

CHAPTER 21

STREETS AND SIDEWALKS

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PART 1

STREET EXCAVATIONS

§21-101. Definitions and Interpretation.

1. The following words, when used in this Part, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

EXCAVATION- any activity within the right-of-way of any street, alley or cartway which involves cutting, breaking or disturbing the surface thereof. In this Part, the term OPENING shall have essentially the same meaning as excavation.

STREET - any public street, avenue, road, square, alley, highway or other public place located in the Borough and established for the use of vehicles, but shall not include State highways.

PERSON - any natural person, partnership, firm, association, corporation or municipal authority.

2. In this Part, the singular shall include the plural and the masculine shall include the feminine and the neuter.

(Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987)

§21-102. Permit Required to Make Opening or Excavation.

It shall be unlawful for any person to open or to make any excavation of any kind in any of the streets in the Borough without first securing a permit therefor, as hereinafter provided.

(Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987)

§21-103. Application for Permit.

Any person who shall desire to make any opening or excavation in any of the streets in the Borough shall make application to the Borough Manager in writing for that purpose. Such application shall be made upon blanks to be furnished by the Borough and shall set forth the name of the applicant, the exact location of the proposed opening or excavation, and the approximate size or depth thereof, and shall contain an agreement on the part of the applicant that the work shall be done in full compliance with the ordinances of the Borough and the laws of the Commonwealth in relation thereto, and that the applicant shall well and truly save, defend and keep harmless the Borough from and indemnify it against any and all actions, suits, demands, payments, costs and charges for or by reason of the proposed opening or excavation, and all damages to persons or property resulting in any manner therefrom, or occurring in the

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prosecution of the work connected therewith, or from any other matter, cause or thing relating thereto.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-104. Permit Fee.

1. Before any permit shall be issued to open or excavate any street in the Borough the applicant shall pay a permit fee as established from time to time by resolution of Council to cover the cost of inspection and other incidental services in connection therewith. When application shall be made to open or excavate any longitudinal opening or excavation in excess of 10 feet, before any permit shall be issued so to open or excavate, the applicant shall pay in addition to such minimum fee, an additional fee for each 100 feet or fraction thereof to be opened or excavated upon such street.
2. In case of roadway surfaces of concrete, warentite, fibertine, amiesite, ashpalt mixture, penetrating or similar materials, openings and breaks shall be filled and finished as required by the Borough, and there shall be paid by the person applying for permit, in addition to the sum required in this section, an additional charge for bituminous concrete.

(*Ord. 204, 6/10/1930; as amended by (Ord. 276, --/--/----; by Ord. 301, 4/5/1954; by Ord. 428, 4/5/1971; by Ord. 474, 9/2/1975; by Ord. 475, 9/2/1975; and as revised by Ord. 568, 10/5/1987)*)

§21-105. Issuance of Permits Restricted.

Permits shall be issued only to persons furnishing public utility services or the owner or owners of the real property adjoining the location where such opening or excavation is to be made.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-106. Information Contained on Permit.

Any permit issued hereunder shall specify the exact location where the opening or excavation is to be made, the approximate permitted size or depth thereof and the time within which the work for which the permit is granted to be completed.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-107. Permit Approval/Disapproval.

A permit may be issued to the applicant after all the requirements therefor have been filed. If the application is disapproved, written notice of disapproval together with reasons therefor shall be given to the applicant.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-108. Responsibility to Contact Utilities.

The work authorised by the permit is subject to all the provisions of the Act of December 10, 1974, P.L. 852, No. 287, §1 *et seq.*, as amended or supplemented from time to time. It shall be the permittee's responsibility to contact the utilities that have recorded their facilities in compliance with said Act. A partial list of utilities providing services in the Borough and their office addresses may be obtained from the County Recorder of Deeds.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-109. Refilling of Opening or Excavation; Restoration of Surface; Responsibility for Defects Occurring Within 2 Years.

