

# Unity Township Road Occupancy Permit Application

**1. Name of Applicant and/or Business Name:**

\_\_\_\_\_

**2. Applicant's Address:** \_\_\_\_\_

**3. Contact Person Responsible for this Project:** \_\_\_\_\_

\_\_\_\_\_

The person named as the "Person Responsible for this Project" will be the contact person for the Township and responsible to ensure compliance with Chapter 100 of the Unity Township code. The responsible person request cannot be satisfied by indicating a company name or entity. The Contact Person is also the 'Permittee' of the project.

**4. Contact Person's Phone Number(s):**

\_\_\_\_\_

(Contact person must provide a phone number where they can be reached directly 24/7 in the event of an emergency)

**5a. Detailed description of the reason for the excavation and nature of the work to be performed:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**5b. A drawing of the area is required.** The applicant may submit a professionally prepared drawing, if available, or a detailed hand drawn plan of the area involved. The drawing must accurately describe the depth, dimensions, the location of the proposed excavation. The drawing must also accurately depict and identify the locations of all other pre-existing cuts and/or patches within 250' (measured in all directions) of the proposed cut. Overlay's may be required. **See Section 100-5 (C) Overlays and Resurfacing** of the attached Ordinance for additional information concerning the overlay and resurfacing of

existing road cuts (patches). A separate drawing must be submitted for each proposed opening.

6. Start date of the project: \_\_\_\_\_

7. Expected completion date of the project: \_\_\_\_\_

8. Unity Township roads which will be affected by this project. List all Township roads and lengths of the opening:

Road \_\_\_\_\_ Length \_\_\_\_\_

Road \_\_\_\_\_ Length \_\_\_\_\_

Road \_\_\_\_\_ Length \_\_\_\_\_

Road \_\_\_\_\_ Length \_\_\_\_\_

Total Length \_\_\_\_\_

9. Fees for Road Occupancy Permits:

Application fee is \$100.00 + \$1.00 per linear foot of road surface or road right-of-way opened.

Total Length x \$1.00 + \$100 .00 Application Fee = Total Fee \$ \_\_\_\_\_

10. Amount of Financial Security to be posted: (Bond) \$ \_\_\_\_\_

Regulations for Street Openings, Backfilling, Restoration and Overlays are contained in Chapter 100 of the Code of Unity Township relating to Streets and Sidewalks. A copy of the recent updates to Chapter 100 is being provided along with this application for the convenience of the Applicant. All road openings, backfilling and restoration are subject to inspection by the Township engineer. Violations of the provisions of Article 100 are subject to a penalty of not less than \$300.00 nor more than \$600.00 together with all costs, expenses and attorneys' fees incurred in the prosecution of same. Each day that a violation continues to exist shall be a separate violation of this Article and subject the violator to a separate penalty as set forth in Article 100. In addition to the payment of any fine hereunder, the Township may enforce the terms of this Article, and any rights conferred upon the Township under same, through any action, at law or in equity, available for the enforcement of same. In addition to the recovery of any costs, damages, penalty, or the receipt of equitable relief, the Township shall be entitled to recover all costs, expenses and attorneys' fees incurred in any proceedings to enforce any right, duty or obligation under this Article.

By execution of this Application, the undersigned certifies, acknowledges and agrees: (1) that they have read and understand the terms of the attached Article 100 of the Code of Unity Township, (2) that the undersigned is executing this document on behalf of the Applicant and has the authority to bind the Applicant to its terms, (3) that Applicant will carry out the work, and coordinate and arrange for the inspection of same, consistent with the terms of Article 100 of the Code of Unity Township and any and all requirements of any other Ordinance of the Township and laws of the Commonwealth of Pennsylvania applicable to same; and (4) that the Applicant has submitted, or will submit, all documents, pay all fees and post all financial security required.

By submitting this application, the Applicant agrees to hold harmless, indemnify and defend the Township of Unity, it's employees, officers, agents and/or workmen, from and against any and all actions, suits, demands, payments, costs and charges arising from or relating to the proposed opening, excavation or work related to same, and all claims for 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, clause or thing related thereto, including, but not limited to, any leak, explosion or other injury from any pipe, conduit or any other facility damaged as a result of the excavation.

