

Chapter152

STREETS AND SIDEWALKS

ARTICLE I Streets Openings and Excavations

- § 152-L Definitions and word usage.
- § 152-2. Permit required.
- § 152-3. Application.
- § 152-4. Permit fee.
- § 152-5. Issuance of permits restricted.
- § 152-6. Contents of permit.
- § 152-7. Permit approval; disapproval.
- § 152-8. Responsibility to contact utilities.
- § 152-9. Restoration of surface; responsibility for defects.
- § 152-10. Responsibility for certain work; rights of township; charges.
- § 152-11. Requirements for excavations; unsatisfactory or incomplete work.
- § 152-12. Emergency openings.
- § 152-13. Restrictions regarding trees and shrubbery.
- § 152-14. Work to be done prior to street improvements; openings in new paving.
- § 152-15. Future relocation of work by permittee.
- § 152-16. Laying and extending utility lines.
- § 152-17. Bond required.
- § 152-18. Work done by township; costs.
- § 152-19. Violations and penalties.
- § 152-20. Nonapplicability.

ARTICLE II Snow and Ice Removal

- § 152-21. Definitions.
- § 152-22. Removal required; time restriction; use of abrasive.
- § 152-23. Responsibility for removal from roofs.
- § 152-24. Depositing of snow and ice restricted.
- § 152-25. Violations and penalties.

ARTICLE III Restrictions on Use of Land Within Public Right-of-Way

- § 152-26. Disturbing lands near roads prohibited.
- § 152-27. Depositing debris on or near road prohibited.
- § 152-28. Removal of debris required.
- § 152-29. Drainage or discharge.
- § 152-30. Improvements within public right-of-way.
- § 152-31. Temporary occupancy of streets.
- § 152-32. Storage within public right-of-way prohibited.
- § 152-33. Definitions.
- § 152-34. Violations and penalties.
- § 152-35. (Reserved)
- § 152-36. (Reserved)
- § 152-37. (Reserved)
- § 152-38. (Reserved)
- § 152-39. (Reserved)
- § 152-40. (Reserved)

ARTICLE IV
Regulations for Traffic Control
Signals

- § 152-41. Short title.
- § 152-42. Legislative intent.
- § 152-43. Adoption of standards.
- § 152-44. Violations and penalties.

ARTICLE V
Sidewalks

- § 152-45. through § 152-50. (Reserved)
- § 152-51. Short title.
- § 152-52. Definitions and word usage.
- § 152-53. Township to establish streets where sidewalks to be installed.
- § 152-54. Written notice.
- § 152-55. Repair of existing sidewalks.
- § 152-56. Determination of sidewalk needing repair.

- § 152-57. Determination by Code Enforcement Officer.
- § 152-58. Inspections.
- § 152-59. Type and extent of repairs.
- § 152-60. Service of notice.
- § 152-61. Contents of notice.
- § 152-62. Appeals.
- § 152-63. Collection of costs; additional penalties.
- § 152-64. Municipal claim and lien.
- § 152-65. Proposals; sealed bids.
- § 152-66. Tampering without permit prohibited.
- § 152-67. Installation and repairs to be in accordance with specifications.
- § 152-68. Grading.
- § 152-69. Dangerous conditions; emergency repairs.
- § 152-70. (Reserved)
- § 152-71. Violation and penalties.

[HISTORY: Adopted by the Board of Supervisors of the Township of West Earl as indicated in article histories. Amendments noted where applicable.]

GENERAL
REFERENCES

Driveways — See Ch. 85.
Mobile homes and mobile home parks — See Ch. 118. Skateboards-See Ch. 141.

Subdivision and land development — See Ch. 155. Vehicles and traffic-See Ch. 170.
Zoning-See Ch. 184.

ARTICLE I
Streets Openings and Excavations
[Adopted 4-27-1992 by Ord. No. 91]

§ 152-1. Definitions and word usage.

- A. The following words, when used in this Article, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

EXCAVATION- Any activity within the right-of-way of any street, alley or cartway which involves cutting, breaking or disturbing the surface thereof. In this Article, the term "opening" shall have essentially the same meaning as "excavation."

PERSON – Any natural person, partnership, firm association, corporation or municipal authority, and the officers of such corporation and the members of such partnership or association.

STREET – Any public street, avenue, road, square, alley, highway or other public place located in the Township of West Earl and established for the use of vehicles, but shall not include state highways.

TOWNSHIP- The Township of West Earl, Lancaster County, Pennsylvania.

- B. In this Article, the singular shall include the plural, and the masculine shall include the feminine and the neuter genders.

§ 152-2. Permit required.

It shall be unlawful for any person to open or to make any excavation of any kind in any of the streets in the township without first securing a permit therefor, as hereinafter provided.

§ 152-3. Application.

Any person who shall desire to make any opening or excavation in any of the streets in the township shall make application to the designated official, in writing, for that purpose. Such application shall be made upon forms to be furnished by the township and shall set forth the name of the applicant, the exact location of the proposed opening or excavation and the approximate size and 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 township and the

laws of the commonwealth in relation thereto and that the applicant shall well and truly save, defend and keep harmless the township 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.

§ 152-4. Permit fee.

Before any permit shall be issued to open or excavate any street in the township, the applicant shall pay a permit fee in the amount fixed according to a schedule established pursuant to resolution.1

§ 152-5. Issuance of permits restricted.

Permits shall be issued only to persons furnishing public utility services or the owner or owners of the real property adjoining the location where such opening or excavation is to be made.

§ 152-6. Contents of permit.

Any permit issued hereunder shall specify the exact location where the opening or excavation is to be made, the approximate permitted size or depth thereof and the time within which the work for which the permit is granted is to be completed.

§ 152-7. Permit approval; disapproval.

A permit may be issued to the applicant after all the requirements therefor have been fulfilled. If the application is disapproved, written notice of disapproval, together with reasons therefor, shall be given to the applicant.

§ 152-8. Responsibility to contact utilities.

The work authorized by the permit is subject to all the provisions of the Act of December 10, 1974, P.L. 852, No. 287, Section 1 et seq., as amended or supplemented from time to time.2 It shall be the permittee's responsibility to contact the utilities that have recorded their facilities in compliance with said Act. A partial list of utilities providing services in the township and their offices' addresses may be obtained from the County Recorder of Deeds.

1. Editor's Note: See Ch. A190, Fees.

2. Editor's Note: See 73 P.S. - 176 et seq.

§ 152-9. Restoration of surface; responsibility for defects.

