per 1,000 feet will require milling and paving of the entire area measured by:

(a) A minimum length equal to the distance between the cuts, openings or excavations; and

(b) A minimum width measuring from the exterior boundary of the road to its center line.

(5) Any project requiring an opening, cut or excavation within a cul-de-sac will require milling and repaving of at least the area consisting of the half of the cul-de-sac containing the area affected. If the areas opened, cut or excavated affect both halves of the cul-de-sac, the entire area comprising the cul-de-sac will be milled and paved.

(6) Any project requiring an opening, cut or excavation within an intersection of one or more roads will require milling and repaving of a minimum area consisting of:

(a) The entire area of the intersection of the roads; and

(b)
An additional area on each boundary of the intersection calculated as: (x) 10 linear feet extending away from each intersection boundary and (y) the entire width of such roads.

(7) Any project that requires opening, cut or excavation that crosses the center line of a road in more than one location will require milling and paving of the entire width of the road for the length of the area opened, cut or excavated.

(8) Notwithstanding any other provision of this section, if any project requires opening, cut or excavation within a roadway that has been paved within three years of the proposed commencement of work, restoration will require milling and paving of the entire area of the roadway that was paved within such three-year period.

(9) All trenches dug in connection with pavement cuts, openings and excavations shall require:

(a) That the area to be saw-cut and restored for such trench be two feet wider than otherwise necessary for the project (i.e., one additional foot on each side); and

(b) All temporary trenches shall be refilled with stone or other substance acceptable to the Township Director of Public Works and topped with a minimum of two inches of a hot asphalt material that shall be level with the grade of the roadway, and shall be maintained in such condition until the final milling and paving overlay is completed.

(10) The Township Director of Public Works, in his or her sole discretion and following a review of the permittee’s plan, shall have the authority to impose such additional specifications that are necessary to ensure the safety and proper functionality of Township roads, intersections and infrastructure located thereunder.

(11) In the event of a project undertaken on an emergency basis requiring opening, cut or excavation of Township roads, all required permits must be applied for and submitted to the Township within 72 hours of the commencement of work.

B. The Director of Public Works, at any time, may inspect the work authorized by a permit. The Director is authorized to provide a full-time inspector if necessary to ensure compliance with the provisions of this article.

C. If any settlement or other defect occurs in a restored area within a period of two years from the date of completion of the permit restoration, any expense incurred by the Township in correcting such settlement shall be paid by the permittee.

D. In no case shall any opening or excavation made by a permittee be considered in the charge or care of the Township or any of its agents, officers or employees, and no such agent, officer or employee is authorized in any way to take or assume any jurisdiction over any such opening or excavation, except in the exercise of the police power, when it is necessary to protect life and property; provided, however, that the Township shall assume charge if and when it makes the final restoration.