Applicant  
Signature \_\_\_\_\_ Date \_\_\_\_\_

+++++

**FOR TOWNSHIP USE ONLY**

DATE APPLICATION RECEIVED BY TOWNSHIP \_\_\_\_\_

DATE APPLICATION & DRAWINGS REVIEWED \_\_\_\_\_

APPLICATION AND PERMIT FEES REQUIRED \$ \_\_\_\_\_

HAS A ROAD BOND BEEN SUBMITTED? Yes No \_\_\_\_\_

Township Official \_\_\_\_\_ Issue Date \_\_\_\_\_

ORDINANCE NO. 0-1-2026

**AN ORDINANCE OF THE TOWNSHIP OF UNITY, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA, MODIFYING PORTIONS OF CHAPTER 100 OF THE CODE OF UNITY TOWNSHIP RELATING TO THE OPENING AND RESTORATION OF PUBLIC ROADWAYS**

WHEREAS, the Board of Supervisors of Unity Township are authorized under the terms of the Pennsylvania Second Class Township Code to promulgate and enact rules, regulations, procedures and fees relating to the use, upkeep, maintenance, repair, opening and restoration of public roadways; and

WHEREAS, the Board of Supervisors of Unity Township have enacted Chapter 100 of the Code of Unity Township to regulate openings into the Township's public roadways and the restoration of same; and

WHEREAS, the Board of Supervisors find that the temporary patching, restoration and resurfacing of openings in the Township's roadways that do not extend from edge to edge of the paved cartway create uneven surfaces, are prone to settlement and prone to damage from construction vehicles; and

WHEREAS, the Board of Supervisors desire to amend and restate certain portions of Chapter 100 of the Code of Unity Township to ensure that openings in the Township's public streets are laid out, designed and performed in a manner which protects travelers upon same and reduces the risk to the public health, safety and welfare.

**NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UNITY, ORDAINS AND ENACTS THE FOLLOWING:**

1. THAT, the heading of Section 100-3 of the Code of Unity Township be amended to read, "Permit Application, Financial Security & Inspections".

2. THAT, Section 100-3.B of the Code of Unity Township be amended and restated as follows:

**“Financial Security.** The Applicant shall post financial security in a form acceptable to the Township, issued by a licensed surety company or other entity authorized to do business in the Commonwealth of Pennsylvania, in an amount or amounts to be determined by the Township to secure the applicant's obligations under this article. The amount of the financial security shall be (i) equal to the cost of refilling and restoring the roadway, and (ii) approved by the Township Engineer. Such financial security shall remain in effect throughout the completion of the work by the Applicant and for an additional three (3) years from the date the work is finally completed and approved by the Township. Public utility companies may post a single bond or other form of financial security (e.g., a "blanket bond") in a form acceptable to the Township as security for all work performed within the Township's Public Road System.”

3. THAT, the following shall be added as Section 100-3.C of the Code of Unity Township:

**“Inspections.** All excavations, backfilling, restoration and resurfacing of roadways under this Chapter shall be overseen, coordinated and inspected by the Township Engineer. The Applicant shall be responsible to contact the Township Engineer not less than 48 hours prior to the commencement of construction to coordinate the construction and inspection process. The Township engineer shall submit an invoice to the Applicant for all fees incurred and the Applicant shall be responsible for the payment of same. The failure to pay all inspection fees when due shall be a violation of this Ordinance and subject the applicant to all penalties and other remedial action set forth in this Chapter.”

4. THAT, Section 100-4.A of the Code of Unity Township be amended and restated as follows:

**“Restoration.** Any person who opens or excavates in any street in the Township shall thoroughly and completely refill the opening or excavation to prevent any settling thereof and restore the surface consistent with the requirements set forth hereafter.

5. THAT Section 100-5.B(12) of the Code of Unity Township, be amended and restated to read as follows:

“(12) Any cleat marks on the edge of the pavement, and/or any other damage to the roadway surrounding a road opening that is caused by or related to the road opening, or the repair of the same, must be repaired and restored to the satisfaction of the Township Engineer”.

6. THAT Section 100-5.B(13) of the Code of Unity Township, be amended and restated to read as follows:

“13. If, within three (3) years after the restoration of the surface as herein provided, settling, openings and/or other defects appear in the backfilling or resurfacing performed by the applicant, the applicant shall, within 10 days' notice from the Township, refill and/or resurface the opening or excavation consistent with the terms set forth herein. If the applicant fails to refill and/or resurface the opening or excavation within 10 days of the date of such notice, the Township may make the repair, and invoice the applicant for the cost of same plus 20%. In the event payment is not made within 30 days of the date of the invoice, the Township may pursue all remedies set forth herein against the applicant.”

