

EAST MARLBOROUGH TOWNSHIP
ROAD AND RIGHT-OF-WAY OCCUPANCY PERMIT

Date _____ Permit fee _____

Application is hereby made by _____ of

_____ for permission to

Approximate date work will be started _____ Approximate date work will be completed _____

The road surface is improved to a width of _____ feet.

Distance from center line of roadway to gutter or ditch _____ feet.

Distance from center line of roadway to right-of-way line _____ feet.

POLES AND TOWER: Number of poles to be erected: _____.

Nearest distance from center line of roadway to structure: _____.

PIPE LINES AND CONDUITS: The improved surface of the road will be bored or drilled.

Approximate area of openings on unimproved part: _____ sq. yd.

Length of trench along the road: _____ feet. Depth of trench below surface: _____ inches.

INSTRUCTIONS:

1. Any work performed within the right-of-way of a Township road requires submission of two (2) copies of this form along with two (2) copies of a sketch showing location and details of proposed work.
2. Any work performed on a Township road over, under or within the limits of a limited access state highway requires a state permit.
3. The prescribed permit fee shall accompany the application and sketch, with check made payable to East Marlborough Township.
4. All work areas will conform to PA Dept. of Transportation Publications #203 and #203A for work zone traffic control. This will be strictly enforced.
5. All traffic control devices shall conform to PA Dept. of Transportation Publication #68, Chapter 211.
6. All restoration of roads and right-of-way shall conform to PA Dept. of Transportation Publication #408.
7. Sedimentation and erosion controls will be maintained at all times conforming to the Chester County Soil and Conservation and D.E.R. guidelines.

UNDER AND SUBJECT TO the general provisions and specifications listed above, and to all the conditions, restrictions and regulations prescribed by the Township on the reverse 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.

The applicant is (an individual) (a partnership) (a corporation incorporated under the law of _____).

(Corporate Seal)

(Name of applicant) (phone #)

by

(Executive officer or authorized representative)

RULES AND REGULATIONS GOVERNING
WORK IN THE RIGHT OF WAY
EAST MARLBOROUGH TOWNSHIP

It is understood by the permit holder that no road opening will take place until it is proven to the Township that no other means of installation is possible. A road opening permit will be issued only after the Township has reviewed and determined that the installation cannot be bored or drilled. The following provisions shall apply to all work being done in the right of way.

SECTION I – GENERAL PROVISIONS

- A. The work authorized by a 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 East Marlborough Township. If at any time it shall be found by the Roadmaster that the work is not being done or has not been properly performed, the permit holder, upon being notified by the Roadmaster, shall immediately take the necessary steps at its own expense toward placing the work in condition to conform to said requirements and standards.
- B. In the event of willful failure or neglect by the permit holder to perform and comply with the conditions, restrictions, and provisions of these regulations, the Roadmaster may revoke and annul the street opening permit so issued and direct the permit holder and/or its contractor to remove any or all structures or property belonging to said permit holder from the legal limits of the highway right-of-way.
- C. The issuing of a street opening permit does not relieve the permit holder from obtaining any consent otherwise required from the owner or owners of the abutting property, and does not confer upon the permit holder the right to cut, remove, or destroy trees or shrubbery within the legal limits of the highway, except under such conditions, restrictions and regulations as East Marlborough Township prescribes. It shall also be the responsibility of the permit holder to contact local utility companies in regards to the location of utility lines within the proposed excavation area.
- D. The permit holder shall at all times be responsible for any and all sub-contractors and employees working on a project, and shall see that such contractors abide by all regulations contained herein.
- E. The right-of-way permit shall be on the job site at all times.
- F. Any work done under the right-of-way permit shall be subject to the conditions, restrictions and provisions of these regulations which shall govern all excavations, openings and trenches for the purpose of making repairs to, or placing any poles, conduits, water, steam, gas pipes, sewers or other structures or cables erected in or on a highway right-of-way in East Marlborough Township.

SECTION II – TRAFFIC CONTROL & WARNING DEVICES

- A. Traffic control for work authorized under a street opening permit must be carried out in accordance with the requirements of East Marlborough Township. In this connection, the permit holder shall use due diligence in the execution of the work authorized in order not to obstruct unnecessarily or endanger travel along said highways. All safety provisions for the free movement of traffic shall be provided by the permit holder.
- B. Warning signs and reflectorized barricades with flashing lights shall be placed so as to alert pedestrians and motor vehicles of any open trench or hole in the highway right-of-way, and shall be maintained by the permit holder during the course of the permit work. All warning

devices, and the placement of such devices, shall conform to Federal, State and Township standards.

