

BOROUGH OF MT. OLIVER

Resolution No. 781-19

WHEREAS, Chapter 215, Article VI of the Borough Code of Ordinances regulates street excavations and openings; and

WHEREAS, the Council of the Borough of Mount Oliver is committed to ensuring that street excavations and openings are performed in accordance with the requirements of Chapter 215, Article VI of the Borough Code of Ordinances; and

WHEREAS, in order to best monitor compliance with the requirements of Chapter 215, Article VI of the Borough Code of Ordinances, Borough Council desires to adopt a written policy outlining the procedure for the processing of permits issued under Chapter 215, Article VI of the Borough Code and for the monitoring of compliance with the requirements of such permits.

IT IS HEREBY RESOLVED by the Council of the Borough of Mt. Oliver to adopt the following policy for permits issued pursuant to Chapter 215, Article VI of the Borough Code of Ordinances:

1. Applicant shall obtain a permit application from the Borough Manager.
2. Applicant shall submit a completed application to the Borough Manager, along with three (3) copies of plans showing the work to be performed.
3. The Borough Manager shall review the application for completeness.
 - a. If the work completion date set forth on the application is less than sixty (60) days, the Borough Manager shall:
 - i. Provide a copy of the application to the Public Works Supervisor for review and comment;
 - ii. If the proposed work is within an asphalt street, determine the age of asphalt required for compliance with the applicable Ordinance provisions;
 - iii. Notate on the permit whether full width paving or partial width paving is required;

- iv. Notate any significant issues with the location of excavation that may need to be addressed, such as timing, detouring, traffic control, safety, inspections, etc.;
 - v. Verify whether the proper financial security and proof of insurance have been provided in accordance with the applicable Ordinance provisions; and
 - vi. Verify square footage of restoration and applicable fees.
 - b. If the work completion date set forth on the permit is greater than sixty (60) days, the Borough Manager shall:
 - i. Follow the procedures set forth in Paragraph 3(a) above;
 - ii. Provide copies of the permit application to the Borough Engineer and Solicitor for review;
 - iii. Request a detailed construction progress schedule from Applicant;
 - iv. If a permit is issued, extensions beyond sixty (60) days may be granted by the Borough Manager. The Manager may consider whether the work performed to date has followed the proposed progress schedule. If the work has not been in compliance with the proposed progress schedule, the Application shall provide the Borough Manager with an updated progress schedule and detailed reasons for the delay; and
 - v. The Borough may require more frequent inspections of the work site to be performed by the Borough Engineer and/or Borough staff, the costs of which shall be paid by the Applicant.
4. If the Borough Manager determines the permit application is complete and once the permit fees are received by the Borough, the Manager shall issue the permit, subject to any conditions deemed necessary by the Borough Manager.
5. Upon receipt of the permit, the Applicant shall provide the Borough with the performance and maintenance bonds required under Section 215-24.9.
6. Upon completion of the project:
 - a. The Public Works Supervisor shall inspect the restoration work performed to the area.
 - b. Within 18 months of the completion of the project, the Borough Engineer shall inspect all restorations and provide Applicant with a certificate of final inspection, if the Borough Engineer determines the certificate should be issued.
 - c. Within two (2) years from the final restoration, the Borough Engineer shall re-inspect any repairs to determine if any settlement or cracking has occurred.
7. The failure of the Borough or any Borough official to follow the aforementioned procedures or parts thereof shall not relieve any Applicant from complying with the

terms and conditions of the permit, nor the requirements of Chapter 215, Article VI of the Borough Code of Ordinances.


THIS RESOLUTION adopted by the Council of the Borough of Mt. Oliver at a duly assembled public meeting held this 21st day of January, 2019.

ATTEST:

COUNCIL OF BOROUGH OF MT. OLIVER



Manager

By: 

President