

- G. Access to private driveways shall be provided at all times; provision of temporary bridges shall be installed where applicable. When construction operations at or near the driveway prohibit provision of such access for a period of not more than two (2) hours; the Permittee shall provide twenty-four (24) hours notice to the affected property owner with provisions for assisted access.
- H. Unimpeded access must be provided at all times to fire hydrants, gate valves, manholes and other utilities.
- I. No street shall be closed to the public unless permission is granted by the Brighton Township Police Department.
- J. No overnight open excavations will be permitted. All construction activities shall be backfilled to grade at the close of each workday or properly covered with a steel plate.
- K. Excavated materials shall be placed neatly and compactly along the side of the trench and kept as to cause as little inconvenience as possible to public travel. In order to expedite the flow of traffic or to abate a dirt or dust nuisance, the Township Representative may require the Permittee to provide toe boards or bins. If the excavated area is muddy and causes inconvenience to pedestrians, temporary wooden plank walks shall be installed by the Permittee as directed by the Township Representative.
- L. When any earth, gravel, or other excavated material is caused to flow, roll, or wash upon any street, the Permittee shall cause removal of same from the street within four (4) hours after deposition or the end of the work day, whichever is earlier, to provide for safe public travel and traffic flow. In the event the earth, gravel, or other excavated material so deposited is not removed as specified, the Township Representative shall cause such removal and the cost incurred shall be paid by the Permittee.
- M. Any person, firm, company, corporation, or entity including a utility company working under said Permit shall provide, erect and maintain suitable lighted barricades, warning lights, or warning devices as needed or as directed in order to prevent damage or injury to persons, vehicles and property and to minimize the inconvenience and danger to the public by construction operations. Barricades shall be of substantial construction and shall be white having reflective tape or panels to increase visibility. Suitable warning signs shall be positioned and illuminated at night to identify in advance the work area. The type and location of signs and other traffic control devices shall be in accordance with the most current "Manual on Uniform Traffic Control Devices" as prepared by the U.S. Department of Transportation, Federal Highway Administration.
- N. No Permit shall be issued by the Township which would allow an excavation or opening in a street that has been constructed, reconstructed, resurfaced or otherwise improved within five (5) years of the date of the Application; unless the Applicant to the satisfaction of the Township that either the public health or safety requires that the proposed work be performed, or an emergency condition exists that requires that the work be performed.

- O. If, by special action of the Township Engineer, a Permit is issued to open any paved and improved street surface that is less than five (5) years old, a penalty charge shall be assessed for the opening, except that the penalty shall be waived in the event that the work is of an emergency nature. The penalty charge shall be on a sliding scale and shall be equal to 2% of the cost of restoring the opening, as determined by the Township, for each unelapsed month or fraction thereof of the five-year restricted period. Said penalty may be waived by action of the Township.

#### **Section 10: Road Replacement or Reconstruction.**

- A. Any opening or excavation conducted by the Permittee of any Township cartway shall be replaced or reconstructed in accordance with the Brighton Township Minimum Construction Standards and Details. If the Permittee proposes to utilize any materials which differ from the specifications of this section, the Permittee shall notify the Township and the Township Representative shall review such materials. The decision of the Township Representative is final.

Any opening or excavation conducted by the Permittee in any Township right-of-way, excluding the cartway, shall be replaced or refilled to the grade which existed before the opening or excavation occurred. If the Permittee proposes to utilize any materials which differ from the existing composition of right-of-way, or proposes to alter the grade of the right-of-way, the Permittee shall notify the Township and the Township Representative shall review the use of such materials or the proposed grade. The decision of the Township Representative is final.

- B. The Permittee shall complete restoration in accordance with Brighton Township Minimum Construction Standards and Details, incorporated herein by reference. The Permittee shall complete trench restoration and pavement restoration in accordance with the Township Roadway Restoration Detail, incorporated herein by reference. The Permittee shall be required to reconstruct / restore / resurface / overlay the entire cartway width for the entire length of the opening plus twenty (20) feet on each side of the opening in accordance with Brighton Township Minimum Construction Standards and Details. With respect to this Ordinance, the cartway shall be defined as the entire width of the roadway, from back of curb to back of curb on roadways that have bituminous wedge curbs; or from edge of road to edge of road for roadways without bituminous wedge curbs.
- C. Permanent restoration shall be placed by a contractor selected by the Permittee and approved by the Township, and paid for by the Permittee. Permanent restoration must be completed promptly and must comply with the Township design standards. For purposes of this Ordinance, "promptly" means within two (2) weeks of the completion of the work necessitating the opening or excavation. In the event that permanent restoration is not completed promptly, the Permittee shall notify the Township Representative and provide good cause for not completing the permanent restoration; said time may be extended by the Township for good cause shown, which may include adverse weather conditions.