

**TOWNSHIP OF LIGONIER  
ORDINANCE NO. 2025-OR-03**

**AN ORDINANCE OF THE TOWNSHIP OF LIGONIER, AMENDING THE  
TOWNSHIP CODE, CHAPTER 84: STREETS AND SIDEWALKS,  
ARTICLE II: OPENINGS AND EXCAVATIONS, SECTION § 84-9:  
INSPECTIONS; REPAIR OF DEFECTS, TO CLARIFY THE REPAIRS  
REQUIRED TO OPENED AND EXCAVATED TOWNSHIP ROADS**

**WHEREAS**, the Township of Ligonier has existing rules and regulations regarding opening and excavating Township roads, as granted to it by the provisions of § 2322 of the Second Class Township Code, 53 P.S. § 67322, as amended; and,

**WHEREAS**, the Township maintains over 86 miles of public roads; and,

**WHEREAS**, the Township wishes to expand the existing rules and regulations to better protect Township owned and maintained public roads.

**NOW THEREFORE, the Board of Supervisors of Ligonier Township hereby enacts as follows:**

**Section 1.** The Code of Ordinances of the Township of Ligonier is hereby amended and supplemented at Chapter 84: Streets and Sidewalks, Article II: Openings and Excavations, by adding a new section entitled “Permanent Restoration” as follows:

**§ 84-8A. Permanent Restoration**

- A. Any person cutting, opening, trenching, or otherwise modifying any Road shall comply with the requirements of this chapter
- B. Where an improved surface is disturbed, the excavation or opening shall be made by a clean cut with a diamond wheel or similar instrument. Openings shall be saw cut back twelve (12) inches from the limit of the opening or trench.
- C. Any person opening or disturbing any Road shall backfill any resulting excavation with Type 2A aggregate as specified in the Pennsylvania Department of Transportation Publication 408, Section 703.2(c), Table C. Backfill shall be limestone. Compaction of the aggregate shall be in lifts of no more than four (4) inches. Backfill shall be placed and graded to within six and one-half (6 ½) inches of the existing road grade.
- D. Five (5) inches of Super Pave asphalt mixture Base Course shall be placed over the backfill in accordance with the Pennsylvania Department of Transportation Publication 408, Section

305, and shall conform to the most recent calculation methodology available from PennDOT. Unless otherwise directed, the design shall be HMA Base Course, PG 64-22. 0.3 to < 3.0 million ESALS, 25 mm mix, SRL-G.

- E. One and one half (1 ½) inches of Super Pave asphalt mixture Wearing Course shall be placed over the Base Course in accordance with the Pennsylvania Department of Transportation Publication 408, Section 421, and shall conform to the most recent calculation methodology available from PennDOT. Unless otherwise directed, the design shall be HMA Wearing Course, PG 64-22, 0.3 to < 3.0 million ESALS, 9.5 mm mix, SRL-G.
- F. The joints of all Road openings shall be cleaned and sealed in accordance with the Pennsylvania Department of Transportation Publication 408, Section 469. Joint sealer shall be PG 64-22, or approved equal.
- G. Where a road cut or opening occurs in a single lane of travel of a roadway, the permanent restoration of the road cut or opening shall include the milling and overlay (Wearing Course as per section E above) from curb to the middle of the roadway.
- H. Where a road cut or opening occurs in the middle of the roadway or within both lanes of travel, the permanent restoration of the road cut or opening shall require the milling and overlay (Wearing Course as per section E above) from curb to curb or full roadway width.
- I. If a permittee causes three (3) or more cuts, openings, excavations, or disturbances in a roadway within 150 feet of one another, depending on the location of the excavation within the roadway the permittee shall be required to mill and overlay the entire section of roadway between all openings either from curb to curb, or curb to centerline of the roadway.
- J. Concrete roads, curbs, gutters, sidewalks, or other facilities must be replaced with 4,000 PSI Concrete matching the type, color, and texture of adjacent surfaces.

**Section 2.** The Code of Ordinances of the Township of Ligonier is hereby amended and supplemented at Chapter 84: Streets and Sidewalks, Article II: Openings and Excavations, Section § 84-9: Inspections; repair of defects, as follows:

§ 84-9. Inspections; repair of defects.

Upon completion of the work authorized by the permit, the township shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions, and regulations prescribed by the permit. In addition to that inspection, the Board of Supervisors or its agents may reinspect the work not more than two years after its completion, and if any settlement of the road surface or other defect appears in the work contrary to the conditions, restrictions, and regulations of the township, the Board of Supervisors may enforce compliance therewith. Where any settlement of defect in the work occurs, if the applicant fails to rectify a defect ~~with~~ **which** presents imminent or immediate **failure or** safety or health problems within 48 hours or any other defect within 60

day's written notice from the township to do so, the township may do the work and shall impose upon the applicant the cost thereof, together with an additional 20% of such cost.

**ORDAINED AND ENACTED** by the Supervisors of the Township of Ligonier, this 23<sup>rd</sup> day of September, 2025.

TOWNSHIP OF LIGONIER

By \_\_\_\_\_  
Supervisor, Chair

ATTEST: (SEAL)

\_\_\_\_\_  
Secretary