

BOROUGH OF COPLAY

Application for Street Opening Permit

Location

Fees

Street _____

Permit \$ _____

Street No. _____

Inspection \$ _____

Surface Restoration \$ _____

Degr. and or Eng. Fee (if needed) \$ _____

Total \$ _____

Borough of Coplay - Coplay, Pennsylvania

Date _____

Application is hereby made by (Business Name, Contact, Email, Address & Phone Number)

for permission to :

In accordance with the accompanying sketch, and under and subject to all the conditions, restrictions, and regulations prescribed by the Borough of Coplay in its Ordinance Number 861-24 amended 4/9/24 with the same force and effect as if written or printed herein and under and subject to such special conditions, restrictions, and regulations as may be imposed by the Coplay Borough Council, or its authorized representatives.

Item 4 – RAILROAD TRACKS

Length along or across highway _____

Removal _____

Item 5- POLES

Number of Potholes to be removed _____

Average spacing of poles _____

GENERAL

Width of street (curb to curb) _____ ft

Starting Date _____

Estimated Completion date _____

Item 6- PIPE LINES AND CONDUITS

Length along street _____ ft

Crossings _____ ft

Width of openings _____ ft

Berm _____ in.

Depth of trench below surface _____

Service connections _____

Manholes _____

Inlets _____

Item 7-SURFACE RESTORATON

Type of improved surface disturbed _____

Area of openings in unimproved surface (Inc. Allowance / over excavation) _____

Area of opening in improved surface (Inc. Allowance / over excavation) _____

Final Restoration of patch or patches will have a minimum of a 16 week period for settlement.

Permit Number Assigned _____

Approved _____ Date _____

Borough Secretary

Approved _____ Date _____

Public Works Director

ORDINANCE NO. 861-24

**AN ORDINANCE OF THE BOROUGH OF COPLAY, LEHIGH COUNTY,
PENNSYLVANIA AMENDING CHAPTER 21 STREETS AND SIDEWALKS;
PART 4, STREET OPENINGS AND EXCAVATIONS; SECTION 21-401,
DEFINITIONS AND INTERPRETATIONS; SECTION 21-403, APPLICATION
FOR PERMIT; AND, SECTION 21-409, REFILLING OF OPENING OR
EXCAVATION; RESTORATION OF SURFACE; RESPONSIBILITY OF
DEFECTS OCCURRING WITHIN TWO YEARS, OF THE CODE OF CODIFIED
ORDINANCES OF THE BOROUGH OF COPLAY AND REPEALING ALL
ORDINANCES INCONSISTENT THEREWITH.**

WHEREAS, the Council of the Borough of Coplay, Lehigh County, Pennsylvania desires to amend Chapter 21 *Streets and Sidewalks*; Part 4 *Street Openings and Excavation*; §21-401 *Definitions and Interpretations*, by adding a new definition for "Block"; §21-403 *Application for Permit*, by adding subsections for bonds in the event street repaving is required as well as sign off from public works; and, §21-409 *Refilling of Opening or Excavation; Restoration of Surface; Responsibility for Defects Occurring Within Two Years Buildings*, by adding subsections sections dealing with repaving of streets following excavation(s);

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Coplay, County of Lehigh, and Commonwealth of Pennsylvania as follows:

SECTION 1. Chapter 21 *Streets and Sidewalks*; Part 4 *Street Openings and Excavation*; §21-401.1 *Definitions and Interpretations* is amended by adding the following:

"BLOCK - The linear distance along a street from where one street intersects it to the place where the next street intersects it. Half of a Block shall constitute the measurement from the midpoint of a Block to an intersecting street."

SECTION 2. Chapter 21 *Streets and Sidewalks*; Part 4 *Street Openings and Excavation*; §21-403 *Application for Permit* is deleted in its entirety and replaced as follows.

"§21-403. Application for Permit.