REFER TO PENNDOT PUBLICATION 203, WORK ZONE TRAFFIC CONTROL FOR PROPER PROCEDURES -- THESE WILL BE STRICTLY ENFORCED

- C. The permit holder shall make every effort to provide a throughway on the street where he is working and not impede the flow of traffic. If a street must be blocked off entirely during permit work, such work shall be completed that same day or else plates or bridging will be required to cover the opening until work is resumed the next working day. The plate or bridging shall be extended a minimum of eighteen inches (18") on each side of the opening and secured to the adjacent roadway. Any restrictions which might impede the passage of fire or other emergency vehicles shall be reported to East Marlborough Township before such restriction is in effect and again when it is removed.
- D. The contractor is required to leave a list of names of persons to be contacted in case of an emergency with the East Marlborough Township Roadmaster. This is to be done before the work commences.

SECTION III – COMPLETION TIME

- A. Upon issuance of a right-of-way permit work must be started within twenty-four (24) hours of the date so stated on the permit, and restoration must be completed with twenty-four (24) hours of the time stated on the permit, unless prior notice is given to the Roadmaster of good and valid reason for delay.
- B. If work is stopped on a project for any reason other than by order of the Roadmaster, or his representative, and in the Roadmaster's opinion the trench remains open for an unreasonable length of time, he may direct the permit holder to refill the trench and cease work until such time as he is prepared to proceed with the work until completion. If the permit holder fails to comply with such a request, the Roadmaster may perform the necessary work subject to reimbursement from the permit holder and loss of permit.
- C. The permit shall be good for 180 days after the date of issue, unless granted an extension by the Roadmaster. If the permit expires without having an extension being granted, a new one must be obtained.
- D. An escrow in the amount of \$2000 will be posted with East Marlborough Township for each "open cut" crossing. The escrow monies will be released after completion of the job.

SECTION IV – EXCAVATION & RESTORATION

- A. All excavations in the street shall be cut square and no larger than necessary to complete the proposed work.
- B. To protect the highway surface or pavement, the permit holder shall not use any equipment not approved of by the Roadmaster. 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 matting which shall be a minimum of four inches (4") wider on each side than the tracks or wheels of the equipment used.
- C. After each and every excavation in any highway right-of-way incident to the erection, repair, resetting of any manholes, conduits, water, steam, oil, gas lines, sewers or any other construction, the permit holder shall, under the supervision and direction of the Roadmaster or

- his representative, restore the highway to a condition conforming to specifications of the Township.
- D. The permit holder is responsible for all costs and expenses of making and maintaining immediately temporary or permanent restoration of disturbed areas. Temporary restoration shall consist of backfilling, and of topping with a minimum of 4 inches (4") thickness of a suitable cold patching material or BCBC as specified for permanent restoration, or of covering with steel plates attached to the roadway. Unsurfaced fill shall not be left unprotected. The permit holder shall make permanent restoration as required by the Roadmaster of such areas and be responsible of any subsequent failure of the surface during a period of two (2) years following completion of the permanent restoration work.
 - E. Local material excavated from the trench may be used for backfill, if the material complies with Pennsylvania Department of Transportation Specifications for Embankment Material, and is mechanically compacted in four (4) inch layers to with twenty-seven (27) inches of final grade. The next eighteen (18) inches shall be of PADOT #2A Course aggregate mechanically compacted in four (4) inch layers. Backfill is to be compacted to 100% compaction and guaranteed against settlement. An eight (8) inch layer shall then be placed consisting of BCBC bituminous concrete. This shall be topped with a one and a half (1 ½) inch minimum layer of ID2. All joints shall be sealed with bituminous material conforming to PADOT specifications and immediately covered with dry sand.
 - F. All excess excavated material shall be removed and disposed of outside the legal limits of the highways as the work progresses, unless the approval of the Roadmaster is obtained for disposal of the material within the legal limits of the highway. All parts of the highway right-of-way disturbed shall be restored to a condition equal to or better than that which existed before starting the work.
 - G. Where a drain or other structure or facility is encountered, it shall be restored or replaced by the permit holder in accordance with the prevailing standards of East Marlborough Township.
 - H. If the permittee and/or its contractor, after making an opening in the highway or alley to place or repair pipe or for any other purpose, fails to restore any portion of the highway right-of-way to conform with specification of the East Marlborough Township, the Roadmaster reserves the right to do work and bill the permittee for the cost of the restoration.
 - I. If at any time the ditch or trench shall become a hazard from any cause whatsoever, the permit holder shall have the same repaired with 24 hours after notification by the Roadmaster.
 - J. The permit holder covenants and agrees to fully indemnify and save harmless the East Marlborough Township of and from all liability for damages and/or injury occurring to any person or persons or property at, or on highway right-of-ways, through, or in consequence of any act or omission of any contractor or person engaged or employed in, about, or upon said work, by, at the instance, or with the approval or consent of the permit holder, or from the failure of the permit holder and/or its contractor to comply with the provisions for maintenance set forth in these regulations.