7. THAT, Section 100-5.C of the Code of Unity Township be amended and restated as follows:

“**C. Overlays and resurfacing.** Openings or excavations in roads shall be restored by patching, resurfacing or patching and resurfacing as follows:

**C.1. General.** Such reconstruction, patching and/or overlaying shall be conducted using the practices and procedures established for repairing street openings or other provisions of this article associated with construction requirements for new roads. Such resurfacing may also be carried out by another method proposed by the applicant/permittee if, in the sole and exclusive judgment of the Township Engineer, same will obtain an equal or better result. The selection of methods shall be within the sole discretion of the Township and determined by the nature and extent of the conditions existing within the road, the nature of the excavation and the repairs necessary to achieve a smooth and lasting transition between the area of the overlay and the existing road. In addition to any overlay, and where applicable, the applicant or permittee shall also be required to install handicap accessible ramps at intersections consistent with the terms of the Americans with Disabilities Act.<sup>111</sup>

**C.2 Minimum Restoration Requirements.** Regardless of the length or width or location of the opening, all road openings must be backfilled and

restored to grade consistent with the requirements set forth herein and be overlaid and resurfaced an additional 3 feet from each edge of the opening measured at its widest part. *See Figure 1-A.*

**C.3. Edge to Edge Restoration.** All road openings, regardless of their length or width or whether they are new openings, or cuts into existing patches or openings, shall be restored from edge to edge of the paved surface consistent with this Chapter. *See Figures 1-B & 1-C*

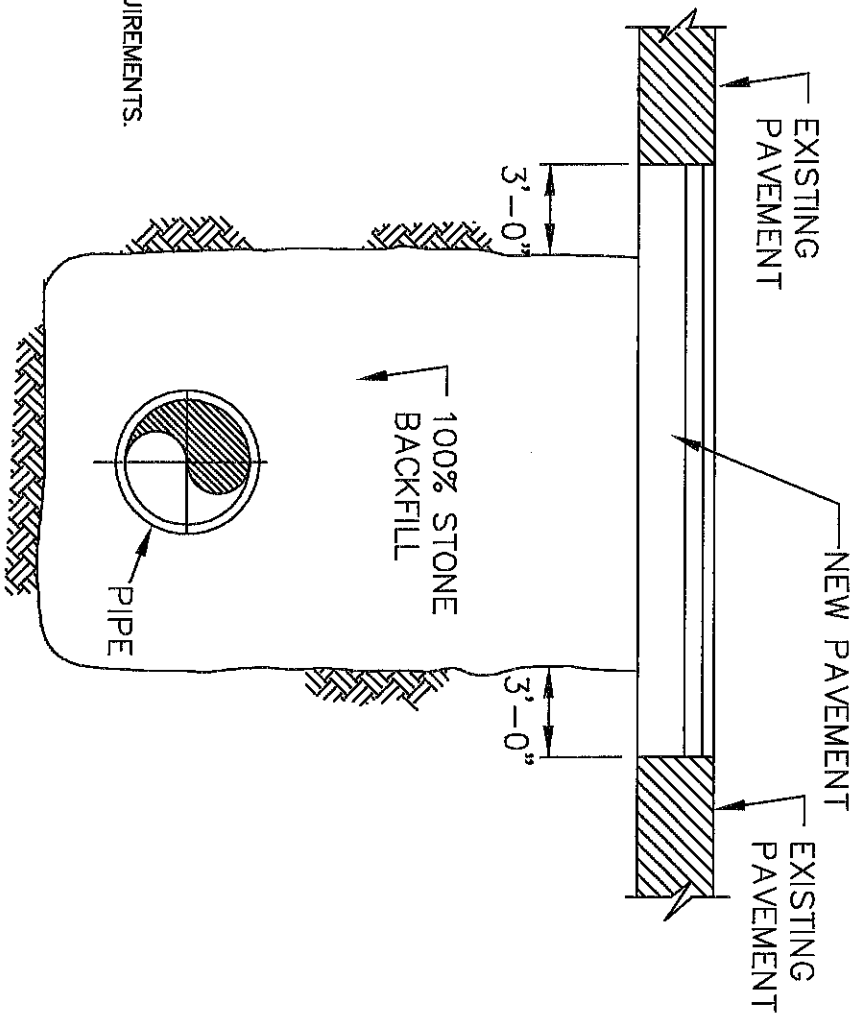
**C.4 New Excavation Projects.** In the event a project involving new excavation into, or the repair of, any street as herein defined, causes three (3) or more new openings within any 250' linear foot area, the applicant or permittee shall mill, pave, restore, resurface and overlay the entire road surface within and between the openings. Such restoration shall be from edge to edge of the paved cartway. The 250 linear foot area shall be determined by the distance between the outer edges of the three (3) patches. The overlay area shall include the areas / distance between the patches, plus 3 feet on either side, to ensure a smooth transition. *See Figures 1-D and 1-E*

