

NOTICE

NOTICE IS HEREBY GIVEN that the Borough of Wyoming Council of the Borough of Wyoming at the regularly scheduled Council Meeting on June 8, 2026, at 7:00 p.m. at the Borough Building, 277 Wyoming Avenue, Wyoming, Luzerne County, Pennsylvania, will conduct general business and consider adopting the following Amendment to an existing Ordinance as follows:

AN AMENDMENT TO ORDINANCE 1 OF 2019, Section 2300: THE MAJOR IMPROVEMENTS OF SERVICES AND/OR LINE REPLACEMENT BY UTILITIES; PROCEDURES FOR NEW PAVEMENT CUTS Subsection (D)

A copy of the proposed of the Ordinance is available for inspection by any citizen at the Borough Building located at 277 Wyoming Avenue, Wyoming, Luzerne County, Pennsylvania on any Monday through Friday between the hours of 8:00 a.m. and 2:00 p.m., or by requesting a copy be emailed by calling the Borough Administrative Staff during normal business hours.

By Order of:

Borough of Wyoming Council
Wyoming Borough
Luzerne County, Pennsylvania

BOROUGH OF WYOMING

**AN AMENDMENT TO ORDINANCE 1 OF 2019 OF THE BOROUGH OF WYOMING
PROVIDING FOR PAVE CUTS AND OPENINGS WITHIN THE PUBLIC ROADS AND
RIGHTS OF WAY, SIDEWALKS, TREE LAWNS AND APPURTENANCES;
DEFINITIONS, APPLICATIONS, CRITERIA, INSPECTIONS,
PERMITS AND PENALTIES.**

**Specifically Amending Section 2300: THE MAJOR IMPROVEMENTS OF SERVICES
AND/OR LINE REPLACEMENT BY UTILITIES; PROCEDURES FOR NEW
PAVEMENT CUTS Subsection (D)**

BE IT ENACTED AND ORDAINED, by the Council of the Borough of Wyoming, Luzerne County, Pennsylvania, it is hereby enacted and ordained by Authority of the same, as follows:

WHEREAS the Borough of Wyoming is responsible for maintaining and preserving the safety, integrity, and useful life of its public streets, roadways, and rights-of-way; and

WHEREAS, excavation, trenching, utility work, and pavement cuts performed within Borough of Wyoming streets and rights-of-way can significantly damage roadway surfaces and underlying infrastructure if not properly restored; and

WHEREAS, inadequate or delayed restoration of pavement cuts creates hazardous conditions for motorists, pedestrians, cyclists, emergency responders, and the general public; and

WHEREAS, the Borough Council has determined that inconsistent repair practices have resulted in premature roadway deterioration, increased maintenance costs, and unnecessary burdens upon Borough of Wyoming taxpayers; and

WHEREAS, the Borough of Wyoming Council desires to establish uniform standards and procedures governing pavement cuts, excavation permits, temporary restoration, permanent restoration, and related inspection requirements; and

WHEREAS, the Borough of Wyoming Council further desires to ensure that any person, contractor, utility, authority, corporation, or entity performing excavation work within Borough streets restores the affected area to a condition equal to that existing prior to the work; and

WHEREAS, Borough of Wyoming Council finds that requiring proper restoration of pavement cuts promotes public safety, protects public infrastructure investments, and preserves the structural integrity of Borough roadways; and

WHEREAS, the Borough of Wyoming Council is authorized pursuant to the laws of the Commonwealth of Pennsylvania and the Borough Code to regulate the use, opening, excavation, and restoration of Borough streets and rights-of-way; and

WHEREAS, Borough of Wyoming Council has determined that amendment of the existing ordinance is necessary and appropriate to provide clearer restoration requirements, enforcement mechanisms, inspection authority, and penalties for noncompliance.

WHEREAS, The Council of the Borough of Wyoming shall Amend Ordinance No. 1 of 2019, Section 2300 Subsection D.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough of Wyoming Council as follows:

This Article may be cited as "The Amended Ordinance of the Borough of Wyoming for Pavement cut repairs," and said hereinafter referred to as the "Pave cut repairs Amendment. "

§ A1-1. Definitions.

