



Borough of Mars

598 Spring Ave.
Ph: (724) 625-1858
Fax: (724) 625-4065

Street Opening Permit Application

Application for permit to open a Mars Borough Street for the purpose of connecting a waterline, sewer line, or gas line in the Borough of Mars.

CONTRACTOR	ADDRESS OF EXCAVATION	PROPERTY OWNER

The dimensions of said excavation to be:

Length _____, Width _____, Depth _____

The BONDING is to be as follows:

- For excavations five feet in depth or less the amount of bond shall be based on a rate of \$100.00 per running foot
- For excavations deeper than five feet, the amount of the bond shall be based on a rate of \$200.00 per running foot.
- Bond** shall remain on deposit for a period of (6) six months after opening has been closed.

Permit Cost \$300.00 Check # _____ Date: _____

APPLICANT SIGNATURE _____

- Upon completion the back filling and closing of opening shall follow the standards of Mars Borough Ordinance §224-9. Construction standards and shall be inspected by the Mars Borough Foreman.
- Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be punishable for each offense by a maximum fine of \$300, to be collected as fines and penalties are by law collectable, or by imprisonment for not more than 90 days.
- Charge of opening of a street is \$300.00 payable before permit is issued plus a deposit of cash or security bond.**

COMPLETION REPORT

Inspected and approved by: _____ Date _____

Check for Bond Returned:

Amount _____ Check # _____ Date _____

FOR OFFICIAL USE ONLY

APPROVED: YES _____ NO _____ DATE: _____ PERMIT NUMBER: _____

APPROVED BY: _____ ZONING OFFICIAL PERMIT COST \$ _____

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Article II. Excavations and Openings

[Adopted 5-11-1992 by Ord. No. 371]

§ 224-5. Permit requirements.

It shall be unlawful for any person, firm or corporation to make any opening or excavation in or under any street, alley or thoroughfare within the limits of the Borough of Mars unless and until a permit there for be secured from the Borough Secretary for each separate undertaking, such permit and the application there for to be in the form prescribed by said Secretary and to contain a statement that the applicant agrees to the terms of this article. Permits herein required include, inter alia, a permit to connect with the sanitary sewer system or to open or to make an excavation in connection therewith. The police officers of the Borough shall promptly prohibit any work being done without a proper permit or contrary to the terms hereof. Entities performing emergency work at the discretion of the Borough are exempt from complying with the permit and bond requirements of this article.

§ 224-6. Permit charges; application requirements.

Editor's Note: Amended at time of adoption of Code (see Ch. I, General Provisions, Art. I). The charge for said permit shall, for each separate undertaking, be \$300. The application for the permit and every such permit shall specify a time when said opening or excavation will remain open and the place where said opening or excavation will be made, together with the probable length, width and depth and such further information as the Borough may require. Any additional surface to be disturbed and any additional time required may be endorsed on the permit by the Secretary.

§ 224-7. Bond.

Before receiving said permit, each applicant shall deposit with the Secretary a cash or security bond, which bond shall remain on deposit for a period of six months after opening has been closed, to indemnify the Borough against subsidence or faulty replacement. At the end of said period, said bond or any remaining part thereof not expended to correct the condition shall be released to the applicant. In cases where public utility companies are the applicants, the Borough may, at its discretion and upon terms fixed by it, accept a duly executed indemnity bond. For excavations or openings less than five feet in depth, the amount of the bond shall be based on a rate of \$100 per running foot. For excavations deeper than five feet, the amount of the bond shall be based on a rate of \$200 per running foot.

§ 224-8. Safety requirements; liability.

It shall be the duty of any person or persons, firms or corporations to whom a permit is issued or by whom any opening or excavation is made as aforesaid to provide and maintain proper and adequate guards, barriers and lights to prevent accidents, and they shall assume all risks and be liable for all damages by reason of the

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openings and excavations and by reason of any failure to properly fill the hole or trench and maintain the disturbed surface in a safe condition.

§ 224-9. Construction standards.

It shall be the duty of any person, firm or corporation causing an opening or excavation to be made to thoroughly and completely fill the same, puddling and ramming so as to prevent any settling thereafter and to replace the surface of the thoroughfare at the proper grade and with the same surface covering as the part of the thoroughfare adjoining the opening and to remove all debris created by said excavation. Said excavations shall be backfilled in accordance with the following standards:

A. Eight inches of No. 4 limestone or air-cooled blast furnace slag base course compacted to 95% maximum density and choked with crushed base course material.

B. One-inch crushed slag or stone sub base choke throughout.

C. Two-inch ID-2 binder.

D. One-inch ID-2 wearing surface.

E. Only base course and base choke materials would be approved in compliance with Pennsylvania Department of Transportation Publication 408 and their approved sources of supply or such regulations and sources as may be in effect at the time of construction.

F. The applicant shall provide for random on-site sampling and testing of base and paving materials for each maximum 500 tons of material when requested by Mars Borough. Such material shall be tested for compliance with Pennsylvania Department of Transportation Publication 408, or such subsequent amendments or latest edition, and the cost of such sampling and testing is to be done without cost to the Borough.

§ 224-10. Work performed by Borough; costs.

If the work in opening or in filling in or maintaining the surface shall not be promptly or shall be improperly or incompletely done, the Borough may cause the same to be done in the manner it deems proper, and the expense thereof, including any overhead expense, shall be charged to the person, firm or corporation by whom the opening or excavation was made, together with 25% additional as a penalty. Any or all parts thereof first paid out of the deposit or bond and any balance to be collected as like claims and penalties are now by law collectible. No permit shall be issued to any person, firm or corporation in default under this section until the costs and penalty herein provided are paid, and no further permit shall be granted to any person, firm or corporation unless and until the openings or excavations already caused by him or it have been properly filled and the surface maintained as aforesaid.

§ 224-11. Jurisdiction.

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In no case shall any opening or excavation made by any person, firm or corporation be considered in the charge or care of the Borough or any officer or person employed by the Borough, and no officer or employee is authorized to in any way take or assume any jurisdiction over any such opening or excavation.

§ 224-12. Violations and penalties.

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. 1). Any person, firm or corporation violating any of the provisions of this article shall, upon conviction thereof, be punishable for each offense by a maximum fine of \$300, to be collected as fines and penalties are by law collectible, or by imprisonment for not more than 90 days.

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