**C.5. Open Cuts of Any Length.** Open cuts in any roadway, regardless of whether they are along the edge or the paved surface, the middle of the paved surface or otherwise, shall be milled, paved, restored and overlaid for the entire width of the road surface, for the entire length of the opening, plus 3 feet on either side, to ensure a smooth transition. *See Figures 1-F and 1-G*

**C.6. New and/or Additional Excavations in Areas of Existing Patches.** In the event any excavation in, or the replacement of, any street as herein defined, in combination with any other existing patches, causes three (3) or more patches to exist within any 250' linear foot area, the applicant or permittee shall also mill, pave, restore and overlay the entire road surface within and between the patches. Such restoration shall be from edge to edge of the paved cartway. The 250 linear foot area shall be determined by the distance between the outer ends of the three (3) patches. The overlay area shall include the actual distance between the patches plus 3 feet on either side to ensure a smooth transition. *See Figure 1-H*

7. THAT all other terms and provisions of Chapter 100 of the Code of Unity Township not otherwise affected by the within Amendments shall continue and remain in full force and effect.

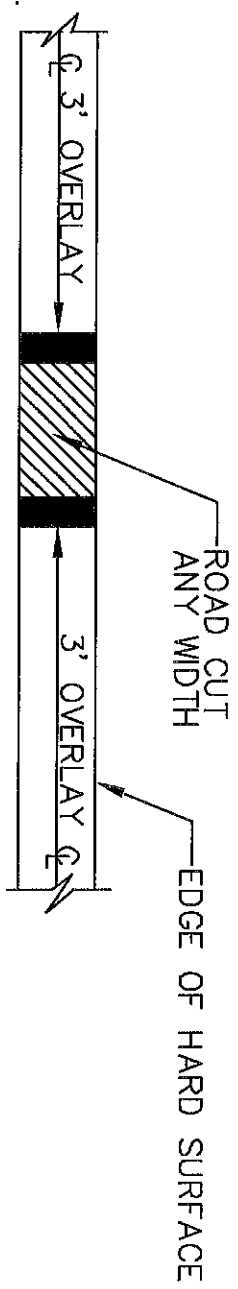
3' MINIMUM OVERLAY FROM WIDEST PART OF TRENCH



NEW PAVEMENT DETAIL:  
REFER TO SECTION 100-5 FOR RESTORATION REQUIREMENTS.