Any person who shall open or excavate any street in the Borough shall thoroughly and completely refill the opening or excavation in such a manner as to prevent any settling thereafter, and shall restore the surface to the same condition as it was before the opening or excavation, and such restoration shall be in accordance with the specifications of the Department of Transportation of the Commonwealth of Pennsylvania which are hereby adopted as specifications of the Borough for restoration of surfaces of streets in the Borough, as restored, the surface shall conform to the proper grade and be of the same surface covering as the part of the thoroughfare immediately adjoining the opening. If within 2 years after the restoration of the surface as herein provided, defects shall appear therein resulting from defective backfilling by the applicant, the applicant shall reimburse the Borough for the cost of all necessary repairs to the permanent paving.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-110. Responsibility of Permit Holder for Certain Work; Right of Borough to Do Certain Work; Charges Therefor.

All other work in connection with openings in any street, including excavation, protection, refilling and temporary paving, shall be done by or for the person to whom or which the permit has been issued at his or its expense, and all such work shall be subject to the provisions of this Part and to the supervision and approval of the Borough Manager, provided that the Borough Manager may if he deems it necessary to the proper performance of the work, require that cutting of the surface of streets and

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the backfilling of all excavations therein shall be done by the Borough, in which event the applicant shall pay the actual cost of the work performed by the Borough.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-111. Requirements for Work; Correction of Unsatisfactory Work; Completion of Incomplete Work.

1. No opening or excavation in any street shall extend from the curb line into the highway a distance greater than 1 foot beyond the center line of the street before being refilled and the surface of the highway restored to a condition safe and convenient for travel.
2. No more than 500 feet longitudinally shall be opened in any street at any one time.
3. The work of excavation shall be so conducted as not to interfere with the water mains, sewers or their connections with the houses, or any other subsurface lines or constructions, until permission of the proper authorities in connection with such subsurface lines or constructions shall have been obtained.
4. No tunneling shall be allowed without the express approval of the Borough Manager and permission therefor endorsed upon the permit. The backfilling of a tunnel excavation shall be made only in the presence of the Borough Manager or an inspector designated by him, and shall be done only in a method approved by him.
5. All openings or excavations shall be backfilled promptly with modified 2A stones and thoroughly compacted in layers, each of which layers shall not exceed 8 inches in depth. Backfilling shall be placed to within 10 inches of the surface.
6. A temporary paving of coldpatch premix, thoroughly bound and compacted, shall be installed flush with the surface of the adjoining paving and maintained for a period of 90 days.
7. On concrete base streets, such base shall be replaced with concrete and the minimum size of the opening or excavation shall be 16 square feet.
8. During the making of any excavation in the street, every necessary and reasonable precaution shall be taken by the applicant and the parties making the same to keep the street in a safe and passable condition both day and night by guards, barriers, lanterns and other devices, and all excavating permits granted hereunder are granted under and subject to the express condition that the person to whom the same is issued shall indemnify, save and keep harmless the Borough from any loss in damages, or otherwise whatsoever, which may or shall be occasioned at any time by the said excavation, or by any leak, explosion or other injury from any pipe, apparatus, conduit or any other matter placed in the said excavation.

9. The applicant shall notify the Borough Manager when the opening or excavation is ready for backfilling before any backfilling is done, when backfilling work is completed, when the temporary paving has been installed and when the street has been permanently restored so that inspections may be made.
10. In the event that any work performed by or for a permit holder shall, in the opinion of the Borough Manager be unsatisfactory and the same shall not be corrected in accordance with his instructions within the time fixed by him, or in the event that the work for which the permit was granted is not completed within the time fixed by the Borough Manager, the Borough may proceed to correct such unsatisfactory work or complete any such work not completed, and charge the cost thereof, plus 20% to the applicant.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-112. Emergency openings.

In the case of any leak, explosion or other accident in any subsurface pipe, line, construction or apparatus, it shall be lawful for the person owning or responsible for such pipe, line, construction or apparatus, to commence an excavation to remedy such condition before securing a permit, provided that application for a permit shall be made immediately and not later than the next business day thereafter, and that all other provisions of this Part are fully complied with. If any such emergency condition shall not be immediately attended to by the owner or person responsible for such pipe, line, construction or apparatus, the Borough Manager, after such notice as he shall deem necessary under the circumstances of the particular case, shall proceed to do the work necessary and required by such emergency, and charge the same on the basis of cost plus 20% to such owner or person.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-113. Restrictions Regarding Trees and Shrubbery.