SECTION V - INSPECTION

All work authorized under an issued permit and all street restoration work is subject to inspection and approval by the Roadmaster.

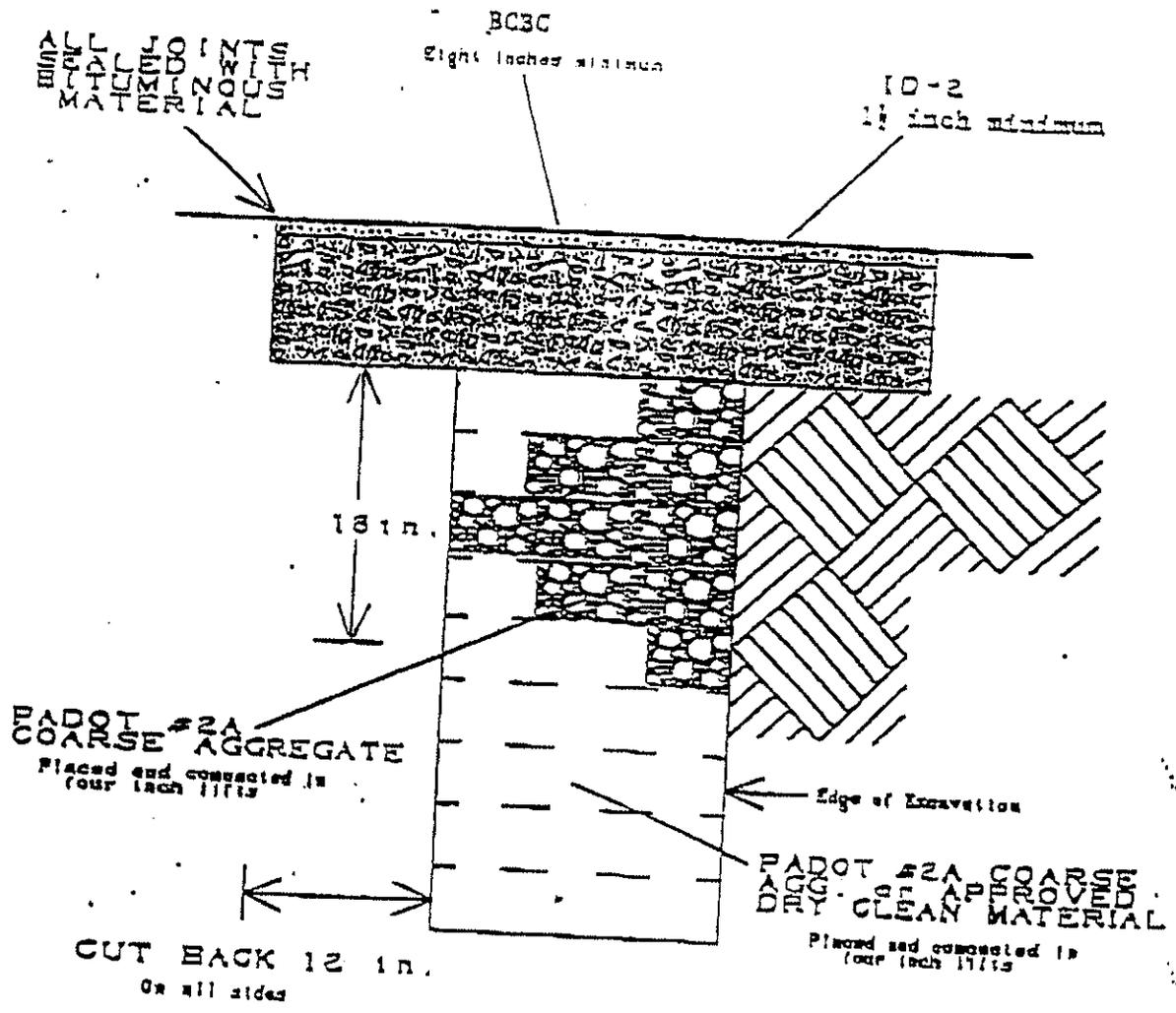
SECTION VI – GENERAL PERMIT FEES

- A. Any work performed in the paved area of a road:
General fee -- \$125.00

Open Cutting a road: \$2.00 per sq. ft. of excavation + General fee

- B. Any work performed in the shoulder or right of way that requires excavation:
 - General fee -- \$100.00
 - Boring under a road: \$2.00 per foot + general fee
 - Boring in the shoulder or right of way: \$2.00 per 100 sq. feet + general fee
