

**WEST MANHEIM TOWNSHIP**

York County, Pennsylvania  
2412 Baltimore Pike  
Hanover, Pa 17331  
Phone (717) 632-0320  
Fax (717) 632-2499

**APPLICATION FOR TOWNSHIP ROAD OCCUPANCY PERMIT**

APPLICANT INFORMATION

Application Number \_\_\_\_\_

Date \_\_\_\_\_

**APPLICANT/OWNER**

Issuing Permit Fee \$ \_\_\_\_\_

**ADDRESS**

Township Inspection Fee \$ \_\_\_\_\_

P.O. Box State Zip

( )

Total \$ \_\_\_\_\_

Phone Number Contact Person

Email Address Fax Number

Name of Road \_\_\_\_\_

Work Beginning at \_\_\_\_\_ or Distance and Direction to Nearest Intersection \_\_\_\_\_

Work Ending at \_\_\_\_\_ or Distance and Direction to Nearest Intersection \_\_\_\_\_

Date work is scheduled to begin: \_\_\_\_\_

Approximate date when work will be completed: \_\_\_\_\_

**DESCRIPTION OF PROPOSED WORK**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Under and subject to all the conditions, restrictions, and regulations prescribed by the Township and on the general provisions and specifications, a true copy whereof is attached and made a part hereof, with the same force and affect as if written or printed herein and under and subject to the special conditions, restrictions and regulations hereinafter set forth.

Data Applicable To This Application

**General.** The road surface is improved to a width of \_\_\_\_\_ feet. Distance from center of line to roadway gutter ditch: \_\_\_\_\_ feet. Distance from center line of road to Right-of-Way line: \_\_\_\_\_ feet.

**Poles and Towers.** Number of poles to be erected: \_\_\_\_\_ Nearest distance from center of road to structure: \_\_\_\_\_ feet. Distance of proposed work along the road: \_\_\_\_\_ feet.

**Pipe Lines and Conduits.** The improved surface of the road (will) (will not) be opened. Approximate area of openings in improved surface: \_\_\_\_\_ sq. yds. Approximate area of openings on unimproved part: \_\_\_\_\_ sq. yds. Length of trench along the road: \_\_\_\_\_ feet. Depth of trench below surface: \_\_\_\_\_ feet.

**I hereby acknowledge that all work within the Township right-of-way shall be in accordance with the West Manheim Township Construction and Material specifications and Roadway Occupancy Ordinance Number 06-2006.**

Signature

Title of Signatory

Print Name

Date

**General Instructions**

Any work performed within the right-of-way of a township road submission of three (3) copies of this form along with three (3) copies of a sketch showing location and details of proposed work. Any work performed on a Township road over, under, or within the limits of a limited access state highway requires a state permit.

The prescribed permit fee shall accompany the application and sketch. Schedules of fees are furnished on request.

**THE FEE SHALL BE PAID BY CHECK OR MONEY ORDER AND SHALL BE MADE PAYABLE TO WEST MANHEIM TOWNSHIP**

PERMITTEE USE ONLY:

TOWNSHIP USE ONLY:

**UTILITY SKETCH**  
SURFACE OPENING LESS THAN 500 L.F.

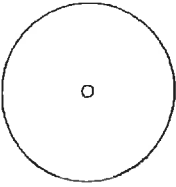
APPLICANT \_\_\_\_\_ APPLICATION NO. \_\_\_\_\_

CONTACT PERSON \_\_\_\_\_ TELEPHONE NO. ( ) \_\_\_\_\_

MUNICIPALITY \_\_\_\_\_ TWP. ROUTE \_\_\_\_\_

NUMBER OF OPENINGS \_\_\_\_\_ SIZE OF OPENING(S) \_\_\_\_\_ (NEATLY SKETCH BELOW)

INDICATE DISTANCE AND DIRECTION TO NEAREST INTERSECTION \_\_\_\_\_ BRIDGE \_\_\_\_\_ FT. (NORTH, SOUTH, EAST, WEST)

TYPE OF PAVEMENT:	TYPE OF SHOULDER:	SHOW NORTH 
BITUMINOUS _____	BITUMINOUS _____	
STABILIZED _____	STABILIZED _____	
CONCRETE _____	OTHER _____	