§ A1-2. Amendment to Ordinance No. 1 of 2019, Section 2300(D) Pavement Restoration Requirements.

§ A1-3. Violations and Penalties.

§ A1-4 Repealer

§A1-5 Severability

§ A1-6 Effective Date

§ A1-1. Definitions.

As used in this article, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

ISSUING AUTHORITY: The Borough of Wyoming, Pennsylvania

NINETY (90) SQUARE FEET: The cumulative total surface area of all pavement cuts, openings, excavations, trenches, or disturbed pavement areas made by a utility, contractor, authority, corporation, or other entity within any one-block area in connection with the same project, permit, undertaking, or related work activity, whether such cuts are made simultaneously or over a period of time.

PAVEMENT CUT OR PAVE CUT: Any opening, excavation, trench, cut, break, bore, or other disturbance made in or through the paved surface, base, or subsurface of a public street, alley,

roadway, or right-of-way by any person, contractor, utility, authority, or entity for the purpose of installing, repairing, maintaining, replacing, or connecting any utility, service line, structure, or other facility.

PAVEMENT CUT AREA: the cumulative total surface area.

§ A1-2. General Prohibition.

SECTION 1: Regarding pave cuts more than ninety (90) square feet within a one block area: Wherever any utility or contractor shall make cuts in new pavement for purposes of replacing a main line on a street or part there of or for purpose purposes of making any capital improvements, or improving or upgrading and existing system, or when any utility or contractor shall for any purposes, except emergency purposes, make a cut or cuts in new pavement totaling ninety (90) square feet or more within any block in the Borough of Wyoming, the utility shall be required to backfill and permanently, restore, refinish, mill and repave the entire width of said street from curb to curb for the entire length of the block or blocks of said Street or streets where there is located any pave cut or cuts or parts thereof with said backfilling and restoring, refinishing, milling, and repaving to be done in accordance with the provisions of this Article. (The purpose of this provision is to encourage utilities to replace their main lines and make capital improvements or improve or upgrade their systems prior to new repaving so as to prevent subsequent cutting of the new pavement.)

SECTION 2: Regarding pave cuts less than ninety (90) square feet: Wherever any utility or contractor shall make cuts in new pavement for purposes of replacing a main line on a street or part there of or for purpose purposes of making any capital improvements, or improving or upgrading and existing system, or when any utility or contractor shall for any purposes, except emergency purposes, make a cut or cuts in new pavement totaling less than ninety (90) square feet within any block in the Borough of Wyoming, the utility shall be required to backfill and permanently, restore, refinish, mill and repave said street, an area of ten (10) feet beyond the pave cut edge in every direction and then curb to curb of said Street or streets where there is located any pave cut or cuts or parts thereof with said backfilling and restoring, refinishing, milling, and repaving to be done in accordance with the provisions of this Article. (The purpose of this provision is to encourage utilities to replace their main lines and make capital improvements or improve or upgrade their systems prior to new repaving so as to prevent subsequent cutting of the new pavement.)

§ A1-3. Violations and Penalties.

Any person who violates the provisions of this Ordinance shall be subject to the same fines and penalties as set forth in the Wyoming Borough Code for designated damage to roadways, as amended from time to time.

§ A1-4 Repealer

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency, specifically, Subsection (D) of Section 2300 in Ordinance 1 of 2019.

§A1-5 Severability

If any provision of this Ordinance shall be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining provisions.

§ A1-6 Effective Date

This Amendment to the Ordinance shall take effect on the date of the signing below.

DULY ADOPTED, on this _____ day of June, 2026, by The Council members of The Borough of Wyoming, duly assembled in a Regular Monthly Meeting. This Resolution shall take effect immediately.

THE BOROUGH OF WYOMING

ATTEST: _____ BY: _____

Borough Manager
BOROUGH OF WYOMING SEAL

Michael Baloga, Council President

Mayor Joseph J Dominick