

**RANSOM TOWNSHIP,
LACKAWANNA COUNTY, PENNSYLVANIA
ORDINANCE NO. 01- 2018**

AN ORDINANCE OF RANSOM TOWNSHIP, LACKAWANNA COUNTY, PENNSYLVANIA, REGULATING WORK PERFORMED ON THE PUBLIC STREETS AND ROADWAYS OF RANSOM TOWNSHIP; ESTABLISHING PROCEDURES FOR OBTAINING A PERMIT AND PERMIT REQUIREMENTS; INSURANCE AND INDEMNIFICATION REQUIREMENTS; ESTABLISHING REQUIREMENTS FOR STREET, SIDEWALK, AND CURB RESTORATION; ADOPTING A FEE SCHEDULE; AND, PROVIDING PENALTIES FOR VIOLATIONS.

WHEREAS, Ransom Township, Lackawanna County, Pennsylvania, is a municipal corporation organized and existing pursuant to the Pennsylvania Second Class Township Code; and

WHEREAS, pursuant to the Second Class Township Code, power is vested in Ransom Township to establish regulations governing work performed on public streets and roadways of Ransom Township by establishing procedures for obtaining a permit, permit requirements, indemnification and insurance requirements, as well as restoration requirements for streets, sidewalks, and curbs, adopting a fee schedule, and to provide penalties for violations.

NOW, THEREFORE, pursuant to the authority granted under the Second Class Township Code, it is hereby enacted and ordained by the Board of Supervisors of Ransom Township as follows:

1. Title.

This Ordinance shall be called, known as, and cited as the “Ransom Township Pavecut Ordinance”.

2. Definitions.

As used in this Ordinance, the following terms shall have the meanings indicated:

Applicant – Any person, firm, corporation, or other legal entity.

Application for a Pave Cut Permit – A form provided by the Township, noting pertinent data for the purposes of inspection and control by the Township and constituting a receipt for services performed by the Township.

Capital Improvement – Pre-planned to improve or upgrade an existing system or to install a completely new system providing new or additional service.

Emergency Repair – Work necessitated by the rupture or sudden malfunction of existing underground facilities.

Engineer – Ransom Township’s designated engineer.

Facilities – All the plant and equipment of a public utility, including all tangible, real, and personal property without limitation, and any and all means and instrumentalities in any manner owned, operated, leased, licensed, controlled, furnished, or supplied for, by or in connection with the business of any public utility; provided, however, that no property owned by the Commonwealth of Pennsylvania or any municipal corporation thereof, at the date when this Ordinance becomes effective, shall be subject to any of the terms of this Ordinance except and elsewhere expressly provided herein.

Inspection – A careful or critical investigation not necessarily confined to optical observation but is understood to embrace tests and examinations for the purpose of ascertaining quality and compliance as prescribed in this Ordinance and discovering and correcting errors.

Municipal Corporation – All cities, boroughs, towns, townships, or counties of this Commonwealth, and any public corporation, authority, or body whatsoever, created or organized under any law of this Commonwealth for the purpose of rendering any service similar to that of a public utility. For the purpose of this Ordinance, “municipal corporation” shall mean the Township of Ransom.

Pave Cut Log – A chronological record of pave cuts as reported to the Township containing pertinent data as required by the Township for the purposes of inspection and control.

Pavements – Roadway surfaces of machine-laid asphalt over a base of concrete, brick, Belgian block, crushed stone, bituminous concrete, or oil and stone.

Person – Individuals, partnerships, or associations other than corporations, including their lessees, assignees, receivers, executors, administrators, or other successors in interest.

Public Utility

(1) Persons or corporations now or hereafter owning or operating in this Commonwealth equipment or facilities for:

- (a) Producing, generating, transmitting, impounding, distributing, or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, or power to or for the public for compensation.
- (b) Diverting, developing, pumping, impounding, distributing, or furnishing water to or for the public compensation.
- (c) Conveying or transmitting television or radio signals by cable to the public for compensation.
- (d) Sewage collection, treatment, or disposal for the public for compensation.

(2) The term “public utility” or “utility” shall not include:

- (a) Any person or corporation, not otherwise a public utility, who or which furnishes services to only himself or itself.

(b) Any bona fide cooperative association which furnishes services only to its stockholders or members on a nonprofit basis.

(c) Any producer of natural gas not engaged in distributing suvh gas directly to the public for compensation.