CONCRETE WITH BITUMINOUS SURFACE \_\_\_\_\_

LEGAL RIGHT OF WAY \_\_\_\_\_

EDGE OF SHOULDER (CURB) \_\_\_\_\_

EDGE OF PAVEMENT \_\_\_\_\_

ROADWAY C.L. \_\_\_\_\_

EDGE OF PAVEMENT \_\_\_\_\_

EDGE OF SHOULDER (CURB) \_\_\_\_\_

LEGAL RIGHT OF WAY \_\_\_\_\_

ORDINANCE NO. 06-2006

**AN ORDINANCE OF WEST MAHEIM TOWNSHIP, YORK COUNTY,  
PENNSYLVANIA REGULATING THE OPENING AND CUTTING OF STREETS AND  
INSTALLATION OF DRIVEWAYS**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of West Manheim Township, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

**1. SHORT TITLE**

This ordinance shall be known as and may be cited as the "West Manheim Township Roadway Permit Ordinance."

**2. PERMIT REQUIRED**

In accordance with the provisions of Article XXIII, §2322 of the Second Class Township Code, as amended, no railroad or street railway shall hereafter be constructed upon any Township road, nor shall any railroad or street railway crossings, driveway connections, nor any gas pipe, water pipe, electric conduits or other piping be laid upon or in, nor shall any telephone, telegraph or electric light or power poles or any coal tipples or other obstructions be erected upon any portion of a Township road right-of-way by any person, firm, corporation, utility, or municipal authority without first obtaining a permit from West Manheim Township.

**3. APPLICATION**

- a. The application for a permit shall be on a form prescribed by West Manheim Township and shall be submitted in triplicate.
- b. The applicant shall also submit three copies of a sketch showing the location and dimensions of the intended facility or driveway, the width of the improved roadway, the right-of-way of the street and the distance to the nearest intersecting street.
- c. A fee, payable to West Manheim Township, for the issuance of the permit shall accompany each application. The fee shall be established by resolution of the Board of Supervisors of West Manheim Township and shall be in accordance with the fee schedule established by the Pennsylvania Department of Transportation for highway occupancy permits.
- d. At the time of application, in addition to the permit fee, the applicant shall pay to West Manheim Township a fee to cover the cost of inspecting the permitted work upon completion thereto, to ensure compliance with the conditions, restrictions and regulations prescribed by West Manheim Township. The aforesaid fee shall be established by resolution of the Board of Supervisors of West Manheim Township and shall approximate the reasonable cost of such inspection.

**4. PERMIT ISSUANCE**

West Manheim Township shall, within five (5) working days following receipt of a completed application, including sketches and appropriate fees, act on the application and issue a

street occupancy permit if the application conforms to the requirements of this Ordinance. If the application is not in conformance with this Ordinance, West Manheim Township shall within the same time frame deny such permit and notify the applicant of the reasons for denial.

## **5. EMERGENCY PROCEDURES**

- a. Nothing in this Ordinance shall preclude the opening of any roadway for emergency repairs necessary for the safety of the public or the restoration or continuance of a public utility or other public service.
- b. Emergency openings shall be permitted without first obtaining a street occupancy permit.
- c. The person, firm, corporation, utility or municipal authority shall notify West Manheim Township of any work to be performed or that has been performed on an emergency basis and an application for a street occupancy permit and all applicable fees shall be submitted as herein prescribed within five (5) days following the completion of the emergency work. Thereafter, the provisions of this Ordinance shall apply, except for the flowable fill requirement. To protect the public safety and facilitate restoration of the trench, emergency openings may be backfilled with Pa. No. 2A crushed aggregate and compacted. The temporary bituminous surface shall be a minimum of two (2) inches thick. Final restoration shall occur within ninety (90) days.

## **6. PERFORMANCE OF WORK**

### **A. Responsibility of Permittee**

1. The permittee shall be responsible to ensure compliance with all terms and conditions of the permit by its agents, contractors and successors.
2. A copy of the permit must be posted on the job site or must be in the possession of the workmen on the job. The permit shall be produced upon request to any authorized employee of West Manheim Township.
3. The permittee shall have the responsibility for complying with the provisions of Act 287, Act of December 10, 1974, P.L. 852, 73 P.S. §176-182, regarding notification of excavation work. Compliance with this Ordinance is not compliance with the provisions of said Act, and West Manheim Township assumes no liability should permittee fail to comply with the provisions of said Act.