Any person who shall open or excavate any street in the township shall thoroughly and completely refill the opening or excavation 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 specifications of the Department of Transportation of the Commonwealth of Pennsylvania, which are hereby adopted as specifications of the township for restoration of surfaces of streets in the township. 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 two years after the restoration of the surface as herein provided, defects shall appear therein resulting from defective backfilling by the permittee, the permittee shall reimburse the township for the cost of all necessary repairs to the permanent paving.

§ 152-10. Responsibility for certain work; rights of township; charges.

All other work in connection with openings in any street, including excavation, protection, refilling and temporary paving, shall be done by or for the person to whom or which the permit has been issued, at his expense, and all such work shall be subject to the provisions of this Article and to the supervision and approval of the designated official, provided that the designated official may, if he deems it necessary to the proper performance of the work, require that the cutting of the surface of streets and the backfilling of all excavations therein shall be done by the township, in which event the applicant shall pay the actual cost of the work performed by the township.

§ 152-11. Requirements for excavations; unsatisfactory or incomplete work.

- A. No opening or excavation in any street shall extend from the curblin into the highway a distance greater than one foot beyond the center line of the street before being refilled and the surface of the highway restored to a condition safe and convenient for travel.
- B. No more than 500 feet longitudinally shall be opened in any street at any one time.
- C. The work of the excavation shall be so conducted as not to interfere with the water mains or sewers or their connections with the houses or any other subsurface lines or constructions, until permission of the proper authorities in connection with such subsurface lines or constructions shall have been obtained.
- D. No tunneling shall be allowed without the express approval of the designated official and permission therefor endorsed upon the permit. The backfilling of a tunnel excavation shall be made only in the presence of the designated official or an inspector designated by him and shall be done only in a method approved by him.
- E. All openings or excavations shall be backfilled within 24 hours with 2A stones and thoroughly compacted in layers, each of which layers shall not exceed eight inches in depth. Backfilling shall be placed to within three inches of the surface. See Appendix A.3
- F. A temporary paving of cold-patch premix, thoroughly bound and compacted, shall be installed flush with the surface of the adjoining paving and maintained for a minimum of 60 days. After the minimum sixty-day period but before 180 days, the temporary restoration shall be removed and permanent restoration shall be made in accordance with Appendix B.4
- G. On concrete-base streets, such base shall be replaced with concrete, and the minimum size of the opening or excavation shall be 16 square feet.
- H. During the making of any excavation in the street, every necessary and reasonable precaution shall be taken by the permittee and the parties making the same to keep the street in a safe and passable condition, both day and night, by guards, barriers, lanterns and other devices,

and all excavating permits granted hereunder are granted under and subject to the express condition that the person to whom the same is issued shall indemnify, save and keep harmless the township from any loss in damages or otherwise whatsoever which may or shall be occasioned at any time by said excavation or by any leak, explosion or other injury from any pipe, apparatus or conduit or any other matter placed in said excavation.

- I. The permittee shall notify the designated official when the opening or excavation is ready for backfilling before any backfilling is done, when the backfilling work is completed, when the temporary paving has been installed and when the street has been permanently restored so that inspections may be made.
- J. In the event that any work performed by or for a permit holder shall, in the opinion of the designated official, be unsatisfactory and the same shall not be corrected in accordance with his instructions within the time fixed by him or in the event that the work for which the permit was granted is not completed within the time fixed by the designated official, the township may proceed to correct such unsatisfactory work or complete any such work not completed and charge the cost thereof, plus 20%, to the permittee.

§ 152-12. Emergency openings.

In the case of any leak, explosion or other accident in any subsurface pipe, line, construction or apparatus, it shall be lawful for the person owning or responsible for such pipe, line, construction or apparatus to commence an excavation to remedy such condition before securing a permit, provided that application for a permit shall be made immediately and not later than the next business day thereafter and that all other provisions of this Article are fully complied with. If any such emergency condition shall not be immediately attended to by the owner or person responsible for such pipe, line, construction or apparatus, the designated official, after such notice as he shall deem necessary under the circumstances of the particular case, shall proceed to do the work necessary and required by such emergency and charge the same on the basis of the cost plus 20% to such owner or person.

3. Editor's Note: Appendix A is on file and available for inspection in the office of the Township Secretary.

4. Editor's Note: Appendix B is on file and available for inspection in the office of the Township Secretary.

§ 152-13. Restrictions regarding trees and shrubbery.

The permission herein granted does not confer upon the permittee or his contractors the right to cut, remove or destroy trees or shrubbery within the legal right-of-way, except under specifications, regulations and conditions as the township may prescribe.

§ 152-14. Work to be done prior to street improvements; openings in new paving.

The designated official shall give timely notice to all persons owning property abutting on any street within the township about to be paved or improved and to all public utility companies operating in the township, and all such persons and utility companies shall make all water, gas or sewer connections, as well as any repairs thereto which would necessitate excavation of said street, within 30 days from the giving of such notice, unless such time is extended, in writing, for cause shown by the designated official. New paving shall not be opened or excavated for a period

of two years after the completion thereof, except in case of emergency, the existence of which emergency and the necessity for the opening or excavating of such paving to be determined by the designated official. If it is sought to excavate upon or open a street within two years after the completion of the paving, the applicant shall make written application to the Board of Supervisors of West Earl Township, and a permit for such opening shall be issued only after express approval of the Board of Supervisors of West Earl Township.

§ 152-15. Future relocation of work by permittee.

If at any time in the future the roadway is widened or reconstructed or the alignment or grades are changed, the permittee shall change or relocate all or any part of the structures covered by a permit which interfere with the improvement of the roadway at its own cost and expense.

§ 152-16. Laying and extending utility lines.

No new water, sewer, steam or gas main or electric, telephone or other utility line shall hereafter be laid or constructed, and no such existing main or line shall be extended, in any of the streets of the township until the plan therefor shall have been first filed with the designated official and such plan and the exact location of such main or line are approved by him. The designated official shall not approve the locating of any such main or line at a depth of less than 30 inches from the surface of the street unless he shall be convinced that locating the same at a depth of more than 30 inches from the surface is impossible or impractical.

§ 152-17. Bond required.

No person shall open any street without first giving to the township a bond with some acceptable trust or surety company as surety in the sum determined by the schedule of fees,⁵ conditioned for the faithful performance of these provisions and also for any and all damages, claims, demands, suits, costs and counsel fees occasioned or arising from the digging up, opening or closing of said street.

§ 152-18. Work done by township; costs.

Payment for all work done by the township under the provisions hereof shall be made by the person made liable therefor under the provisions hereof within 30 days after a bill therefor is sent to such person by the township. Upon failure to pay such charges within such time, the same shall be collectible by the township by an action in assumpsit or in the manner provided by law for the collection of municipal claims.

