

ORDINANCE NO. 2015-02

BOROUGH OF KULPMONT
NORTHUMBERLAND COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF KULPMONT, NORTHUMBERLAND COUNTY, PENNSYLVANIA, AMENDING AND REPEALING CERTAIN ORDINANCE PROVISIONS PROVIDING FOR THE ISSUANCE OF AN EXCAVATION PERMIT FOR CERTAIN WORK TO BE CONDUCTED WITHIN THE BOROUGH OF KULPMONT; SETTING FORTH THE RATE OF SAID EXCAVATION PERMIT AND PROCIDING FOR THE IMPOSITION OF FINES AND PENALTIES FOR A VIOLATION HEREOF.

BE IT ORDAINED by the Council of the Borough of Kulpmont, Northumberland County, Pennsylvania, and it is hereby ORDAINED and ENACTED by and with the authority of the same as follows.

SECTION I: SHORT TITLE

This Ordinance No. 2015-02 shall be known and may be cited as the “Street Excavation Permit.”

SECTION II: ACTIVITIES REQUIRING ISSUANCE OF PERMIT

- a. No person, persons, firm partnership, corporation, or association shall perform any construction on any property without a permit on any of the streets of the Borough of Kulpmont, or any ancillary roads connected thereto, or any public grounds located within the Borough of Kulpmont without a permit. The 5’ x 5’ or 8’ x 4’ cut of the road surface or any cut beneath that level is an automatic fee of fifty (\$50.00) dollars. A fee of \$1.56 per square foot for each additional cut will be added. A bond of 110% percent is to be conditioned upon the restoration of the street of public ground to its original condition. Notwithstanding the foregoing, in lieu of a bond, any municipal authority or public utility may pay one bond, in an amount established by Council, to cover all permits issued relative to work being done by said authority or public utility.
- b. It is the obligation of the property owner and/or the contractor to obtain a permit.
- c. Restoration/Trench Opening:
 1. Trench Openings must be resurfaced plus two feet in any dimension over trench opening.
 2. If cut exceeds 10% of entire length and width of street, entire street must be resurfaced curb to curb (see utility cut attachment one)
 3. No tunneling or boring shall be allowed without the expressed approval of the code enforcement officer. The charges for the permit however shall be the same if the surface of the street had been removed.
 4. All restoration must be in compliance with Kulpmont Borough specification which is attached.

Section III: ADDITIONAL AUTHORITY TO GRANT PERMITS

The Council reserves unto itself, pursuant to the provisions contained in this Ordinance, the right to permit otherwise prohibited activities within the Borough of Kulpmont, subject to the payment of a permit fee in an amount established by Council, and subject further to the compliance with such additional rules and regulations as may be established by the Council incident to the granting of said permit.

Section IV: SEVERABILITY

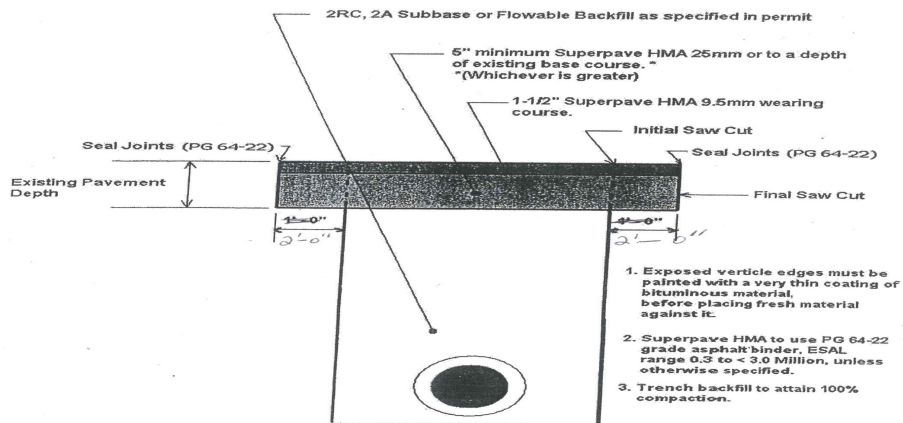
If any provision of this Ordinance No.2015-02, or any subsection thereof, is found to be illegal or invalid, such illegality or invalidity shall not affect or impair any of the remaining provisions of this Ordinance, or any subsections thereunder. It is hereby declared as the intent of the Borough, that this Ordinance would not have been enacted if any per se illegal or invalid provisions were included herein. If any such provision would be found to exist, such invalid provision would be stricken.

Section V: EFFECTIVE DATE

This Ordinance No. 2015-02, is hereby declared to be urgent for the preservation for the peace, health, safety and comfort of the residents of the Borough of Kulpmont, and shall take effect and be in full force immediately after its passage.

UTILITY CUT ATTACHMENT I

FLEXIBLE PAVEMENT RESTORATION



Section VII: REPEALER

All Ordinances or parts of Ordinances in conflict or inconsistent herewith shall be and the same are hereby repealed absolutely

DULY ORDAINED AND ENACTED THIS _____ DAY OF _____ 2015.

ATTEST:

Rhonda Wilk
Borough Secretary

Bruno R. Varano
President of Council

Bernard Novakoski
Mayor