A. Any person who shall desire to make an opening or excavation in any of the streets/alleys in the Borough of Coplay shall make application to the Borough Secretary in writing for that purpose. Such application shall set forth the name of the applicant, exact location of the proposed opening or excavation, and the approximate size or depth thereof, and shall contain an agreement on the part of the applicant that the work shall be done in full compliance with the ordinances of the Borough of Coplay and the laws of the commonwealth in relation thereto, and that the applicant shall well and truly save, defend and keep harmless the Borough of Coplay from and indemnify it against any and all actions, suits, demands, payments, costs and charges for or by reason of the proposed opening or excavation, and all damages to persons or property resulting in any manner

therefrom, or occurring in the prosecution of the work connected therewith, or from any other matter, cause or thing relating thereto.

B. All applications for permits to be issued under this Section shall be subject to review by the Borough's Director of Public Works for approval.

C. In the event the Borough determines an Opening or Excavation requires repaving of a street, as more fully set forth in §21-409, the applicant shall post a bond with the Borough in an amount to be determined by the Borough Engineer relative to the scope of work, including costs of Borough engineering fees and other administrative costs, to be undertaken as a condition of the permit."

SECTION 3. Chapter 21 *Streets and Sidewalks*; Part 4 *Street Openings and Excavation*; §21-409 *Refilling of Opening or Excavation; Restoration of Surface; Responsibility for Defects Occurring Within Two Years Buildings*, is deleted in its entirety and replaced as follows:

"§21-409. Refilling of Opening or Excavation; Restoration of Surface; Responsibility for Defects Occurring Within Two Years.

A. Any person who shall open or excavate any street in the Borough of Coplay shall thoroughly and completely refill the opening or excavation with PennDOT 2A stone, flowable fill or other materials as approved by the Borough's Authorized Representative. The backfill and restoration shall be in such a manner as to prevent any settling thereafter, and shall restore the surface to the same condition as it was before the opening or excavation, and such restoration shall be in accordance with the Coplay Borough Street Opening Restoration Detail and specifications of the Pennsylvania Department of Transportation which are hereby adopted as specifications of the Borough of Coplay for restoration of surfaces of streets in the Borough of Coplay, as restored; the surface shall conform to the proper grade and be of the same surface covering as the part of the thoroughfare immediately adjoining the opening. If, within after two years after the restoration of the surface as herein provided, defects shall appear therein resulting from backfilling by the applicant, the applicant shall reimburse the Borough of Coplay for the cost of all necessary repairs to the permanent paving.

B. In the event an Excavation extends more than half of a Block, the entire street shall be repaved by the permit holder.

C. Five (5) or more Excavations Ten (10 s.f.) square feet or more on any Street in the Borough within a Block shall require re-pavement of the entire Block."

SECTION 4. Severability. If a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately fully effective.

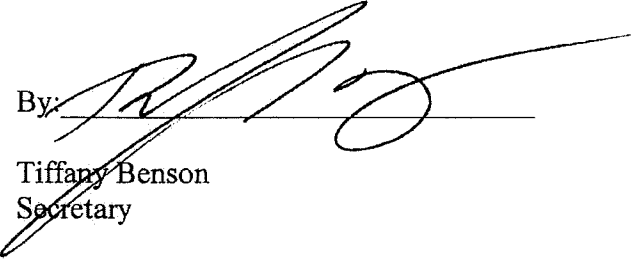
SECTION 5. Repealer. All ordinances or codes, or parts of ordinances or codes, conflicting with any of the provisions of this ordinance are hereby repealed insofar as same affects this ordinance. Notwithstanding the foregoing, the enactment of this ordinance including this repealer provision, shall not be construed as affecting any act done, liability or obligation incurred or right accrued or vested, or as affecting any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of any of the repealed ordinances and/or codes.

SECTION 6. This Ordinance shall be effective five (5) days after the enactment hereof.

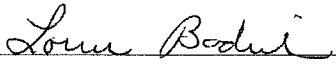
ORDAINED AND ENACTED this 9th day of April, 2024, at a regular public meeting after public hearing thereon.

ATTEST:

COUNCIL OF THE BOROUGH
OF COPLAY,
LEHIGH COUNTY,
PENNSYLVANIA

By: 

Tiffany Benson
Secretary

By: 

Louis Bodish
Council President