§ 152-19. Violations and penalties. [Amended 8-9-1993 by Ord. No. 101; 6-24-1996 by Ord. No. 116; 4-28-1997 by Ord. No. 129]

If the Board of Supervisors or the officer designated to enforce this article by the Board of Supervisors determines that a person has committed or permitted the commission of a violation of this article, the Board of Supervisors or such enforcement officer shall inform such person, in writing, of the violation, shall notify such person to cease the violation of this article and shall inform such person that he or she must pay a civil penalty to the township within the range of the amounts set forth below to settle the violation. The penalty for a first offense shall be not less

than \$50 and not more than \$600; the penalty for a second offense shall be not less than \$100 and not more than \$600; and the penalty for a third or greater offense shall be not less than \$200 and not more than \$600. If such person fails or refuses to remit the penalty to the township within 10 days from the date of the written notice of the violation of this article, the township may commence a civil enforcement proceeding seeking penalties and costs for the violation of this article and/or may commence an action in equity. The township shall seek a judgment for the penalty previously imposed, together with additional daily penalties for continuing violations, plus all court costs, including the reasonable attorneys' fees incurred by the township in the enforcement proceedings. Each day that a violation continues shall constitute a separate violation, and each section of this article which is violated shall constitute a separate violation. If the defendant neither pays nor timely appeals the judgment, the township may enforce the judgment pursuant to the applicable rules of civil procedure.

§ 152-20. Non applicability.

The provisions of this article shall not apply to laying sidewalks or curbs.

ARTICLE II
Snow and Ice Removal
[Adopted 5-13-1996 by Ord. No. 114]

§ 152-21. Definitions.

As used in this article, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

5. **Editor's Note: See Ch. A190, Fees.**

BUSINESS DAY — Any day not a Sunday or a national holiday.

BUSINESS HOURS — The hours between 9:00 a.m. and 5:00 p.m. on any business day.

CARTWAY — The portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

PERSON — Any natural person, partnership, corporation, association or any other legal entity.

SIDEWALK — The portion of a street between the curblines, or the lateral lines of a cartway, and the adjacent property lines, intended for use by pedestrians.

STREET or HIGHWAY — The entire width between the boundary lines of a way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

TOWNSHIP — The Township of West Earl, Lancaster County, Pennsylvania.

§ 152-22. Removal required; time restriction; use of abrasive.

Every person in charge or control of any building or lot fronting or abutting on a paved sidewalk, whether as owner, tenant, occupant, lessee or otherwise, shall remove and clear away or cause to be removed or cleared away snow and/or ice from a path of at least 24 inches in width from so much of said sidewalk as is in front of or abuts on said building or lot.

- A. Except as provided in Subsection B hereof, snow and ice shall be removed from sidewalks within 24 hours after cessation of any fall of snow, sleet or freezing rain.
- B. In the event that snow and/or ice on a sidewalk has become so hard that it cannot be removed without likelihood of damage to the sidewalk, the person charged with its removal shall, within the time mentioned in Subsection A hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel reasonably safe and shall, as soon thereafter as weather permits, cause to be cleared a path in said sidewalk of at least 24 inches in width.

§ 152-23. Responsibility for removal from roofs.

Every person in charge or control of any building or other structure, whether as owner, tenant, occupant, lessee or otherwise, shall remove and clear away, or cause to be removed and cleared away, any accumulation of snow and ice on said building or other structure which is liable to fall on any sidewalk, roadway or other public way. Such work shall be completed within a reasonable time, but not later than 24 hours after the cessation of any fall of snow, sleet or freezing rain.

§ 152-24. Depositing of snow and ice restricted.

No person shall deposit or cause to be deposited any snow or ice on or immediately next to a fire hydrant or on any sidewalk, roadway or loading and unloading areas of a public transportation system, except that snow and ice may be mounded by the township on public cartways incident to the cleaning thereof or mounded on curbs incident to the clearing of sidewalks in business districts.

§ 152-25. Violations and penalties. [Amended 4-28-1997 by Ord. No. 129]

For each violation of the provisions of this article, the owner, lessee or any other person who commits, takes part in or assists in any such violation shall be liable, upon conviction thereof in a summary proceeding, to pay a fine of not less than \$100 nor more than \$1,000 for each offense, together with the costs of prosecution. Each day or portion thereof in which a violation exists shall be considered a separate violation of this article, and each section of this article which is violated shall be considered a separate violation. In default of payment of such fine, such person shall be liable to imprisonment for a period not exceeding 30 days.

ARTICLE III

**Restrictions on Use of Land Within Public Right-of-Way
[Adopted 5-13-1996 by Ord. No. 114]****§ 152-26. Disturbing lands near roads prohibited.**

No persons shall hereafter plow, cultivate, harrow or in any way disturb the surface of land within the cartway or within five feet of the cartway of a township road.

§ 152-27. Depositing debris on or near road prohibited.

No persons shall deposit fieldstone, rocks, trash or debris of any kind within the cartway or within five feet of the cartway of any township road.

§ 152-28. Removal of debris required.

Any person who deposits or allows to be deposited any mud, dirt, silt or manure or any other debris within the cartway or within five feet of the cartway of any township road, whether accidentally or otherwise, shall immediately remove the same.

§ 152-29. Drainage or discharge.

No person shall drain or permit the drainage or discharge of swimming pools, sump pumps, downspouts or any other facility in a manner in which drains or discharges liquid or other substances onto the cartway of any township or state road that in any manner causes unsafe conditions for motorists or pedestrians.

§ 152-30. Improvements within public right-of-way.

Persons who install shrubbery, fences, flowers, hedges or similar improvements within the public right-of-way do so at the sufferance of the township. Persons shall immediately remove such items from the public right-of-way when requested to do so by the township. The township shall not be liable for any damages to improvements installed within its right-of-way when plowing snow, maintaining cartways or other facilities within the right-of-way or performing other public functions.