FIG. 1-A

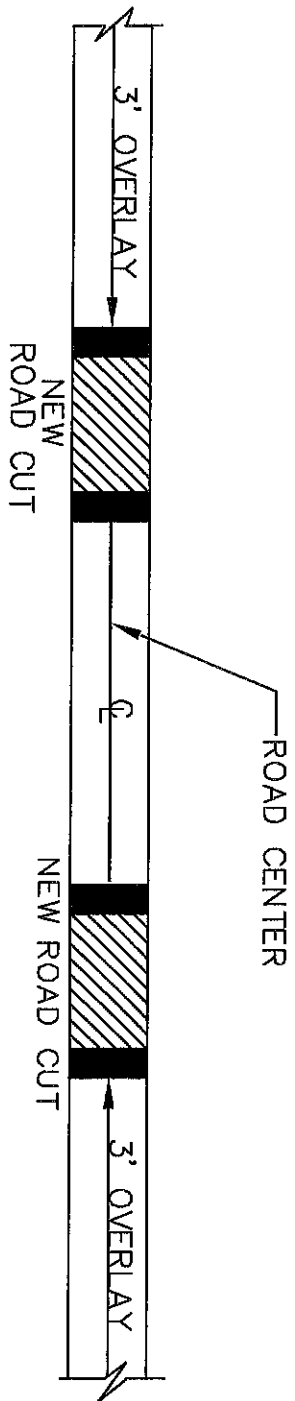
3' OVERLAY ON ALL ROAD CUTS



RESTORATION "SINGLE" ROAD CUT

FIG. 1-B

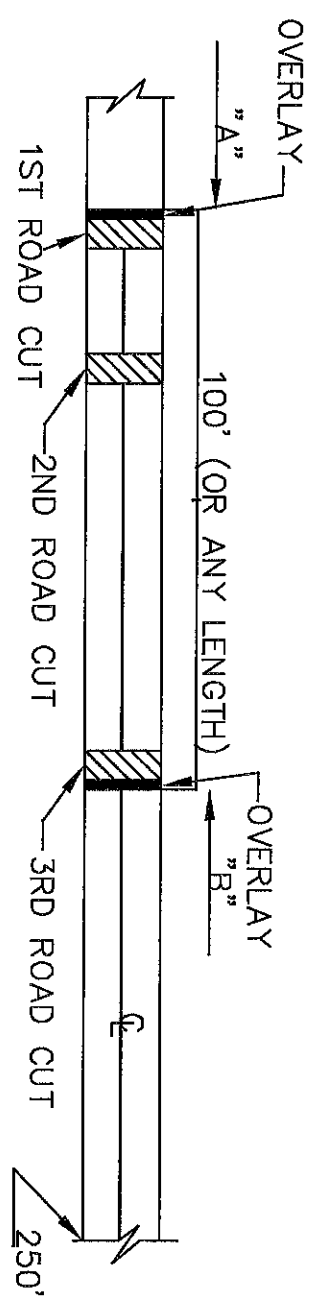
3' OVERLAY ON ALL ROAD CUTS



RESTORATION "TWO" ROAD CUTS

FIG. 1-C

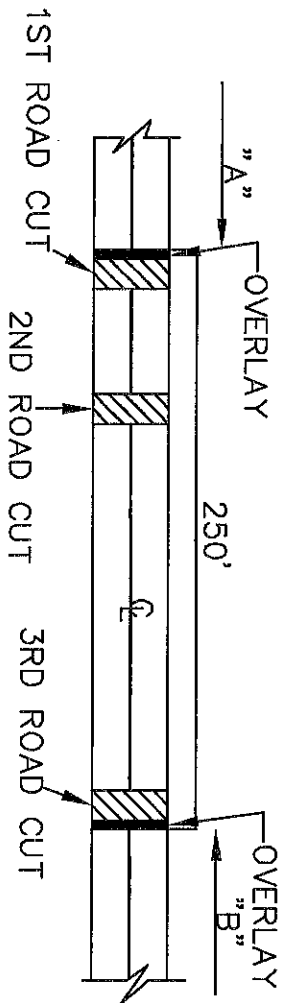
REQUIRES FULL CURB TO CURB RESTORATION  
FROM POINT "A" TO POINT "B"



RESTORATION "THREE" ROAD CUTS  
WITHIN A DISTANCE OF 250 LINEAR FEET

FIG. 1-D

REQUIRES FULL CURB TO CURB RESTORATION  
FROM POINT "A" TO POINT "B"



RESTORATION OF "3" OR MORE ROAD CUTS WITHIN  
A DISTANCE OF 250 LINEAR FEET

FIG. 1-E

REQUIRES FULL CURB TO CURB RESTORATION  
FROM POINT "A" TO POINT "B"

