

Chapter 108

STREET EXCAVATIONS

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[HISTORY: Adopted by the Borough Council of the Borough of Alburdis 2-9-77 as Ord. No. 183, approved 2-9-77. Section 108-9 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 110.

§ 108-1. Permit required.

It shall be unlawful for any person, firm, association or corporation to make or cause to be made any excavation within any street, avenue, alley or lane within the Borough of Alburdis without having secured a permit granting authorization to do so.

§ 108-2. Application for permit.

A signed application for the issuance of the permit to excavate within the borough streets shall be filed with the Borough

Secretary upon forms furnished by the borough for that purpose. The application shall set forth the location and purpose of the proposed excavation, the dates between which said excavation is to be made, the length, width and depth of the trench and the area of roadway surface to be affected.

§ 108-3. Authority of Borough Engineer.

All excavations of borough streets within the Borough of Alburdis shall be made subject to the specifications and inspection of the Borough Engineer.

§ 108-4. Costs of cleanup and replacement of surface.

The cost of all cleanup and replacement of street surface shall be borne by the person making application for a permit for excavation.

§ 108-5. Safeguarding site.

It shall be the duty of the person making application for excavation to safeguard the site of the excavation by proper notice and barricade, if necessary, in order that adequate warning be given to persons using the borough street of the existence of danger.

§ 108-6. Deposit with application.

Every applicant shall deposit with the Borough Secretary the sum of twenty dollars (\$20.) per square yard or fraction thereof representing the calculated area for which a street opening request is made.

§ 108-7. Emergency excavations.

In the case of an emergency arising at night, Sundays, legal holidays or at such times when the Borough Secretary shall not be available and an immediate excavation shall be necessary for the

protection of public or private property, application for permit shall be considered to be timely made if made upon the next day when the Borough Secretary shall be regularly available for the issuance thereof. Under such emergency conditions, excavation may be made without the prior issuance of a permit.

§ 108-8. Exceptions to deposit requirement.

No deposit shall be required and no charge made for an excavation on the sidewalk where the same is made in connection with a permit granted for an excavation in the roadway, nor for excavations made under permits issued for the construction or repair of sidewalks, curbing or gutters or where permits have been granted for the erection of poles, nor for contracts executed for the borough, but in all cases proper application shall be made and a permit secured as herein provided.

§ 108-9. Violations and penalties.¹

Any person who violates any provision of this chapter shall, upon conviction thereof, be punishable by a fine of not more than three hundred dollars (\$300.) and costs of prosecution or, upon default in payment of the fine and costs, by imprisonment in the county jail for a period not to exceed thirty (30) days.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.