§ 152-31. Temporary occupancy of streets. [Added 12-22-2003 by Ord. No. 172⁶]

- A. No person shall place or authorize or allow the placement of building or other materials, a dumpster or other trash receptacle or any other items within or otherwise occupy any portion of any Township or state road, including but not limited to the sidewalk, without obtaining a permit therefor from the Township and complying with the other requirements herein specified.
- B. Before any work is begun or occupancy commence, the applicant shall submit a written application with the Township Manager, setting forth the purpose for which said street or sidewalk is to be occupied, the location of the proposed work or occupancy and the expected duration of the occupancy. The applicant shall agree to assume all liabilities for all or any damages to person or property accruing to the public or to said Township which may or might result from the occupying of said street or sidewalk. No application shall be complete without payment of the fee established by the Board of Supervisors.
- C. No permit for temporarily occupying a portion of a Township or state road, including but not limited to the sidewalk, shall be issued except with the approval of and upon such terms and conditions as may be required by the Township Manager. No permit shall authorize the occupying of more than 1/3 of the width of the roadway between curbs, nor shall the occupied area exceed in the extent the dimensions of the frontage of the premises about to be built upon or repaired, except that when no objection is made by the adjoining property owners and the space is not to be used for storage of materials other than that to be used in construction, the permittee shall be permitted to occupy an additional 30 feet on each side of the building frontage for which the permit is granted. The applicant shall demonstrate that the adjoining property owners have no objection if the applicant requests permission to occupy frontage of an adjoining property. The permit shall be operative for no more than seven days form the date of issue.
- D. The permittee shall maintain at all times a clear and unobstructed passage along the sidewalk, at least six feet in width, and a free passage for water in the gutter. No building or other materials or other obstruction shall, at any time, be placed within 25 feet of any fire hydrant. All the materials or other obstructions occupying the Township or state road shall be removed prior to the expiration of the time for which the permit was issued or for which it was renewed.
- E. All materials placed or obstructions created under such permit must be properly marked by barricades and flashing amber lights so placed as to indicate from the roadway in both directions the exact location and limits of said work or obstruction and at all times must be properly guarded.

§ 152-32. Storage within public right-of-way prohibited. [Added 12-22-2003 by Ord. No. 172; amended 6-14-2004 by Ord. No. 176]

No person shall store any material or any nonmotorized vehicle, whether licensed or unlicensed, or any combination vehicle, whether licensed or unlicensed, within the

6. Editor's Note: This ordinance also provided for the redesignation of fonner § 152-31, Violations and penalties, as § 152-34.

right—of—way of any Township or state road. For the purposes of this section, storage shall be considered the placement of materials or a nonmotorized vehicle (whether licensed or unlicensed) or a combination vehicle (whether licensed or unlicensed) in a location within the public right—of—way for a period in excess of 24 consecutive hours unless such placement has been authorized by issuance of a permit for temporary occupancy pursuant to § 152-31.

§ 152-33. Definitions. [Added 12—22-2003 by Ord. No. 172; amended 6-14-2004 by Ord. No. 1761]

The following words and phrases shall have the meaning set forth below when used in this article:

CARTWAY - The paved surface of a road, including paved shoulders.

COMBINATION VEHICLE - A self-propelled vehicle to which a nonmotorized vehicle is attached.

NONMOTORIZED VEHICLE - Any vehicle which is not self-propelled.

PERSON Any individual, association, partnership, public or private corporation whether for profit or lot or profit, trust, estate, or other legally recognized entity. Whenever the term “person” is used in connection with any clause providing for the imposition of a fine or penalty or the ordering of the action to comply with the terms of this article, the term “person” shall include the members of an association, partnership or firm and the officers of any public or private corporation, whether for profit or not for profit.

ROAD - Any street or highway dedicated to or under control of the Township or the Pennsylvania Department of Transportation. Unless otherwise provided in this article, a road shall include the entire public right-of-way, including any curbs and sidewalks.

TOWNSHIP - The Township of West Earl, Lancaster County, Pennsylvania.

TOWNSHIP MANAGER - The appointed Manager of the Township or such other Township employee or official designated by the Manager to accept applications and issue permits under this article.

VEHICLE – Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon rails or tracks. The term does not include a self-propelled wheelchair or an electrical mobility device operated by and designed for the exclusive use of a person with a mobility-related disability.

§ 152-34. Violations and penalties [Amended 4-28-1997 by Ord. No. 129]

For each violation of the provisions of this article, the owner, lessee or any other person who commits, takes part in or assists in any such violation shall be liable, upon conviction thereof in a summary proceeding, to pay a fine of not less than \$100 nor more than \$1,000 for each offense, together with the costs of prosecution. Each day or portion thereof in which a violation exists shall be considered a separate violation of this article, and each section of this article which is violated shall be considered a separate violation. In default of payment of such fine, such person shall be liable to imprisonment for a period not exceeding 30 days.

§ 152-35. (Reserved)

§ 152-36. (Reserved)

§ 152-37. (Reserved)

§ 152-38. (Reserved)

§ 152-39. (Reserved)

§ 152-40. (Reserved)

ARTICLE IV
Regulations for Traffic Control Signals
[Adopted 9-13-2004 by Ord. No. 177]

§ 152-41. Short title.

This article shall be known and may be cited as the “West Earl Township Traffic Control Signal Regulations Ordinance.”

§152-42. Legislative intent.

As the Township develops, more and more intersections have traffic control signals installed. The Township is responsible for the long-term maintenance of traffic control signals, and the Township desires to impose certain standards for the installation of traffic control signals to provide for ease and efficiency in maintenance.

§ 152-43. Adoption of standards. [Amended 5-23-2005 by Ord. No. 185; 6-26-2006 by Ord. No. 190]

The Township hereby adopts the design and installation specifications entitled West Earl Township Traffic Signal Specifications dated May 8, 2006, incorporated as Appendix A to Chapter 152, Streets and Sidewalks.

§ 152-44. Violations and penalties.

Any person, including but not limited to owners, tenants, occupiers, contractors, subcontractors and their agents, servants and employees, who or which shall violate any of the terms of this article shall be liable, upon conviction thereof in a summary proceeding, to pay a fine of not less than \$50 nor more than \$1,000 for each offense, together with the costs of

§ 152-44

STREETS AND SIDEWALKS

§ 152-44

prosecution. Each day or portion thereof in which a violation exists shall be considered a separate violation of this article, and each section of this article which is violated shall be

considered a separate violations. After notice, each day's continuance of a violation shall constitute a separate offense.

ARTICLE V

Sidewalks

[Adopted 6-8-2015 by Ord. No. 230]

§ 152-45. through § 152-50. (Reserved)

§ 152-51. Short title.

This article shall be known and may be cited as the "West Earl Township Sidewalk Ordinance."

§ 152-52. Definitions and word usage.

The following words, when used in this article, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

BOARD OF SUPERVISORS — The governing body of the Township.

CODE ENFORCEMENT OFFICER — The person appointed by the Board of Supervisors to administer and enforce this article.

TOWNSHIP- The Township of West Earl, Lancaster County, Pennsylvania.

