

## **LOCAL LAW NO. \_\_ of 2022**

A Local Law known and cited as Restoration of Town Roads

Be it enacted by the Town Board of the Town of Ossining as follows:

**SECTION 1.** Purpose and Intent. On certain occasions, private property owners and public agencies/utilities request to do work on/under Town roads. For safety and consistency purposes, and so those doing the work are aware of what restoration is required after the work is completed, the Town Board believes it is in the best interest of the Town health, safety and welfare to enact legislation regulating the restoration of Town roads.

**SECTION 2.** Chapter 87 of the Town Code (entitled “Excavations”), Part 1 (entitled “Street Openings”), Article II (entitled “Resurfacing of Streets”) is hereby amended to create Section 87-7 entitled “Restoration of Town Roads” as follows:

### **Section 87-7. Restoration of Town Roads**

- A. All roadway restoration shall be completed with such materials, and in a professional manner, consistent with Town specifications as determined by the Superintendent of Highways or their designated representative.
- B. On Town roadways that have been paved within the last five years, pavement restoration shall consist of a minimum of one full lane and extend a minimum of 10 feet beyond the start and end of any road disturbance, and from the edge of the paved roadway through the center line, or as additionally or otherwise directed by the Superintendent of Highways or their designated representative.
- C. All restoration of sidewalks and roadways shall be as per Town specifications. Full lane restoration shall be required for all roadway patches, including trenches and test pits, and shall include restoration from the curb line or edge of road through the center line of the roadway for a length covering two feet beyond all areas of excavation or disturbance, or as additionally or otherwise directed by the Superintendent of Highways or their designated representative.
- D. Patches extending into both sides of roadway; disturbance of pavement markings.
  - (1) If the patch, trench, or disturbance extends into both sides of the roadway through the center line, the restoration shall be full width (both lanes) of the roadway for a length covering two feet beyond all areas of excavation or disturbance. If such restoration results in any roadway patch within eight feet from any other existing or newly created patch, the patches shall be combined into a single patch.
  - (2) Any roadway restoration that obscures or otherwise disturbs pavement markings, including but not limited to stop lines, crosswalks, lane markings, or shoulder striping, shall require the repainting or repair of such markings, as per Town specifications.
- E. Any road plate placed on a roadway within the Town shall have nonskid coating and be

marked to identify the responsible contractor's name. All plates shall be ramped and pinned to prevent plates from moving and rattling, and bridging shall be used where necessary to prevent any noise from passing vehicles.

- F. During the period from December 1 through March 30 of any year, any road plate in use shall be recessed flush with the surrounding roadway. The permittee shall be responsible, until the end of the period of maintenance, to maintain any temporary or permanent restoration, and shall, within 24 hours of notice from the Town, patch any potholes or other defects that have developed.
- G. To the extent the provisions of this Section are inconsistent with any other provisions of this Article, the provisions of this Section shall control.

**SECTION 3.** The existing Town Code § 87-7 (entitled “Temporary Pavement”) is hereby renumbered to Section 87-7.1 as follows:

**Section 87-7.1. Temporary pavement.**

- A. Temporary resurfacing shall be placed by the contractor immediately after backfilling. The temporary pavement shall be kept in good condition until the permanent surfacing is placed.
- B. Temporary surfacing shall consist of a gravel or crushed stone base and a cold-mix bituminous concrete surfacing. The thickness required shall be as follows:
  - (1) Base: six inches.
  - (2) Surface: two inches.
- C. The contractor shall repair paving within 24 hours after written notification by the Town Engineer or the Superintendent of Highways. If repairs are not made within the time specified, the Town Engineer or the Superintendent of Highways may allow the owner to repair or have the same repaired, and the cost of such repairs shall be deducted from the bond of the contractor.
- D. An ample supply of cold-mix bituminous material, crushed stone, bank-run gravel and other materials for repair shall be kept near the job site; and the contractor shall provide continuous maintenance, filling depressions and ruts as they appear.
- E. All hard-surfaced driveways, sidewalks, walkways and paths disturbed by the work shall be immediately restored with a temporary surface.
- F. Upon completion of the backfilling of the trenches on streets, the exposed edges of the existing pavement shall be cut back to straight even lines parallel to the center line of the trench. The exposed face of the existing pavement shall be clean and free of dirt or other substances which would prevent proper bonding with the temporary pavement.
- G. The subgrade shall be formed to the required line, grade and cross section and properly rolled. Any unsuitable material shall be removed and replaced with suitable material.

- H. The applicant shall at all times provide and maintain adequate safety barriers, warning signs and warning lights in the immediate vicinity of any open excavation or street depressions. Such devices shall conform to the standards of the State of New York.

**SECTION 4.** Validity. The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law which can be given effect without such invalid provision.

**SECTION 5.** Effective Date. This Local Law shall take effect immediately upon filing in the office of the Secretary of State.

BY ORDER OF THE TOWN BOARD OF  
THE TOWN OF OSSINING