### **B. Maintaining a Structure or Facility**

As long as the permittee operates and leaves in place any structure or facility in, upon or along the right-of-way of a Township highway, the permittee shall maintain and keep the structures or facilities in good order and repair.

### **C. Maintaining Traffic**

1. Whenever possible, the permittee shall maintain the normal traffic flow.

2. The permittee shall, prior to the commencement of and during the work authorized by the permit, and including work done on an emergency basis, erect traffic warning signs in accordance with the Pennsylvania Department of Transportation, Publication 213, Work Zone Traffic Control Guidelines.
3. In all locations, where normal traffic flow is to be restricted, it shall be the responsibility of the permittee prior to the commencement of the work, to notify the Police Department of the location, nature, date(s) and hour(s) that normal traffic flow is anticipated to be restricted.
4. In any location where a road opening, cut, or other permitted work restricts the movement of emergency vehicles, the permittee, prior to the commencement of the work, shall notify York County Control (911) of the location, noting intersecting streets, nature, date(s) and hour(s) of the anticipated restriction.
5. All emergency work on any roadway that causes restrictions or disruptions of normal traffic flow shall immediately be reported to the above agencies by the permittee.
6. The permittee shall notify the above agencies when normal traffic flow is restored.

**D. Disposition of Materials**

1. The permittee shall keep the improved area of roadway free of all material which may be deposited by vehicles traveling upon or entering onto the highway during the work authorized by the permit.
2. The permittee shall be responsible for controlling dust and mud conditions created by the permitted work.
3. As the work progresses, all excess excavated materials and materials that are not suitable for backfill shall be removed and properly disposed of by the permittee.
4. All materials suitable for backfill shall be placed or stored on the side of the operation away from traffic, unless otherwise authorized by West Manheim Township and shall be stored in a manner so as not to interfere with the flow of water in any gutter, drain, pipe, culvert, ditch or waterway.

**E. Method of Construction**

1. **Lateral Utility Crossings from Edge of Cartway to Edge of Cartway on Roadways that have been Built or Overlaid Within the Last Five Years**

a. **Boring**

i.) When crossing under any improved area, the opening for a utility facility shall be drilled, bored, driven or tunneled on a horizontal plane at a minimum depth of 3 feet from the surface of the highway, including its swale ditches, to the top of the opening.

a.) If the facility is more than 12 inches in diameter, the bored cylindrical space surrounding the facility shall be filled with grout.

b.) Wet boring shall be prohibited.

ii.) No boring or receiving pit openings for the purpose of placing utility facilities or other structures under the improved area by drilling, boring, driving or tunneling shall be made closer than 3 feet to the edge of the roadway, unless the permit, justified by conditions, authorizes a lesser clearance.

iii.) Facilities and other structures crossing the improved area shall be constructed so as to assure the safety of the traveling public and to preclude the necessity of entering upon the improved area to affect future maintenance or replacement.

b. **Open Cut Trenching Across Improved Area**

Trenching across improved area shall consist of the following:

i.) No open cut trenching shall be permitted across the improved area, unless authorized by the permit.

ii.) Open cut trenching across the improved area may be authorized by the permit where drilling, boring, driving or tunneling are not feasible because:

a.) The subsurface is solid rock.

b.) There are other facilities located longitudinally under the improved area and their location precludes methods other than trenching.

c.) Adjacent development is a very congested urban area that makes the construction of a tunneling, boring or receiving pit impossible.

iii.) Backfilling. All openings made in the improved area shall be backfilled by the permittee in accordance with the following minimum standards:

- a.) The opening shall first be backfilled with material suitable for insulation to a height not to exceed 1 foot over the top of the facility, compacted in not more than 4-inch layers.
- b.) The opening shall then be backfilled with compacted Pa. No. 2A crushed stone aggregate to within 6 ½ inches of the street surface.
- c.) A cutback will be required 12 inches beyond either side of the trench.
- d.) Following placement and compaction of the Pa. No. 2A crushed stone aggregate and cutback operation, a 5 inch thick Superpave HMA Base GOWSI and 1 ½ inch thick Superpave HMA Wearing Course shall be constructed. All bituminous joints shall be sealed with PG-64-22, 6 inches in width.