§ 152-53. Township to establish streets where sidewalks to be installed.

The Board of Supervisors shall determine where sidewalks shall be constructed and surfaced along the public highway and streets of the Township.

§ 152-54. Written notice.

Upon the enactment of an ordinance requiring installation of sidewalks along one or more identified streets, the Code Enforcement Officer shall serve written notice upon the owners of properties abutting on said public highways and streets, requiring them to construct and surface such sidewalk within 180 days from the date of such notice. The sidewalk shall be constructed in the manner and under the specifications as hereinafter set forth.

§ 152-55. Repair of existing sidewalks.

From and after the passage of this article, all existing sidewalks within the Township found to be defective or in need of resurfacing or repairs shall be resurfaced and/or repaired by the owners of the lots fronting or abutting thereon, after receipt of and in accordance with the terms of a notice to be issued and served as hereinafter set forth.

§ 152-56. Determination of sidewalk needing repair.

An existing sidewalk shall be deemed defective and/or in need of replacement, resurfacing or repair whenever, by reason of being uneven, cracked, broken or otherwise defective, such sidewalk becomes hazardous or presents a danger or risk in use by a pedestrian while walking or jogging and/or in the normal use of sidewalks with tricycles, baby strollers and the like.

§ 152-57. Determination by Code Enforcement Officer.

The need for and the type of repairs or resurfacing to be made to existing sidewalks under the provisions of this article shall be determined by the Code Enforcement Officer.

§ 152-58. Inspections.

The Code Enforcement Officer shall make periodic, but at least annual, inspections of all existing sidewalks in the Township.

§ 152-59. Type and extent of repairs.

Upon determination of the need for resurfacing or repairs to existing sidewalks, the Code Enforcement Officer shall give notice of the type and extent of the sidewalk repairs and/or resurfacing required under the provisions of this article. Such notice shall be served upon the owner of the property abutting the defective sidewalk. All resurfacing or repairs required shall be completed within six months of the date of the notice. Construction standards and specifications will be provided with the West Earl Township sidewalk permit application.

§ 152-60. Service of notice.

The Township shall service notice required by this article upon the owner of the subject property in any of the following manners: By delivering the same to such owner personally, by delivering the same to and leaving it with an adult person in charge of the property if the owner of the property resides at the property, by affixing the same in a conspicuous position upon said property if the owner of the property resides on the property, or by sending said notice by certified mail, return receipt requested, and first class mail addressed to the owner at the last known address of the owner. Service by mail shall be considered complete if the certified mail is accepted or if the certified mail is unclaimed and the notice sent by first class mail is not returned to the Township as undeliverable.

§ 152-61. Contents of notice.

Notice to be served under the provisions of this article by the Code Enforcement Officer shall set forth the defects found, the type and extent of the repairs required and that such repairs must be completed within six months of the date of this notice.

§ 152-62. Appeals.

In the event that the owner of the premises for which the defective sidewalk notice has been given desires to contest the determination of the Code Enforcement Officer that the sidewalk is defective, such owner shall have a right within five days to appeal such determination to the Township Manager. Any appeal shall be in writing and shall contain all of the reasons for the appeal, together with any appeal fee established by ordinance or resolution. The Township Manager, after personal inspection, shall within seven days of the date of any such appeal make a determination of approval or disapproval of the finding of the Code Enforcement Officer and shall note his/her determination by endorsement on a copy of the initial notice with notification thereof to the owner by mail.

§ 152-63. Collection of costs; additional penalties.

The failure of the owner of the property to comply with the provisions of any notice served under the provisions of this article within a period of six months shall be considered a violation of this article, and the Township shall have the right to have the repairs and resurfacing required under the notice to be done at the cost of such owner and shall thereafter collect the cost thereof, together with the 10% penalty. The provision of this section shall not be considered exclusive, and the Township, in addition, may proceed for the violation of this article as hereinafter provided.

§ 152-64. Municipal claim and lien.

The cost and charges together with penalties shall be collected from the owner either by the filing of a municipal claim and lien thereof in accordance with law or by civil action for the collection of the same in accordance with the provisions of the Second Class Township Code and the Municipal Claim and Tax Lien Law.⁷ Such claims shall bear interest at the rate of 10%. A certificate as to cost, expenses and penalties from the Township Secretary shall be conclusive as to the costs of such repairs and resurfacing.

§ 152-65. Proposals; sealed bids.

In lieu of the procedure set forth above, the Township may prepare specifications for and obtain quotations by way of competitive proposals or sealed bids, if required by law, for the installation, resurfacing, repair or replacement of sidewalks required under the provisions of this article. Such proposals and/or bids may be received and contracts let for work thereunder by the Board of Supervisors after notice to all affected owners of property that the Township intends to undertake such work and shall, in lieu of assessment for failure to perform such work by owner or owners of property, apportion the cost of such contract or contracts to each property owner in the proportion to their frontage. If any property owner fails to respond to such notice or refuses to participate in the owner's proportionate cost of such contract or contracts, the sidewalks situated on such owner's property shall be installed, resurfaced, repaired or replaced and costs assessed in accordance with other sections of this article.

7. Editor's Note: See 53 P.S. § 7101 et seq.

§ 152-66. Tampering without permit prohibited.

It shall be unlawful for any person to tear up, destroy, remove, deface, excavate, install, repair or resurfacing any sidewalk along the public highway or streets of the Township, whether after notice by the Township to make repairs or resurfacing or otherwise, except in accordance with a sidewalk permit duly issued by the Code Enforcement Officer after written application to him/her.

§ 152-67. Installation and repairs to be in accordance with specifications.

The installation, resurfacing, repair or replacement of sidewalks required under the provisions of this article shall be installed, completed and done in accordance with the specifications set forth in Chapter 155, Subdivision and Land Development.

§ 152-68. Grading.

Whenever any sidewalk is to be installed or resurfacing under the provisions of this article at an intersection, and it is determined necessary and in the best interest of the Township for the benefit of commerce or the use by the handicapped, then, in that event, the resurfacing or installation required under this article shall include the gradual grading of concrete from the established grade of the sidewalk to street level upon plans and specifications prepared by the Township Official.

§ 152-69. Dangerous conditions; emergency repairs.

Notwithstanding the foregoing, when in the opinion of the Code Enforcement Officer, a dangerous condition exists on any sidewalk with the Township which has an immediate effect upon the safety or public welfare of the Township, a notice to make such repairs within 30 days shall be served upon the owner of the property abutting or fronting upon the defective sidewalk in the manner hereinabove set forth. In the event that such emergency repairs are not made within 30 days, the Township shall have the right to make such repairs and charge the costs thereof against the owner of the property, together with a penalty of 10% of such costs, which charge shall be collected in the manner herein set forth.