The permission herein granted does not confer upon the permittee or its contractors the right to cut, remove or destroy trees or shrubbery within the legal right-of-way except under specifications, regulations and conditions as the Borough may prescribe.

(*Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987*)

§21-114. Work Necessitating Opening or Excavation to be Done Prior to Street Improvement and Not Until 5 Years Thereafter; Exception.

The Borough Manager shall give timely notice to all persons owning property abutting on any street within the Borough about to be paved or improved, and to all public utility companies operating in the Borough, and all such persons and utility companies shall make all water, gas or sewer connections, as well as any repairs thereto which would necessitate excavation of the said street within 30 days from the giving of such notice, unless such time is extended in writing for cause shown by the Borough

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Manager. New paving shall not be opened or excavated for a period of 5 years after the completion thereof, except in case of emergency, the existence of which emergency and the necessity for the opening or excavating of such paving to be determined by the Borough Manager. If it is sought to excavate upon or open a sewer within 5 years after the completion of the paving applicant shall make written application to the Borough Council, and a permit for such opening shall be issued only after express approval of the Borough Council.

(Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987)

§21-115. Permitee Responsibilities for Future Relocation of Work.

If at any time in the future the roadway is widened, reconstructed or the alignment or grades are changed, the permittee further agrees to change or relocate all or any part of the structures covered by this permit which interfere with the improvement of the roadway at its own cost and expense.

(Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987)

§21-116. Conditions for Laying and Extending Utility Lines.

No new water, sewer, steam or gas main or electric, telephone or other utility line shall hereafter be laid or constructed, and no such existing main or line shall be extended, in any of the streets of the Borough until the plan therefor shall have been first filed with the Borough Manager and such plan, and the exact location of such main or line, approved by him. The Borough Manager shall not approve the locating of any such main or line at a depth of less than 30 inches from the surface of the street unless he shall be convinced that locating the same at a depth of more than 30 inches from the surface is impossible or impractical.

(Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987)

§21-117. Bond Required.

No company, corporation or association shall dig up any street or alley without first giving to the Borough a bond with some acceptable trust or surety company as surety in the sum of \$10,000, conditioned for the faithful performance of these provisions and also for any and all damages, claims, demands, suits, costs and counsel fees occasioned or arising from the digging up, opening or closing of said streets and alleys.

(Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987)

§21-118. Payment for Work Done by Borough.

Payment for all work done by the Borough under the provisions hereof shall be made by the person made liable therefor under the provisions hereof within 30 days after

a bill therefor is sent to such person by the Borough. Upon failure to pay such charges within such time, the same shall be collectible by the Borough by an action in assumpsit or in the manner provided by law for the collection of municipal claims.

(Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987)

§21-119. Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300; and/or to imprisonment for a term not to exceed 90 days. Every day that a violation of this Part continues shall constitute a separate offense.

(Ord. 204, 6/10/1930; as revised by Ord. 568, 10/5/1987)

PART 2

SIDEWALK/CURB/GUTTER CONSTRUCTION

§21-201. Sidewalk Construction Required.

From and after the passage of this Part 2, every person or persons, firm, corporation or partnership owning property in the Borough of Collingdale, shall grade, pave, curb and gutter the sidewalk or footway belonging to, or in front of or along side of his, her, their, or its property within 30 days after being notified so to do, the Council may specify the manner in which the work shall be done and the kind of materials to be used in each particular case. The property owner shall comply with these specifications in having the said work done; provided, before any sidewalk shall be graded, paved, curbed or guttered the owner shall procure the Borough Engineer to give and mark the grades according to the Borough plan, and the property owner shall conform to his directions.

(Ord. 103, 6/10/1912; as amended by Ord. 568, 10/5/1987)

§21-202. Sidewalk Specifications.

