



# BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



## ORDINANCE #24-06

AN ORDINANCE OF THE BOROUGH OF TARENTUM AMENDING ORDINANCES 18-02, 98-3, AND CHAPTER 216 OF THE CODE OF THE BOROUGH OF TARENTUM SO AS TO PROVIDE FOR RESTORATION OF STREET OPENINGS AND EXCAVATIONS

**WHEREAS**, the Council of the Borough of Tarentum has determined that various Sections of the aforesaid Ordinance should be amended; and

**WHEREAS**, since the adoption of said Ordinance, and after consideration by the Council of the Borough of Tarentum, it has been determined that it is in the best interest of the Borough of Tarentum to amend certain sections of Ordinances 18-02, 98-3, and Chapter 216 with regard to Restorations of Street Openings and Excavations as hereinafter set forth.

**NOW, THEREFORE**, it is hereby **ORDAINED** and **ENACTED BY** the Council of the Borough of Tarentum as follows:

### SECTION I:

#### **Article IV-Street Openings and Excavations**

##### Under Section 216-26-Restoration of Openings

###### A. Backfilling

(7) If the Manager or Borough Engineer finds that paving surfaces adjacent to the Street openings may be damaged where trenches are made parallel to the Street, or where a number of cross trenches are laid in proximity to one another, or where the equipment used may cause such damage, the Borough shall if the total linear length of the trench repair exceeds Two Hundred Fifty (250) lineal feet or exceeds Twenty Five (25%) Percent of the length of the road shall require a full-width overlay of the affected area. The Borough may require a contribution from the Permittee for the resurfacing of the entire roadway in lieu of patching or restoration. Such negotiations shall be carried on and contributions agreed upon prior to issuance of a permit.



# BOROUGH OF TARENTUM

Allegheny County, Pennsylvania

---



## ORDINANCE #24-06

### C. Restoration of Flexible Base Pavements

(5) If the Manager or Borough Engineer finds that paving surfaces adjacent to the Street openings may be damaged where trenches are made parallel to the Street, or where a number of cross trenches are laid in proximity to one another, or where the equipment used may cause such damage, the Borough shall if the total linear length of the trench repair exceeds Two Hundred Fifty (250) lineal feet or exceeds Twenty-Five (25%) Percent of the length of the road shall require a full-width overlay of the affected area. The Borough may require a contribution from the Permittee for the resurfacing of the entire roadway in lieu of patching or restoration. Such negotiations shall be carried on and contributions agreed upon prior to issuance of a permit.

### D. Restoration of Plain or Reinforced Cement Concrete Pavements

(6) If the Manager or Borough Engineer finds that paving surfaces adjacent to the Street openings may be damaged where trenches are made parallel to the Street, or where a number of cross trenches are laid in proximity to one another, or where the equipment used may cause such damage, the Borough shall if the total linear length of the trench repair exceeds Two Hundred Fifty (250) lineal feet or exceeds Twenty-Five (25%) Percent of the length of the road shall require a full-width overlay of the affected area. The Borough may require a contribution from the Permittee for the resurfacing of the entire roadway in lieu of patching or restoration. Such negotiations shall be carried on and contributions agreed upon prior to issuance of a permit.

### E. Shoulder Restoration

(4) If the Manager or Borough Engineer finds that paving surfaces adjacent to the Street openings may be damaged where trenches are made parallel to the Street, or where a number of cross trenches are laid in proximity to one another, or where the equipment used may cause such damage, the Borough shall if the total linear length of the trench repair exceeds Two Hundred Fifty (250) lineal feet or exceeds Twenty Five (25%) Percent of the length of the road shall require a full-width overlay of the affected area. The Borough may require a contribution from the Permittee for the resurfacing of the entire roadway in lieu of patching or restoration. Such negotiations shall be carried on and contributions agreed upon prior to issuance of a permit.



# BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



## ORDINANCE #24-06

### F. Temporary Pavement Restoration

(4) If the Manager or Borough Engineer finds that paving surfaces adjacent to the Street openings may be damaged where trenches are made parallel to the Street, or where a number of cross trenches are laid in proximity to one another, or where the equipment used may cause such damage, the Borough shall if the total linear length of the trench repair exceeds Two Hundred Fifty (250) lineal feet or exceeds Twenty Five (25%) Percent of the length of the road shall require a full-width overlay of the affected area. The Borough may require a contribution from the Permittee for the resurfacing of the entire roadway in lieu of patching or restoration. Such negotiations shall be carried on and contributions agreed upon prior to issuance of a permit.

### H. Additional Restoration

(2) If the Manager or Borough Engineer finds that paving surfaces adjacent to the Street openings may be damaged where trenches are made parallel to the Street, or where a number of cross trenches are laid in proximity to one another, or where the equipment used may cause such damage, the Borough shall if the total linear length of the trench repair exceeds Two Hundred Fifty (250) lineal feet or exceeds Twenty Five (25%) Percent of the length of the road shall require a full-width overlay of the affected area. The Borough may require a contribution from the Permittee for the resurfacing of the entire roadway in lieu of patching or restoration. Such negotiations shall be carried on and contributions agreed upon prior to issuance of a permit.

-Subparagraph 3 is repealed.

-Subparagraph 4 is amended to Subparagraph 3.

-Subparagraph 5 is amended to Subparagraph 4.

-Subparagraph 6 is amended to Subparagraph 5.

-Subparagraph 7 is amended to Subparagraph 6.

-Subparagraph 8 is amended to Subparagraph 7.

### **SECTION II:**

This Ordinance shall become effective and considered in full force and effect when the same has been recorded in the Ordinance Book of the Borough of Tarentum.

### **SECTION III:**

This Ordinance repeals all other Ordinances of the Borough of Tarentum that are inconsistent herewith.



# BOROUGH OF TARENTUM

Allegheny County, Pennsylvania



ORDINANCE #24-06

**SECTION IV:**

That if any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the Ordinance. The Borough of Tarentum declares that it would have passed this Ordinance and each section, subsection, clause, or phase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

**SECTION V:**

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

**IN WITNESS WHEREOF**, this Ordinance is duly Ordained and Enacted by the Council of the Borough of Tarentum at a public meeting held this 9th day of July 2024.

ATTEST:

BOROUGH OF TARENTUM

\_\_\_\_\_  
Dwight D. Boddorf, Borough Manager

\_\_\_\_\_  
Scott Dadowski, President of Council

EXAMINED AND APPROVED by me this 9<sup>th</sup> day of June 2024.

\_\_\_\_\_  
Eric Dee, Esq., Solicitor

\_\_\_\_\_  
Bob Lang, Mayor