§ 152-70. (Reserved)**§ 152-71. Violation and penalties.**

Any person, firm or corporation who shall violate any provision of this article, upon conviction thereof, shall be sentenced to pay a fine of not less than \$100 or more than \$1,000 plus costs and, in default of payment of said fine and cost, to a term of imprisonment not to exceed 30 days. Each day that a violation of this article continues shall constitute a separate offense, and each day that a violation continues constitutes a separate violation.

STREETS AND SIDEWALKS

152 Attachment 1

Township of West Earl

EXHIBIT A

**WEST EARL TOWNSHIP TRAFFIC
SIGNAL SPECIFICATION**

[Amended in its entirety 6-26-2006 by Ord. No. 190]

PART I- GENERAL

QUALITY ASSURANCE:

Referenced specifications shall be the current Pennsylvania Department of Transportation (PENNDOT) Publication 408, Specifications and its revisions.

Referenced standard Drawings shall be the current PENNDOT Traffic Standards —Signals; TC-7800 Series.

System installer shall be pre-qualified as a traffic signal installer by the Pennsylvania Department of Transportation and furnish the Township with copy of said certificate.

Pole manufacturer shall certify that the mast arms are designed to withstand loads imposed by signs attached to them and they meet or exceed the requirements of the 2002 AASI-ITO “Standard Specifications for Structural Supports for Highway Signs, Luminaires and Traffic Signals”, and as modified by the Pennsylvania Department of Transportation.

DESCRIPTION OF WORK:

As specified in PENNDOT Publication 408, Section 950.1.

Exact locations of equipment shall be determined by the Contractor in consultation with a representative of the Township or the Township Engineer

Employ traffic control measures in accordance with the requirements of PENNDOT, Title 17, Chapter 213, Work Zone Traffic Control at all times.

SUBMITTALS:

Certificates: CONTRACTOR shall submit four (4) copies of the following to the Township Engineer for review and approval:

WEST EARL CODE

Product data information including PENNDOT Approval Numbers (where applicable) and shop drawings on the following:

1. Eight Phase Fully Actuated Controller
2. Base Mounted Cabinet
3. Electrical Disconnect Cabinet(s)
4. Signal Heads and Brackets
5. Loop Detector Amplifiers
6. Mast Arms
7. Conflict Monitor
8. Pedestrian Pushbuttons
9. Surge Protectors
10. Load switches
11. Flasher Unit
12. Sign Brackets
13. Emergency Vehicle Pre-Emption
14. Conduit
15. Signal Cable
16. Fiber Optic Communications Cable

Pole manufacturer's mast arm certification.

Provide conflict monitor bench test certification.

STREETS AND SIDEWALKS

PART 2 - MATERIALS

TRAFFIC SIGNAL SUPPORTS:

As specified in PENNDOT Publication 408, Section 951.2 and the following:

Mast arm shafts and arms shall be galvanized, round, and tapered. All mast arms without luminaires shall be capable of having an extension to the shaft and a luminaire mounting arm added at a future date.

CONTROLLER ASSEMBLY AND CABINET:

Controller Assembly: Furnish and install controller of the type indicated. Comply with Publication 408, Section 952 and 1104.02 except as follows:

Controller shall be an Econolite ASC/2-2000: TS1

Cabinet: Unfinished aluminum, waterproof, NEMA 3R, base-mounted type, Tn-County Enclosures TC774426, or equal. Cabinet enclosure shall contain all terminal and facilities to fully accomplish the PENNDOT traffic signal permit and to house all required components.

1. Cabinet Functions and Equipment:
 - a) The cabinet shall be equipped with a bracket mounted, heavy duty door open/close switch.
 - b) The cabinet shall be wired to provide monitoring of the following police panel functions:
 - a) Auto - Flash switch.
 - b) Signal On - Off switch.
 - c) Auto - Manual switch.
 - c) Coiled manual cord with push-button shall be provided and installed in the police compartment of the controller cabinet.
 - d) The rear panel shall have a minimum of twelve (12) load switch positions, unless noted otherwise.

WEST EARL CODE

- e) Provide a 20-inch enclosed fluorescent lighting fixture (with tube) at the top of the cabinet and incandescent lamp socket (with bulb) on the inside of the main cabinet door both controlled by a switch located on the inside main cabinet door.
- f) Field hook-up wiring schedule shall be laminated and placed inside the main cabinet.
- g) Provide Corbin #2 main cabinet door lock and keys.
- h) Surge protection shall be installed in the Controller Assembly as manufactured by EDCO Incorporated of Florida, SHP 300-10, or equal.
- i) Service disconnect enclosure and disconnect assembly shall be NEMA 3R rated and U.L. approved. The service disconnect enclosure and communication cabinet (for future use) shall be an unfinished aluminum Tri-County Enclosure TC141007 with a Corbin police door lock. Watertight fittings shall be used in order to maintain the NEMA 3R rating of the cabinet. The disconnect assembly shall be a Square D Q02-4L70S.
- j) The power sub-panel shall be isolated from the main back panel, completely wired through its own terminal block and protected by a clear polycarbonate cover.
- k) A plug-in "power off relay with a clear polycarbonate dust cover shall be provided. A Struthers-Dunn Type A283XBC1, Potter or Baunfield type KUP14AI 1, or an AMRON Type MK2P2 shall be furnished and installed.
- l) The controller shall contain pedestrian isolation circuitry and surge protection on all controller inputs.

SHELF-MOUNTED DETECTORS AMPLIFIERS

As specified in PENNDOT Publication 408 Section 1104 and as follows:

1. Provide Detector Systems Acc-U-Count or equal.
2. The detectors shall be clearly labeled with loop number, detector input, and phase called.
3. Each detector channel shall be connected to only one loop.

STREETS AND SIDEWALKS

LOOP DETECTORS:

Conforming to PENNDOT Publication 408 Section 956 and 1104.07. The loop detector lead-in wire shall be clearly and permanently tagged identifying the individual loop number from the Traffic Signal Permit Plan which shall match the loop number indicated on the rack mounted detector amplifier. Each loop shall have its own unspliced lead-in cable and channel of amplification. Splice the sensor wires to the lead-in cable as shown on the TC-7806 in the junction boxes. Loops shall be tested in the presence of the Township Engineer and documentation provided in the cabinet.

LOOP WIRE IDENTIFICATION TAGS

Provide a tag for each lead-in cable in the cabinet in accordance with PENNDOT Publication 408 Section 1101 .12(e).