All sidewalks shall be 4 feet in width and shall be placed in the center of the sidewalk area and those parts not occupied by footwalk shall consist of a grass plot and all sidewalks shall be laid to the established grade and shall have a fall of 1/2 inch to the foot in the grass plot area and 1/4 inch to the foot in the paved area unless Council shall by ordinance or resolution otherwise direct.

(Ord. 103, 6/10/1912, §2; as amended by Ord. 272, 5/2/1949, §1)

§21-203. Constructions Traversing Sidewalk.

Where water conductors are required, they shall be constructed of iron pipe and laid under the sidewalk and through the curb to the gutter. Where driveways cross any of the sidewalks, the driveways shall be paved from property line to curb line with 6 inch concrete with a gradual slope from the outer edge of the footwalk to a level 2 inches above the gutter.

(Ord. 103, 6/10/1912, §3; as amended by Ord. 273, 5/2/1949, §2)

§21-204. Construction of Sidewalks.

1. All footwalks shall be constructed as follows:
 - A. The sidewalk shall be excavated and graded to the width required to a subgrade 4 inches below and parallel to the finished pavement. The subgrade shall be thoroughly compacted by ramming to the prescribed lines to a smooth, even subgrade.

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- B. The concrete for sidewalks shall consist of one course Portland cement concrete composed of one part good Portland cement, two parts good clean, sharp sand or N. J. gravel, and four parts good, hard crushed stone or gravel which shall pass a 1 inch ring and be retained by a 1/2 inch ring, and be uniformly graded.
 - C. The sidewalk shall be laid in alternate 4 foot blocks unless steel dividing plates are used, and a 1/2 inch asphaltic pre-moulded expansion joint shall be placed every 40 feet. All joints are to extend entirely through the concrete. The consistency of the mix shall be such that there will appear on the surface only enough mortar to allow for suitable finishing. When the concrete is placed it shall be tamped and screeded off until it is flush with the forms and then belted with a canvas belt. The surface shall then be given a broom finish. All edges and joints shall be finished with a 1/4 inch edger. At no time shall dry cement be used as a drier.
 - D. All sidewalks shall be 4 feet wide by not less than 4 inches thick, unless otherwise ordered by the Borough Engineer or Highway Committee.
 - E. After the concrete has set sufficiently, all forms shall be removed and the ground on both sides of the sidewalk shall be refilled to the top of the sidewalk with suitable material which shall be tamped in place until firm and solid. All excess materials must be hauled away and the work left neat and clean.
2. When completed, the sidewalk shall be protected from the elements in a satisfactory manner for a period of 3 days or more if directed.

(*Ord. 103, 6/10/1912, §4; as amended by Ord. 272, 5/2/1949, §3*)

§21-205. Curbs.

1. Curbs shall be constructed as follows:

Concrete Curbs

- A. **Excavation** - Excavation shall be made to the full required depth and width and the subgrade or base upon which the curb is to set shall be compacted by ramming to form a hard, solid, even surface.
- B. **Forms** - The forms for concrete curbs are to be of wood or metal; straight, free from warp, and of sufficient strength when staked to resist the pressure of the concrete without springing. If of wood, they shall be of 2 inch planking planed on the inner faces and edges, and so braced as to be approved section and shall have a flat surface on top and so set as to exactly conform to the lines and grades as given by the Borough Engineer.

- C. **Concrete** - The concrete for curbs and gutters shall be composed of one part good Portland cement, two parts good clean sand or N. J. gravel, free from all loam, dirt, or other impurities, and four parts good, hard crushed stone, or gravel, which shall pass a 1 inch ring and be retained on a 1/2 inch ring and be uniformly graded.
- D. **Placing Concrete** - The concrete after being thoroughly mixed shall be placed in the forms to the depth specified, in layers of 5 or 6 inches and tamped or spaded until mortar entirely covers its surface.

Where indicated as directed, drainage openings shall be made through the curb at the elevation and of the size required.