**2. Lateral Utility Crossing from Edge of Cartway to Edge of Cartway on Roadways That Have Not Been Overlaid Within the Last 5 Years or Crossings From Facilities Located Within the Cartway**

Open trenching may be permitted when authorized by the permit.

a. Backfilling. All openings made in the improved area shall be backfilled by the permittee in accordance with the following minimum standards:

- i.) The opening shall first be backfilled with material suitable for insulation to a height not to exceed 1 foot over the top of the facility, compacted in not more than 4-inch layers.
- ii.) The opening shall then be backfilled with compacted Pa. No. 2A crushed stone aggregate to within 6 ½ inches of the street surface.
- iii.) A cutback will be required 12 inches beyond either side of the trench.
- iv.) Following placement and compaction of the Pa. No. 2A crushed stone aggregate and cutback operation, a 5 inch thick Superpave HMA Base GOWSI and 1 ½ inch thick Superpave HMA Wearing Course shall be constructed. All bituminous joints shall be sealed with PG-64-22, 6 inches in width.

**3. Open Cut Trenches Parallel to the Cartway**

a. Open cut trenches for utility facilities and other structures shall be made so that the near edge of the trench is at least 3 feet away from the edge of the roadway, unless the permit authorizes a lesser distance, with a minimum depth of 3 feet from the surface of the roadway or invert of the drainage swale to the top of the facility.

b. Open cut trenches with 18 feet of the centerline of the existing cartway on streets and roads with a 50-foot right-of-way and within 14

feet of the centerline of the existing cartway on streets with a 33-foot right-of-way shall meet the following requirements:

- i.) The opening shall first be backfilled with material suitable for insulations to a height not to exceed 1 foot over the top of the facility and compacted in not more than 4-inch layers.
- ii.) The opening shall then be backfilled with Pa. No. 2A crushed aggregate and compacted. Upon request, the requirement for crushed aggregate backfill may be waived by the Township due to location of the trench and the probability of future road widening.
- iii.) A cutback will be required 12 inches beyond either side of the trench line.
- iv.) Following placement and compaction of the Pa. No. 2A crushed aggregate and the cutback operation, a 5 inch thick Superpave HMA Base Course and 1 ½ inch Superpave HMA Wearing Course shall be placed. If in a shoulder area, the shoulder shall be replaced in-kind.
- v.) When the trench is outside the area described in this subsection and not within an improved cartway or shoulder, it can be backfilled with suitable backfill, compacted in 8-inch layers, topsoiled and seeded.

**F. Above Ground Facilities**

Permits will not be issued to install above ground facilities which:

1. West Manheim Township determines to be hazardous or potentially hazardous to the general public.
2. Interfere with the clear sight vision of motorists at intersecting highways or roads.
3. Fall within the proposed construction area of either road widening or curb construction.

**G. Driveways**

1. Driveways entering upon any Pennsylvania State highway shall not be constructed unless and until a highway occupancy permit has been issued for same by the Pennsylvania Department of Transportation. Said highway occupancy permit shall be provided to the Township at the time of making application for the West Manheim Township driveway entrance permit.



2. The regulations governing access driveways as contained in the West Manheim Township Zoning Ordinance and the Subdivision and Land Development Ordinance shall be strictly observed.
3. Driveways entering upon any public street or highway within the Township shall be so constructed as to provide for the proper drainage along the shoulder or curblineline of said street or highway and shall be so located as to afford an unobstructed view of the traffic thereon.
4. Concrete paving for driveway surfaces shall not extend beyond the gutter line or outside edge of the shoulder, and the area between the gutter line or shoulder and the street paving shall be paved with a bituminous macadam pavement. In general, the surface of the driveway at the curblineline shall be 4 inches below the established elevation of the street or highway centerline, and shall conform to the established grade of the street or highway gutter to provide proper drainage. The use of culverts to carry gutter drainage under driveway entrances will not be permitted, except upon approval of the Public Works Supervisor.