ELECTRICAL DISTRIBUTION:

As specified in PENNDOT Publication 408, Section 954.2.

SIGNAL ASSEMBLIES

Conforming to PENNDOT Publication 408 Section 955 and 1104.06, one way, either 8" or 12" adjustable, sectional, L.E.D., polycarbonate, complete with all brackets and rigid mounting attachments.

1. All overhead and sidemount signals to have cut-away visors unless noted differently on the Traffic Signal Permit Plan.
2. All signal wiring must terminate on terminal strips. Splices are only permitted in the traffic signal support handhole and shall be in accordance with PENNDOT Publication 408 Section 954.
3. All signals shall have a drip loop attached with UV stabilized nylon wire ties.
4. All signals and brackets shall be attached with 3/4-inch stainless steel banding.
5. All signals shall be completely and securely covered with burlap-type material until signal is approved by PENNDOT to flash, not plastic bags.
6. Use Kelly Bracket as manufactured by Northeast American or Astro-Brac as manufacturers by Pelco Products, Inc.

WEST EARL CODE

7. Backplates shall be black, one-piece, UV stabilized, polypropylene or ABS and non-louvered, if required on the Traffic Signal Permit Plan. All hardware shall be stainless with a permanent black finish. Backplates shall be designed to properly fit the signal manufacturer heads that will be furnished.
8. L.E.D. signals shall be used on all 8", 12", and 16" one-piece pedestrian indications. They shall be as manufactured by Dialight Corporation, or equal.

CONDUIT:

All conduit for the electrical service and external cabinet fittings and shall be rigid steel conduit; hot-dipped galvanized, inside and outside; and manufactured to conform to the requirements of ANSI Specification C80.1, Federal Specification WW-C-581 and UL-6 Listing. Rigid Polyvinyl Chloride Conduit for exposed or direct burial shall be Schedule 40; 90C with a UL-651 Listing for rigid nonmetallic conduit; UL-514 Listing for fittings.

JUNCTION BOXES:

Furnish and install stackable, reinforced plastic mortar junction boxes in accordance with PENNDOT Publication 408 Section 1104.05(C) with "TRAFFIC SIGNAL" as the logo on the cover. Junction Boxes containing Fiber Optic cable shall have "FIBER OPTIC" as the logo on the lid.

PEDESTRIAN PUSHBUTTON ASSEMBLIES:

ADA Compliant Pedestrian Push Button Assemblies: Shall be direct push button, contact type, normally open, insulated, with 319 aluminum round cover and housing castings. The control button shall be raised or flush and a minimum of 2-inches at its smallest dimension. Push button shall activate pedestrian signal with no more than 5 lb required. The pushbutton shall be mounted 42-inches from finished grade to center of pushbutton. External surface shall be painted Federal Yellow #595a-13538. The cover shall be attached to the housing with stainless steel vandal resistant screws.

EMERGENCY PRE-EMPTION:

The intersection shall have an optical emergency pre-emption system (Opticom - 3M). The contractor shall furnish pre-emption cable, optical detectors, phase detector selector, system chassis, white fail-safe confirmation light kit, and any other equipment necessary to complete the work in accordance with the PENNDOT Permit and the Township.

STREETS AND SIDEWALKS

FIBER OPTIC COMMUNICATIONS CABLE:

Provide a lightning proof, multi-mode, 12-fiber optic cable, with weather ability characteristics suitable for outdoor exposed installation, communications which conforms to the applicable requirements of the latest publications of Electronic Industries, Association/Telecommunications Industry Association (FJA/TIA) and Rural Electrification Agency (REA) PE-90.

Provide 1/4-inch, 7-wire, galvanized, preformed steel messenger cable with a minimum breaking strength of 4,750 pounds. The cable shall be mechanically lashed to the messenger cable with 0.045-inch stainless steel lashing wire. Lashing wire clamps shall be utilized at all terminal points of the lashing wire. Messenger cable shall be insulated from all traffic signal equipment and supports and shall be grounded at one terminal utility pole (external to controller cabinet).

Provide pole hardware clamps compatible with the span wire. A one-bolt-type clamp with a "J" hook should be used for short spans, up to 150 feet. Provide a Clifford PA296X 1-bolt clamp or equal. For spans longer than 150 feet, a three-bolt type clamp with a "J" hook should be used. Provide a Clifford J2245 3-bolt clamp or equal.

Aerial Slack Storage Racks: Furnish and install an all aluminum aerial fiber optic storage rack that maintains the minimum bend radius of the optical cable at each end of cable run within the second reach of cable. The racks shall be spaced to provide a minimum of 150-feet of stored cable. On cable runs of 1,500-feet or more, an additional intermediate storage rack shall be provide in the middle of the run. Provide a Clifford Aerial Slack Storage Rack Kit, Part No. MFSRI 8-3K, Vikimatic Aerial Cable Storage Unit, Part No. 2116-SS or equivalent.

FIBER OPTIC LIGHT GUIDE INTERFACE:

The local shelf mounted, stand alone (or internal to the controller timer unit) fiber optic modem is to be capable of operating in a full mode of operation, employing a synchronous RS-232 modem protocols up to a 56,000 baud rate. RS-232 signals to be converted to light and transmitted from modem to modem until the light is reconverted to RS-232 electrical signals directed to a particular controller. The fiber optic modem is to operate in a daisy chain communication mode.

There should be an electrical cable attached to the rear side of the modem with a connector attached thereto. This connector to mate and attach to the traffic signal controllers that are to be controlled.

On the front panel, there are to be two pairs of optical emitters and optical receivers labeled pair "1" (one and pair "2" (two) designed to attach to standard ST connectors. There are to be at least two LEDs provided, one labeled "T" for transmit and one

WEST EARL CODE

labeled “R” for receive. These LEDs to illuminate when the fiber optic modem is either receiving or transmitting at the local site.

There is to be a toggle switch labeled “M” for master operation and “L” for local operation. In the master position, the electrical data signals entering into the fiber optic modem via the electrical cable, to be transmitted and received as optical signals in a parallel mode from each of the two pairs of emitters and detectors. In the local mode of operation, optic signals received by emitter 1 will be converted to electrical signals and sent to the controller attached thereto. These same optical signals to be regenerated and transmitted via emitter 2 to the next adjacent fiber optic modem. Optic signals received by detector 2 to be regenerated and transmitted via emitter 1 back to the next adjacent fiber optic modem.