 - Digging in the shoulder or right of way: \$5.00 per 100 sq. feet + general fee
- C. Permits must be secured and escrow posted for any job within the right of way. A \$2,000.00 escrow is required for each open cutting of the pavement. Escrow will be released after the job is completed to the satisfaction of the roadmaster.

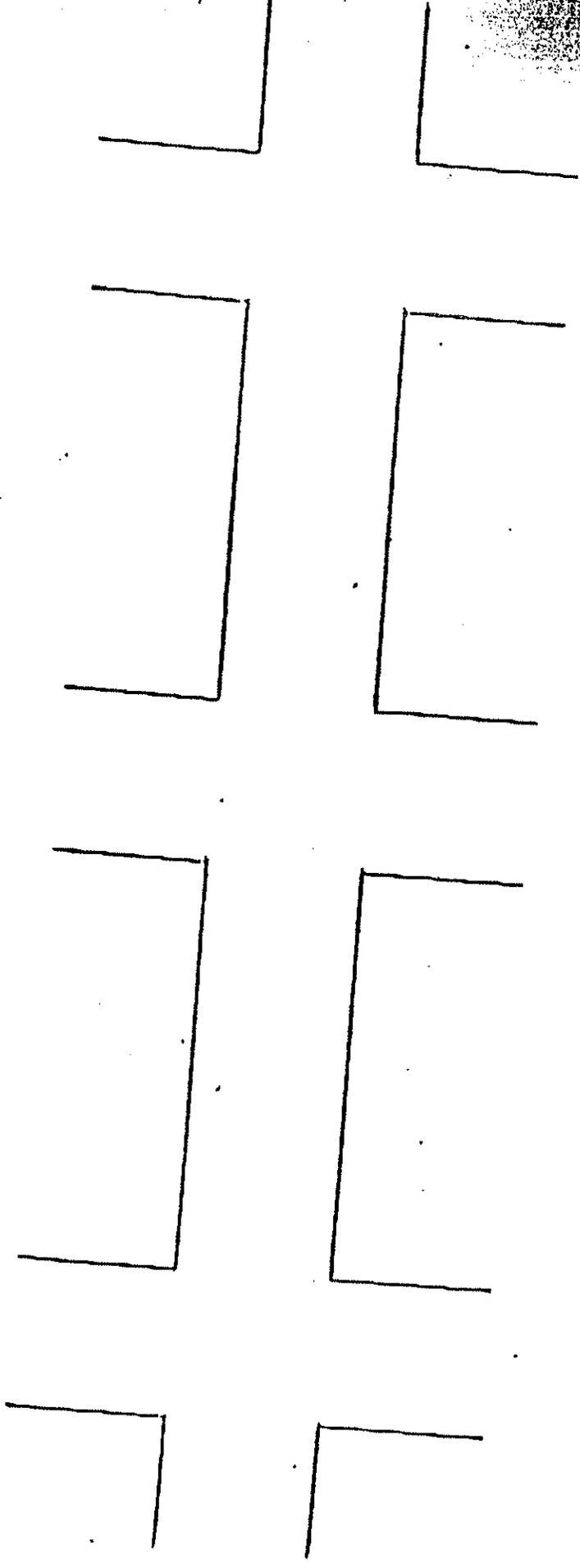
STREET RESTORATION



NOTES:

1. Permittee is responsible for provision and maintenance of barricades and warning lights for the protection of vehicular and pedestrian traffic.
2. Refer to "Rules and Regulations Governing Street Openings" for details.

PERMIT NO. _____



DRAWN BY _____

DATE _____