## 7. COMPLETION

- A. Upon completion of the permitted work, the permittee shall give written notice thereof to West Manheim Township.
- B. Upon receipt of the written notice of completion, West Manheim Township shall inspect the work and where necessary, enforce compliance with the conditions, restrictions and regulations imposed by West Manheim Township.
- C. West Manheim Township shall re-inspect the work periodically after completion of the project and all required restoration work.
- D. Prior to the next scheduled overlay of the street, should any settlement of the road surface or other defect appear in the work, contrary to the conditions, restrictions and regulations imposed by West Manheim Township, the permittee shall be notified of such defect or defects, in writing, by West Manheim Township.
- E. All repairs of any defect shall be completed by the permittee within sixty (60) days from notification by West Manheim Township.
- F. Should the permittee fail to make repairs within sixty (60) days from such notification, West Manheim Township may do the work and impose upon the permittee the cost thereof together with an additional twenty percent (20%) of such costs.
- G. Should any defect or road settlement be determined by West Manheim Township to be hazardous to the health, safety or welfare of the general public, the permittee shall

immediately make temporary repairs, install warning devices or take other appropriate measures to protect the general public.

H. Upon the failure of the permittee to act expeditiously to address any hazards as identified by the West Manheim Township, the Township may take the steps it deems necessary to protect the health, safety and welfare of the general public.

I. Should West Manheim Township be required to take such measures, the permittee shall pay to West Manheim Township the reasonable and necessary costs incurred by the Township in performing this service, together with an additional twenty percent (20%) of such costs.

#### 8. **PENALTIES**

The provisions of this Ordinance shall be enforced by the Police Department serving West Manheim Township, and by the West Manheim Township Public Works Director, Building Permit Officer or Zoning Officer, or other appropriate officer or officers of West Manheim Township. Any person, firm or corporation who shall violate any provision of this Ordinance, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed ninety (90) days. Each day that a violation of this Ordinance continues, or each section of this Ordinance which shall be found to have been violated, shall constitute a separate offense.

#### 9. **REPEAL**

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

#### 10. **SEVERABILITY**

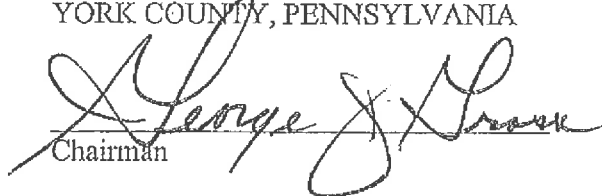
If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Board of Supervisors of West Manheim Township that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included herein.

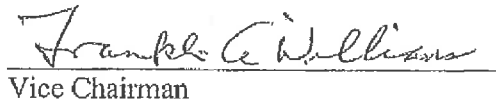
11. **EFFECTIVE DATE**

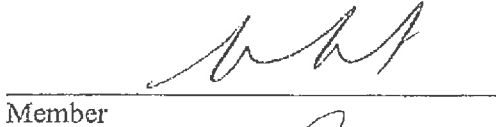
This ordinance shall become effective 5 days after its adoption.

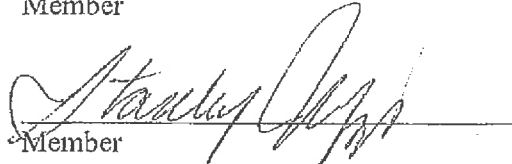
ENACTED AND ORDAINED this 2ND day of NOVEMBER, 2006.

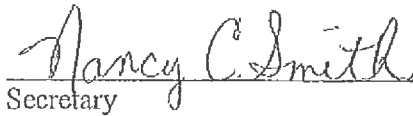
BOARD OF SUPERVISORS  
WEST MANHEIM TOWNSHIP  
YORK COUNTY, PENNSYLVANIA

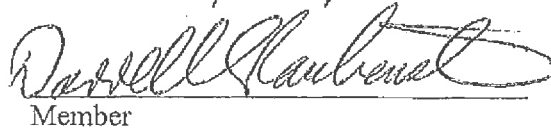
  
Chairman

  
Vice Chairman

  
Member

  
Member

  
Secretary

  
Member