Service – Used in this Ordinance in its broadest and most inclusive sense and includes any and all acts done, rendered, or performed, and any and all things furnished or supplied, and any and all facilities used, furnished, or supplied by public utilities in the performance of their duties under this article to their patrons, employees, other public utilities, and the public, as well as the interchange of facilities between two or more of them.

Special Pavement – Roadway surfaces of concrete, brick, Belgian block, or cobblestone.

Street – Includes any street, highway, road, land, court, alley, or place of whatever nature, whether dedicated or not, open to the use of the public as a matter of right or for purposes of vehicular travel.

Township – The Township of Ransom.

Utility Corridor – An area within any public right-of-way, usually underground, but not limited to same, reserved for and assigned to a specific utility by the Township Engineer, the area to be used by the specified utility for placing and operating its facilities for transmitting and distributing its particular commodity or service.

Utility Relocation – Includes the adjustment, replacement, or relocation of utility facilities as required by a street construction or repaving project such as removing or reinstalling the facility, acquiring the necessary right-of-way, moving or rearranging existing facilities, changing the type of facility, and any necessary safety and protective measures. It shall also mean the construction of a replacement facility functionally equal to the existing facility, where necessary, for the continuous operation of the utility service, the project economy, or sequence of street construction.

Work – The furnishing of all materials, labor, equipment, or other incidentals necessary or convenient to the successful completion of the project and fulfillment of all duties and obligations imposed by this Ordinance.

3. Permit required.

A permit must first be obtained before any opening can be made in any paved thoroughfare, cartway, sidewalk, or tree lawn in the Township. Any excavations and cuttings in these areas are classified as a pavecut.

4. Permit Procedures.

Applications for a Pavecut Permit shall be available from Ransom Township at the Municipal Building, 2435 Hickory Lane, Clarks Summit, PA, 18411. An authorized agent of a utility or contractor shall complete the application at the Municipal Building not less than 24 hours in advance of any planned excavation. A copy of the completed application, signed by the

Township's authorized representative, shall be in the hands of a competent person at the work site described in the application and shall constitute a permit.

A. The application for the permit shall state the name and address of the applicant, the nature, location, and purpose of the excavation, the date of the commencement, and the expected date of completion of the excavation, as well as the length and width of the cut and such other data as may reasonably be required by the Township. When, in the sole opinion of the Township, the excavation and/or construction planned is extensive, the Township may require the application to be accompanied by plans showing the extent of the proposed excavation work and elevations of both the existing ground prior to said excavation and the elevated surfaces, the location of the excavation work, and such other information as may be prescribed by the Township.

B. The Township shall keep a record of all permits so granted and before granting the same, shall collect from the applicant a permit application fee in the amount set forth in the fee schedule set in this Ordinance. Public utilities may be billed for permit fees monthly.

C. The contractor or utility performing the work must notify the Township before any backfill or permanent pavement is placed so that an inspector may be dispatched to the site to inspect the work. All backfill and permanent pavement work must be performed under the continuous observation of a Township-designated inspector/testing agency.

D. It shall be unlawful for any person, firm, or corporation to make any opening, cut, or excavation in or under any street, alley, or other thoroughfare within the limits of Ransom Township unless and until a permit is secured for each separate undertaking. The police shall promptly prohibit any work to be done without a permit and shall halt any work in progress being performed without a permit.

5. Township-sponsored public improvements.

Pavecuts necessitated by Township-sponsored public improvements shall be on a non-fee basis, but limited to the specific contract area. Work done outside the project area will be handled as a normal permit and required permit fee. A list noting exact locations and dimensions of all such cuts shall be submitted to the Township at the completion of work. Notification will be required for any pavecuts made in state highways located within the Township for which a highway occupancy permit has been issued.

6. Penalty for work done without permit or an inspector.

A. Any work done without a permit shall be subject to a penalty of \$1,000, plus regular fees.

B. Any backfill or permanent pavement work performed without the presence of a Township-designated inspector present shall be removed and replaced under the observation of a Township-designated inspector at the cost of the contractor performing the work. The removal and replacement of any uninspected work will be at no cost to the Township and shall be subject to a penalty of \$1,000, plus regular fees.