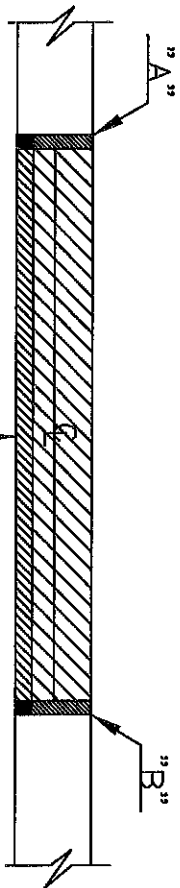


FIG. 1-F

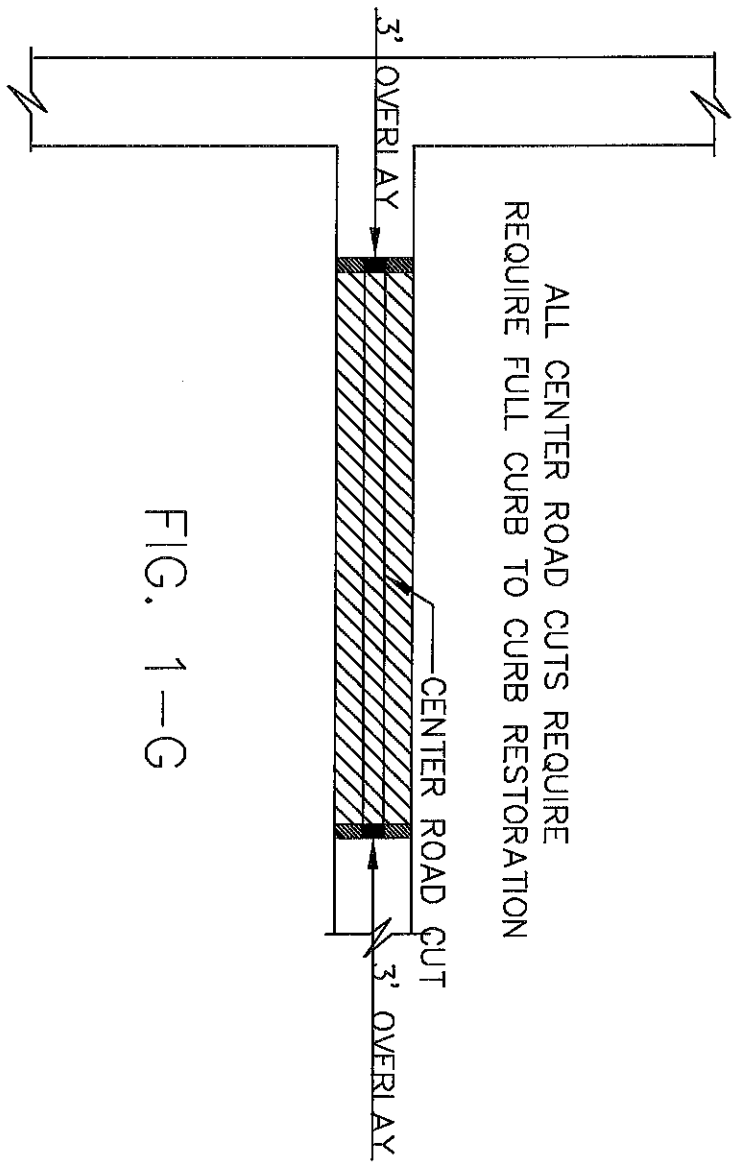


FIG. 1-G

3 ROAD CUTS WITHIN A 250' LENGTH REQUIRES  
FULL CURB TO CURB RESTORATION FROM EDGE OF  
OVERLAY TO EDGE OF OVERLAY AT FURTHEST POINTS

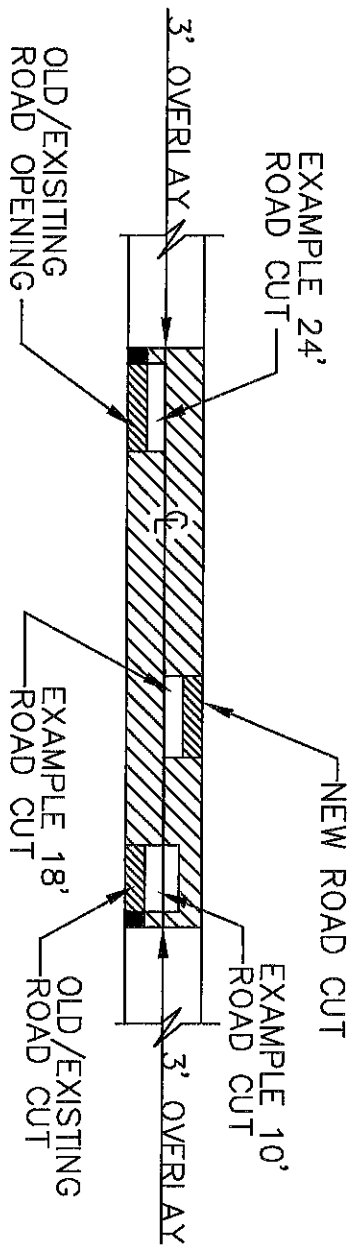


FIG. 1-H