The fiber optic modem to derive its operating power from an external power supply. The power supply to plug into a standard NEMA outlet for the AC power. The low voltage to be supplied to the fiber optic modem via a male connector that attaches to a mating female connector on the rear of the fiber optic modem.

The fiber optic modem to have an emergency backup power that allows for continued daisy chain operation when the power to the external power supply of the modem is turned off. This back-up power source to be a 9 volt battery. This back-up power source to provide uninterrupted operation of the daisy chain interconnect system both up and down stream from the affected modem, for a period of 24 hours, based on a half duty cycle.

FIBER OPTIC FAN-OUT KIT:

Furnish a rack mountable fiber optic cable fan-out kit with a capacity for full splice storage and connect functions for a minimum of 12 fibers that are being terminated and meeting the following requirements:

Provide transition from the fiber optic cables to individual fibers using fusion splices as specified in this section.

Provide, on the outside surface of break out box, the same number of ST type female optical connectors as that of number of fibers in the fiber optic cable that are being terminated, in order to plug in jumper cables that connect to the equipment. Provide twist-lock design for connectors.

Connector insertion loss: plus or minus 0.50 Db. Provide a removable top panel to protect the splices and pigtails in the break out box. Maximum height of the break out box: plus or minus 1.75 inches. Provide rack-mounted break out boxes in all the cabinets in which fiber optic cable is terminated.

STREETS AND SIDEWALKS

FIBER OPTIC FUSION SPLICE:

Furnish standard fiber optic fusion splices meeting the following requirements:

Compatible with 62.5/125 micron size fibers specified in this section

Section loss: <0.2db

Back reflection: - 50db

Average signal loss during thermal cycling: <0.2dB

Operating temperature: -30C to ±60C

Storage temperature: -40C to +70C

Humidity range: not exceeding 95%, non-condensing

FIBER OPTIC JUMPER CABLES:

Furnish simplex or duplex fiber optic jumper cables, as required, meeting the following requirements:

Terminated with ST-type connectors. Six (6) feet long and incorporate twist-lock design in the connectors for maximum holding strength. Provide strain relief boot at connector

PART 3- CONSTRUCTION

GENERAL:

As specified in PENNDOT Publication 408, Section 950.3.

TRAFFIC SIGNAL SUPPORTS:

As specified in PENNDOT Publication 408, Section 951.3.

Contractor shall not install poles on concrete bases until a minimum of 72 hours after placing concrete and/or the 3,300 psi compressive strength is achieved.

The Contractor shall be responsible for establishing the top of foundation elevations and the "H" dimension of the mast arm shaft in order to meet the specified signal clearance height.

WEST EARL CODE

ELECTRICAL DISTRIBUTION:

As specified in PENNDOT Publication 408, Section 954.3 with the following additions.

Add to Section 954.3(c) that the maximum ground resistance shall be 25 ohms. The CONTRACTOR shall provide adequate equipment to verify the ground. The CONTRACTOR shall provide additional grounding, if necessary, to ensure that the maximum resistance is not exceeded.

Add to Section 954.3(e) that the CONTRACTOR shall schedule the connection of electrical power to the system with the appropriate utility company. The CONTRACTOR shall be responsible for any connection fees. The surge protection package shall be installed in the system to accommodate fluctuations in power supply.

All conduit crossings shall be bored or jacked, unless approved by the Township. All conduit shall be installed at least 36-inches below final grade.

All equipment shall be grounded in accordance with the provisions of the 1996 National Electrical Code and/or required by this specification. All work shall be done in accordance with the 1996 National Electrical Code.

Contractor shall provide a Type C electrical service, unless directed otherwise by the Township.

LUMINAIRES:

Contractor shall furnish and install two (2) 10 AWG-lc THHN electrical wires from the end of the luminaire arm back to a 1/2-inch drilled hole drilled in the traffic signal support shaft, unless directed otherwise by the Township. The coiled wires shall extend a minimum of 24-inches beyond the end of the luminaire arm and the pole shaft. A rubber grommet shall also be installed after the hole has been drilled. A 1-inch stainless steel or galvanized steel I-bolt shall be furnished and installed approximately 2-inches above the wire entrance hole in the pole shaft. PP&L will furnish and install the luminaire head and photo electric control device, unless otherwise directed by the Township.

SIGNAL HEADS:

As specified in PENNDOT Publication 408, Section 955.3.

STREETS AND SIDEWALKS

LOOP DETECTORS:

As specified in PENNDOT Publication 408, Section 956.3, the construction plans, and as follows:

All 90-degree corners where loop wires turn shall be made as two (2) 135 degree cuts. Saw cuts shall be cleaned, dried and free from dust, grit, oil and moisture before the placement of wire.

EMERGENCY PRE-EMPTION:

Install as per manufacturer's specifications.

PART 4- FIELD DUALITY CONTROL

Final test and inspection shall be conducted in the presence of West Earl Township, the Township Engineer, PENN DOT, and the Contractor. Costs for tests and inspections shall be included in the contract price.

After final inspection and acceptance of system by the Pennsylvania Department of Transportation and the Township Engineer there will be an initial 30-day operation period of the system. All items shall be covered during this time period including bulbs. The Contractor shall provide the Township with the telephone number of the emergency contact person. The Contractor shall respond to any call within 2 hours of receiving the service call.

The Contractor shall guarantee the satisfactory in-service operation of mechanical and electrical equipment, and related components for a period of 1 year after the initial 30 day test period.

The controller manufacturer shall warrant the equipment for five years from date of shipment. The controller manufacturer shall present to the municipality a five year warranty certificate with the controller model number, serial number, and effective date of warranty.

The L.E.D. manufacturer shall warrant the equipment for five years from date of shipment. The L.E.D. manufacturer shall present to the municipality a five year warranty certificate with the signal model number, serial number, and effective date of warranty.

Three (3) sets of record plans shall be provided to the Township upon final inspection and acceptance of the signal.

WEST EARL CODE

Three (3) copies of the cabinet wiring diagram shall be provided to the Township as per PENNDOT Publication 408 Form 408, Section 954.3.(j).

Contractor shall provide the services of an experienced technician representing both the controller manufacturer and pre-emption equipment manufacturer at the signal turn-on.

Contractor shall test all switches and push buttons located within the switch compartment.

Contractor shall test each fiber optic cable to determine the optical power loss in the cable after installation and the ST connectors have been installed. The testing shall be conducted with a source and power meter in the presence of the Owner. A copy of the power loss tests results shall be placed in the break-out cabinet and a copy provided to the Owner

Contractor shall test all ground rods as per PENNDOT Publication 408 Form 408, Section 954.3(1). Copies of the ground rod tests shall be provided.