7. Indemnification of Township; insurance requirements.

The applicant shall protect, defend, indemnify, and save harmless the Township and its officers and/or agents from all claims, suits, actions, and proceedings of every nature and description which may be brought against the Township and its officers and/or agents, for or on account of any injuries or damages to persons or public or private property because of any materials or appurtenances used in the work, by or on account of improper materials or workmanship, or for or on account of any accident or any other act, negligence, or omission of said applicant, his agents, servants, or employees, and the Township shall not, in any way, be liable therefor during the period of the work progress and the one-and-one-half year guarantee period following completion and acceptance of work by the Township. Minimum insurance shall be:

- A. Liability per individual: \$500,000, with a limit of \$1,000,000 for each occurrence per bodily injury.
- B. Liability for property damage: \$500,000.
- C. Evidence of insurance in the form of a certificate or letter executed by a duly authorized representative of the applicant's insurance carrier shall be submitted to the Township each January 15. Said evidence of insurance must include the provisions that the Township be given at least 30 days' advance notice of any cancellation or any material alteration in the applicant's policy.

8. Safety precautions.

During the progress of work, the applicant shall provide such barricades, warning signs, and flagpersons as may be deemed necessary by the Township to prevent accidents to the public and or adjoining tenants. Minimum precautions must include, but should not be limited to, advance warning signs on all approaches to the work, safe crossings for pedestrians at each 300 feet, and barricades with flashers on each exposed side at 50-foot intervals. All precautions shall be in accordance with 67 Pa. Code Chapter 211; 67 Pa. Code Chapter 203; and material and construction requirements outlined in Section 901 of PennDOT Current Specifications, as amended. Referrals therein to the Department shall mean "Ransom Township". Compliance is also required with all applicable safety standards of the Occupational and Safety Healthy Act (OSHA), as amended. When required, the applicant shall comply with material and construction requirements of Section 902 of PennDOT Current Specifications for Maintenance and Protection During Temporary Suspension of Work.

9. Closing of roads.

No road or street in the Township may be completely closed to traffic at any time. One lane of traffic must be able to pass unobstructed at all times. Flagpersons shall be posted at work limits at all times to direct traffic through the work zones and established patterns must be maintained at all times. If all other means of traffic control have been exhausted, the Township may permit a road to be completely closed temporarily only upon written consent of the South Abington Police Department and the Newton Ransom Volunteer Fire Company Chief. When an emergency exists the Police and Fire Departments shall be notified. An application form for a permit to close a street will be available from the Township. The complete application, bearing the signatures of the aforementioned officers, shall be returned to the applicant and shall

constitute a permit. A penalty of \$300 shall be imposed for failure to notify the Police and/or Fire Chief.

10. Time restrictions.

For small area pavecuts, the utility or contractor shall be required to complete the temporary restoration within 48 hours of the initial cut during the normal working week, excluding holidays and weekends. Time extensions may be allowed upon written appeal to the Township Engineer or Roadmaster, provided the applicant justifies sufficient cause for the time extension. Work on long cuts (25 feet or greater in length) shall proceed in a continuous manner in accordance with standard safety provisions. Permits for long cuts or capital improvements will not be granted during the months of November through March, except upon written approval by the Township Engineer or Roadmaster. The utility or contractor shall coordinate planned cuts in Township streets with the paving programs of the Township. A construction schedule comprising planned cuts shall be submitted to the Township Secretary as soon as it becomes available. The Township will provide a paving program to the utilities as soon as it is available and/or decided upon.

11. Miscellaenous work provisions.

All excavations shall be commenced and completed by the use of a reasonable and competent work force. In congested areas, the Township may limit work to other than normal daytime working hours. At the cessation of work, adequate steel plates shall be placed over excavations for safety and traffic control purposes. The maximum length of any continuous opening in the roadway shall be 100 feet. This pertains to the cartway, sidewalk, tree lawn, berm, or embankment. Prior to any additional digging, the previous trench shall be backfilled and completed as specified herein.

12. Excavated material.

Unless indicated otherwise by the Township Engineer or Roadmaster, all excavated materials are to be deemed unsuitable for backfilling and shall be removed from the project area immediately as they are generated and disposed of in a legal manner. All gutters, pipes, inlets and other drainage facilities shall be kept clean of all debris and excavated materials. At all times, fire hydrants adjacent to work shall be accessible to fire apparatus, and no materials or obstructions shall be placed within 15 feet of any hydrant. Excavations include any areas within the road right-of-way.

13. Stability of materials.

The suitability of material to be used as backfill shall be determined by the Township Engineer, Roadmaster, or the Township's designated testing/inspection agency. All materials not conforming to the requirements of this article, whether in place or not, shall be rejected. Such materials shall be removed promptly from the worksite.

14. Disposal of waste material.

Material which is unsuitable and any surplus of excavated material shall be considered waste and shall be disposed of by the utility or contractor beyond the project limits. In no case shall waste material be left at the worksite.