- E. **Forming Joints** - The concrete curb shall be constructed in uniform lengths or sections of 10 feet, except where shorter sections are necessary for closures, but no section shall be less than 4 feet. These sections shall be separated by sheet steel templates set perpendicular to the face and top of the curb. These templates shall be 1/8 inch in thickness of the width of the curbing, and not less than 2 inches longer than the depth of the curb. The templates shall be set carefully during the placing of the concrete and allowed to remain in place until the concrete has set sufficiently to hold its shape, but shall be removed while the forms are still in place. A 1/2 inch asphaltic premoulded expansion joint shall be placed every 40 feet.
- F. **Finishing** - Concrete curbs are to be 22 inches deep by 7 inches thick from the bottom of the curb to a point 6 inches below the top of the curb, and then batter back on the face to 6 inches thick at the top of the curb; the inside edge of the curb to be 1/2 inch higher than the outside edge so as to insure the proper wash. The top and outer face of the curb shall be floated smooth, and the outer edge rounded to a radius of 1 inch while the concrete is still soft.
- (1) The forms shall be removed within 24 hours after the concrete has been placed; honey-combed places and other minor defects shall be filled with mortar composed of one part Portland cement and two parts of sand, which shall be applied with a wooden float. Plastering shall not be permitted on the faces of the curbing, and all rejected curbing shall be removed and replaced without additional compensation.
 - (2) The top and face of the curbing from the top to 8 inches below shall be finished while the concrete is still green by wetting a wooden block and rubbing the surface until smooth; after the concrete has been rubbed smooth, it shall be rubbed again until a uniform color is produced, using in place of water a thin grout composed of one part Portland cement and two parts approved sand.
 - (3) When completed the curbing shall be protected from the elements in a satisfactory manner for a period of 3 days or more, if directed.

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- G. **Tangent Joints** - Where circular curbing is united with the tangent or straight curbing, there shall be imbedded in the concrete a reinforcing bar 1/2 inch in diameter and 24 inches long; this bar shall be placed six inches below the top of the curbing and in the center of its width, and shall extend 12 inches into the curbing on each side of the joint.
- H. **Refilling** - After the concrete has set sufficiently, the spaces in front and back of the curbing shall be refilled to the required elevation with suitable material which shall be tamped in layers of not more than 6 inches until firm and solid. All excess materials must be hauled away and the work left neat and clean.

(*Ord. 103, 6/10/1912, §5; as amended by Ord. 273, 5/2/1949, §4*)

§21-206. Gutter Width.

All gutters in the Borough shall be 27 inches in width, and 6 inches below the curb line at the curb, and 2 inches below the outer edge, and shall be constructed of sound, vitrified bricks on edge. The outer edge is to be toothed into the roadway, and all crevices filled with clean, sharp sand or cement grouting. Excepting when the curb is constructed of concrete, in which event, the gutter shall be constructed of concrete to be mixed in the same manner as specified for concrete walks in §21-204 of this Part.

(*Ord. 103, 6/10/1912, §6*)

§21-207. Reconstruction, Etc., of Nonconforming Sidewalks, Curbs and Gutters.

1. Where it is found that sidewalks, curbs or gutters already constructed or hereinafter constructed do not conform to the established grades, or width, or are otherwise in a state of disrepair, it shall be the duty of the owner of the land abutting such sidewalk and/or curb and/or gutter to reconstruct or connect such sidewalk, curb and/or gutter in accordance with the provisions of this Part within 30 days after receipt of written notice to that effect.
2. Before any transfer in ownership of any improved or unimproved property takes place, the owner shall be required to reconstruct the existing curb, sidewalk and/or gutter located thereon either upon receiving an order to do so from the Borough Manager or Building Inspector, or if the Borough is unaware of such proposed transfer, the property owner shall be presumed to have received such notice and shall comply therewith. Said reconstruction shall be carried out in accordance with the specifications for construction as set forth in this Part.

(*Ord. 103, 6/10/1912, §7; as amended by Ord. 542, 12/5/1983, §1*)

§21-208. Permit Required.