15. Fill material.

A. The Township Engineer, Roadmaster, or the designated testing/inspection agency shall judge the stability and suitability of the fill material. In no case will excessively wet or dry material be allowed as fill material. Fill must be compacted to a dry density at least equal to 95% of the maximum dry density attained by the Modified Proctor Test, ASTM D1557, latest revision, Method C or Method D, as designated by the Township Engineer, Roadmaster, or designated testing/inspection agency.

B. Granular or other suitable materials, as determined by the Township Engineer, Roadmaster, or the designated testing/inspection agency, free from rocks and boulders shall be deposited in the trench simultaneously on both sides of the pipe for the full width of the trench to a height of at least six inches above the top of the pipe, placed and hand-tamped to fill completely all spaces under and adjacent to the pipe. In the event that suitable natural granular material is not encountered during the normal excavation of the trench or when the material encountered is determined unsuitable by the Engineer, Roadmaster, or the Township's designated testing/inspection agency for backfilling around the pipe as required above, the contractor shall furnish and place other approved material. This approved material should be furnished from surplus material obtainable from the excavation of adjacent trenches or from approved borrow areas. If suitable material is not available as stated above, the contractor should procure suitable pit-run material for backfilling around the pipe according to specific direction from the Township Engineer or Roadmaster or designated testing/inspection agency at no cost to the municipality.

C. Succeeding layers of backfill may contain coarse materials (less than two inches), but shall be free from large pieces of rock, frozen material, concrete, roots, stumps, tin cans, rubbish and other similar articles whose presence in the backfill would cause future settlement of the trench or damage to the pipe.

D. Whenever suitable material existing within the upper four feet of the finished grade of the paved or traveled portions of the street or roadway is removed by the excavation, the contractor shall replace said material with PA DOT 2A (or material of equal quality) as backfill in the upper four feet of the finished grade.

E. As an alternate, 250 psi flowable fill may be used. Flowable fill shall be in accordance with PennDOT Publication 408, Section 220 (latest edition) with a compressive strength not less than 150 psi.

16. Backfilling requirements.

A. The Township Engineer, Roadmaster, or designated testing/inspection agency must be notified at least two hours in advance of placing any backfill for inspection purposes. No backfill shall be placed without a Township-designated inspector present. In backfilling, six-inch layers shall be placed in the deepest portion of the backfill, and as placement progresses, each six-inch layer shall be horizontally constructed. Compaction operations shall be continued using mechanical tampers until each layer of fill is compacted to a dry density at least equal to 95% of the maximum dry density attained by the Modified Proctor Test, ASTM D 1557, latest

revision, Method C or D Method, as designated by the Township Engineer or Roadmaster or designated testing/inspection agency.

B. Backfilling will be done in such a manner as to obtain compaction through the entire length of backfill not less than that which exists adjacent to the excavation. The method of backfill shall be consistent with good engineering practice. Backfill shall begin as soon as practical after the pipe or other construction has been placed and shall thereafter be carried on as rapidly as protection of the balance of the work will permit.

C. Depositing of backfill shall be done so the shock of falling material will not injure adjacent structures.

D. All deficiencies in the quality of material for backfilling the trenches or for filling depressions caused by settlement shall be supplied by the contractor.

E. In all cases, the contractor shall blade and compact the roadway after the trench has been backfilled so that it shall be passable to traffic at all times. The contractor shall maintain the roadway in a condition acceptable to the Engineer or Roadmaster at all times until final approval of the entire work by the municipality.

F. The contractor shall remedy at his own expense any defects that appear in the backfill for a period of two years following compaction.

17. Permanent pavement requirements.

A. The Township Engineer, Roadmaster, or designated testing/inspection agency must be notified in advance of placing any permanent pavement for inspection purposes. No pavement shall be placed without a Township designated inspector present.

B. Where the excavation is in a paved surface, the pavement shall be restored with not less than six inches of 2A subbase, 4 1/2 inches of 25 mm Superpave base course or the full depth of the adjacent permanent bases, whichever is greater, and 1 1/2 inches of 9.5 mm Superpave wearing coarse. All materials and work shall meet the requirements of PennDOT Publication 408 specifications (latest edition), Sections 350 and 409, respectively. Prior to replacement of the pavement, one foot outside of each edge of the opening shall be sawed the full depth of pavement and stone base in a neat straight line one foot cutback). The detached material shall be removed without damaging the adjacent pavement. The final pavement joint between new and existing pavement shall be sealed with PG 6422 or other sealant approved by the Township Engineer, Roadmaster, or designated testing/inspection agency to a width of four inches either side of the joint. In cases where pave cuts are made between December 1 and April 15, the pavement restoration shall consist of cold patch or similar temporary material. Final pavement restoration shall be completed as specified herein above during the next paving season, but in no event later than July 1. Maintenance of the temporary patch shall be the responsibility of the contractor.

C. When a longitudinal opening longer than 100 linear feet is made in the pavement, the entire roadway width shall be milled and overlaid with 9.5 mm Superpave within the area of

the opening. When two or more transverse openings are made within 100 feet linear feet of pavement, the entire roadway width shall be milled and overlaid with 9.5 mm Superpave within the total opening length, including those areas unexcavated. Overlay shall consist of 1 1/2 inches of 9.5 mm Superpave wearing coarse. A milled paving notch, with a minimum ten-foot transition, shall be provided at each end of the overlay.

18. Sidewalk curb restoration requirements.

A. The Township Engineer, Roadmaster, or designated testing/inspection agency must be notified in advance of placing any permanent pavement or concrete for sidewalks or curbing for inspection purposes. No pavement or concrete for sidewalks or curbing shall be placed without a Township-designated inspector present.

B. Where the removal of a portion of a curb, sidewalk, or curb and gutter is required to perform work, the curb, sidewalk, or gutter shall be restored as follows:

(1) Asphalt sidewalks shall be a minimum of two inches of 9.5 mm Superpave wearing coarse or the thickness of the adjacent materials, whichever is greater.

(1) Asphalt curbs shall meet the requirements of PennDOT Publication 408 specifications (latest edition), Section 636. The minimum allowable length of a replaced curb shall be four feet.

(3) Concrete sidewalks shall meet the requirements of PennDOT Publication 408 specifications (latest edition), Section 676. The minimum allowable length of a replaced concrete sidewalk shall be four feet.

(4) Concrete curbs shall meet the requirements of PennDOT Publication 408 specifications (latest edition), Section 630. The minimum allowable length of a replaced curb shall be four feet.

(5) Stone curbs shall be replaced in kind. A minimum length of replaced curbs shall be four feet.

(6) Where curbing and/or sidewalks are composed of other materials (brick, pavers, granite, flagstone, etc.), every attempt should be made to save the original materials and replace them during restoration.

19. Machinery to be used.

Power-driven concrete saws or air hammers shall be used on all cuts in Portland-cement-based pavements. The cuts must be of sufficient depth to provide a smooth edge. No pavement busters, such as drop hammers, hoe rams and the like, shall be used without the written permission of the Township Engineer, Roadmaster, designated testing/inspection agency.

20. Compliance with statutes, rules, and regulations.

All contractors shall ensure compliance with the provisions of all applicable and relevant, state, local and federal statutes, rules and regulations.

21. Inspection and testing.

The Township Engineer, Roadmaster, designated testing/inspection agency shall inspect all cuts, backfilling, pavement restoration and curb/sidewalk restoration work that occurs within the municipality's right of way. An inspection fee shall be charged for this inspection. (See Fee Schedule) Such inspection fees shall constitute acceptance of work performed by the contractor, but it is understood that such acceptance does not relieve the utility of any responsibility under this article throughout the guaranty period. In order to ensure proper testing, the Township shall retain an independent testing agency meeting the following requirements:

- A. Maintains a facility that is AMRL and CCRL certified and meets the minimum requirements of ASTM E-329.
- B. Has the ability to provide field testing technicians that have the appropriate ACI, NICET, and NECEPT certifications for inspecting the work being performed as follows:

Inspection Type	Required Certifications
Permanent backfill	NICET Level I soils and QC nuclear regulatory certified
Permanent asphalt paving	NICET Level I asphalt and NECEPT bituminous field test technician
Permanent concrete (sidewalks or curbs)	NICET Level I concrete and NECEPT concrete field test technician

- C. Has the ability to mobilize for contractor requests within one hour of being notified.
- D. Has the ability to submit inspection reports to the Township Engineer or Roadmaster upon completion of work.

22. Replacement of pavement markings.

The utility and/or its contractor must replace, in kind, all pavement markings damaged or removed by pave cuts and work incident thereto. All markings must be replaced within five days after permanent restoration. Should the contractor fail to replace the same, the municipality shall contract to have the necessary repairs made and bill the utility for the costs of the work, plus a 20% penalty.