It shall hereafter be unlawful for any persons or owners to construct or cause to be constructed any pavement, curb, or gutter or correct the same unless the owner of the land abutting thereon or the person having charge of such work, shall have first obtained a permit from the Borough. Said permit shall be placed in the hands of the Borough Engineer, who shall furnish the said person or owner with the established lines and grades, and endorsed thereon, when the work has been completed, a certificate that the work has been performed and the regulations of the Borough complied with, and return the said permit so endorsed to the Borough.

(*Ord. 103, 6/10/1912, §8; as amended by Ord. 568, 10/5/1987*)

§21-209. Sidewalk Repair.

It shall be the duty of all owners to keep their sidewalks in a good and passable condition, and they shall make the necessary repairs within 30 days after notice to that effect, except that when the sidewalks are dangerous, they shall be temporarily repaired, and rendered safe within 24 hours after notice to that effect. Upon failure of the owner or owners to comply with the notice, the Borough shall have the necessary repairs made and shall collect the cost thereof from the owner or owners.

(*Ord. 103, 6/10/1912, §9*)

§21-210. Sidewalk Obstructions.

1. It shall not be lawful for the owner or owners of any property to place, allow or maintain an obstruction or encroachment upon the sidewalk, passageways, or public right-of-ways, abutting on such property, or to place or allow any awning, sign, or branches of trees to encroach at less than a clear height of 9 feet above any sidewalk.
2. The sidewalk, passageways, or public right-of-ways shall at all times be kept free and clear of all obstruction to safe and convenient passage, and free from any signs and merchandise placed there for display or sale, nor any self service machines, benches, chairs, tables, flags, banners, nor any permanent obstruction.
3. Unless expressly approved as a Conditional Use by the Borough Council of the Borough of Collingdale, there shall be no self service machines or devices, including vending machines for the sale of newspapers, food products, ice or beverages, ball gum machines, sidewalk signs, banners, flags, signboards, placards, tables, chairs and benches, nor any permanent obstruction whatsoever on any sidewalk, passageways, or public right-of-ways.
4. Special Events. As a conditional use, the Borough Council of the Borough of Collingdale may authorize temporary, short-term special events oriented to the general public, special seasonal sales, or promotional sales, subject to the following:

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- A. Such use shall be limited to a reasonable period of time with the display area identified and providing safety to the general public.
- B. Such uses shall not obstruct pedestrian or automobile traffic.
- C. Goods and displays shall be located a safe set back from any cartway.
- D. All litter generated by the use shall be removed at no expense to the Borough.
- E. The applicant shall provide all safety precautions as the Borough may require.
- F. A permit is obtained with all signage to be agreed upon by the Borough.

(*Ord. 103*, 6/10/1912, §10; as amended by *Ord. 627A*, 12/13/1999, §1)

§21-211. Notices.

All notices referred to in this Part 2, shall be written or printed, and excepting the 24 hours notice in §21-209 of this Part, shall be signed by the Borough Manager, and be served upon the owners of the abutting property, either personally or by leaving the same with an adult member of the family with whom the said owner or owners reside, if the residence of the said owner or owners can be ascertained within the Borough of Collingdale. If the said owner or owners of said abutting property have no residence within the said Borough, or cannot be found within the said Borough, then the notice shall be posted on the premises and a copy left with the occupant if there is one, and shall further, be served by registered letter upon the owner or owners of the abutting property or their agents or attorneys, if their address be known. If the owner or owners of the property abutting on said sidewalk, curb, or gutter, be a corporation, said notice may be served upon either the President or Secretary, or authorized agent of said corporation, in the same manner as is herein provided for the service upon individuals. Where said notice is sent by a registered letter, the time herein provided shall be computed from the date said letter is mailed or registered, provided said notice has been previously posted upon the premises.

(*Ord. 103*, 6/10/1912, §11; as amended by *Ord. 568*, 10/5/1987)

§21-212. Penalties.