23. Replacement of traffic control devices.

Electronic traffic control devices and ancillary equipment damaged or removed because of pavement excavation or work incident thereto must be replaced by the utility or its contractor, in kind, in whole or in part, as required by the Township Engineer or Roadmaster or designated testing/inspection agency. The municipality shall contract to have the necessary repairs made and bill the utility.

24. Replacement of property pins or monuments.

All property pins or survey control monuments damaged or altered as a results of the contractor's work shall be replaced at the contractor's expense by a registered Pennsylvania professional land surveyor.

25. Determination of lines and grades for street construction or reconstruction.

The Township Engineer or Roadmaster shall have the final decision for determination of lines and grades for street reconstruction. This decision shall be based on good engineering practice and municipal standards. The determination by the Township Engineer or Roadmaster or designated testing/inspection agency shall be final.

26. Enforcement authority.

Ransom Township provides, by this article, that the responsibility and authority for the enforcement of this article shall rest in the office of the Township Code Enforcement Officer.

27. Resumption of suspended work.

The permittee shall actively resume work upon order from the Township after a suspension. Debarred contractors shall not perform any work in the Township.

28. Failure to correct noncompliant work.

If the permittee fails to make adequate correction to work found in noncompliance with this article in the time specified, a penalty shall be imposed until said corrections are completed to these requirements. (See Fee Schedule)

29. Noncompliant contractors; refusal to issue permits.

A. The Township reserves the right to bar any contractor or his employee from working within the Township limits for causes set forth in this article. When the violations include tampering with Township property, repeated noncompliance with specifications contained herein, damages to public facilities, etc., the Township shall bar the contractor and any employees for a period of five years from the date of violation. In this case, the utility or permittee shall secure another contractor to perform the work.

B. The Township reserves the right to refuse issuance of a permit to cut new pavement (less than five years in age).

30. General contractors.

At the discretion of the Township, licensed contractors, other than those under contract to a utility, may be permitted to make an opening, cut or excavation in the Township's public streets. Sections pertaining to public utilities shall be applicable to licensed contractors.

31. Effect on existing contracts and obligation.

All litigation, hearings, investigations and other proceedings whatsoever pending under any act repealed by this article shall continue and remain in full provisions of this article. All orders, rules or regulations issued or filed under any act repealed by this article, and in full force and effect upon the effective date of this article, shall remain in full force and effect for the term

issued or until revoked, vacated or modified under the provisions of this article. All existing contracts and obligations entered into or created under any act repealed by this article, and in force and effect upon the effective date of this article, shall remain in full force and effect.

32. Effect of repealed provisions.

The repeal by this article of any other act shall not revive any law heretofore repealed or superseded and shall not impair or affect any act done, offense committed or liability, penalty, judgment, or punishment incurred prior to the time this article takes effect, but the same may be enforced, prosecuted or inflicted as fully and to the same extent as if this article has not been passed. The provisions of this article, as far as they are the same as those of existing laws, shall be construed as a continuation of such laws and not as new enactments.

33. Violations and penalties.

Any person who violates provisions of this Ordinance shall, upon conviction thereof, be punishable by payment of fines in accordance with the fee schedule by prosecution in tampering instances, and by being banned from working in the Township for a period of five (5) years. The Township will have sole jurisdiction in determining the punishment on a case-by-case basis.

34. Acknowledgement of violation.

A. Any person or firm charged with violating any provision of this article may sign an acknowledgement of the offense committed, either before or after the beginning of suit, and pay to any duly authorized agent of the Township the maximum fine provided by this article, together with costs accruing to that date. Such person shall receive a printed receipt thereof, which shall bear the imprint and Seal of the Township and the signature of its Mayor, which shall be evidence of full satisfaction of the offense committed.

B. If violations continue by the same person or firm, the Township will file an action in the Court of Common Pleas of Lackawanna County barring the person or firm from performing any work within Ransom Township, seek added fines and penalties including the costs for legal fees and expenses incurred by Ransom Township, and prosecute the person and firm to the full extent allowed by law.

35. Severability.

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

36. Effective Date

This Ordinance shall take effect within five (5) days of enactment.

ORDAINED, ENACTED, AND ADOPTED by the Board of Supervisors of Ransom Township, Lackawanna County, Pennsylvania at a public meeting this 2nd day of JANUARY, 2018.

RANSOM TOWNSHIP
BOARD OF SUPERVISORS

Dennis Macheska
DENNIS MACHESKA

David Bird
DAVID BIRD

ATTEST:

Rafael
Township Secretary/Treasurer

Allan Myers
ALLAN MYERS