1. If within the time prescribed in this Part, any owner shall, after notice served as aforesaid, neglect or refuse to comply with the provisions thereof, it shall be the duty of the Borough to have the required work done, as soon as possible after the expiration of said time, and collect from the owner or owners of the abutting property, the cost of said work together with the following penalty.
2. Any person, firm or corporation who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300; and/or to imprisonment for a term not to exceed 90 days.

(*Ord. 103*, 6/10/1912, §12; as amended by *Ord. 568*, 10/5/1987)

PART 3

STREET WIDTH; ACCEPTANCE

§21-301. Street Widths.

On and after the passage of this Part all streets opened for public traffic shall be not less than 65 feet wide and shall provide for sidewalks at least 10 feet of the width of the street on each side thereof, except where upon petition to Council it is shown that a street 50 feet is either impossible or impracticable. Council may by majority vote allow a street to be opened to the width of 50 feet.

(Ord. 452, 8/6/1973, §1; as amended by Ord. 568, 10/5/1987)

§21-302. Acceptance.

Whenever any individual or corporation shall open up streets through any land and subsequently desire to dedicate said streets to the Borough; it is hereby ordained that no such streets will be accepted unless they are of the required width aforesaid, and the cartway of said street from curb to curb properly paved and improved in accordance with specifications which will be provided by the Borough Engineer.

(Ord. 452, 8/6/1973, §2)

§21-303. Cost Assessment.

When the grading and permanent paving and improvements for any street, alley or parts thereof in the Borough has been authorized, two-thirds of the cost may be assessed against the properties abutting on such an improvement as Council may determine from time to time by resolution.

(Ord. 452, 8/6/1973, §3)

PART 4

SNOW REMOVAL FOR SIDEWALKS

§21-401. Definitions.

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

BUSINESS DAY - any day not a Sunday or a national holiday.

BUSINESS HOURS - hours between 9:00 A.M. and 5:00 P.M. on any business day.

CARTWAY - portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

CORPORATION - natural person, partnership, corporation, association or any other legal entity.

SIDEWALK - portion of a street between the curb lines, or the lateral lines of a cartway, and the adjacent property lines, intended for use by pedestrians.

STREET or HIGHWAY - the entire width between the boundary lines of a way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

(*Ord. 235, 4/18/1934; as revised by Ord. 568, 10/5/1987*)

§21-402. Responsibility for Removal of Snow and Ice from Sidewalks.

1. Every person in charge or control of any building or lot of land fronting or abutting on a paved sidewalk, whether as owner, tenant, occupant, lessee or otherwise, shall remove and clear away or cause to be removed or cleared away, snow and/or ice from a path of at least 30 inches in width from so much of said sidewalk as is in front of or abuts on said building or lot of land.
 - A. Except as provided in subsection 2 hereof, snow and ice shall be removed from sidewalks within 12 hours after the cessation of any fall of snow, sleet or freezing rain.
 - B. In the event snow and/or ice on a sidewalk has become so hard that it cannot be removed without likelihood of damage to the sidewalk, the person charged with its removal shall, within the time mentioned in subsection 1 hereof, cause enough sand or other abrasive to be put on the sidewalk to make travel reasonably safe; and shall, as soon thereafter as weather

STREETS AND SIDEWALKS

permits, cause to be cleared a path in said sidewalk of at least 30 inches in width.

(Ord. 235, 4/18/1934; as revised by Ord. 568, 10/5/1987)

§21-403. Depositing of Snow and Ice Restricted.

No person shall deposit or cause to be deposited any snow or ice on or immediately next to a fire hydrant or on any sidewalk, roadway, or loading and unloading areas of a public transportation system, except that snow and ice may be mounded by the Borough on public cartways incident to the cleaning thereof or mounded on curbs incident to the clearing of sidewalks in business districts.

(Ord. 235, 4/18/1934 ; as revised by Ord. 568, 10/5/1987)

§21-404. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not more than \$300, and/or to imprisonment for a term not to exceed 90 days. Each day that a violation continues shall constitute a separate offense.

(Ord. 235, 4/18/1934 as revised by Ord. 568, 10/5/1987)