

**BOROUGH OF WEST EASTON
ORDINANCE NO. 580**

AN ORDINANCE OF THE BOROUGH OF WEST EASTON REGULATING THE INSTALLATION OF GUTTERS, CURBS, SIDEWALKS AND PASSAGEWAYS.

The Council Of The Borough Of West Easton, Pennsylvania Hereby Ordains As Follows:

Section 1. Definitions. In this ordinance, the following words shall have the meanings hereby ascribed thereto, unless the context clearly indicates otherwise:

PUBLIC WALKWAY. The portion of the "right of way" located outside the cartway, and shall include paved sidewalk, unpaved grassplot and curbs. This space is designated or maintained solely for public pedestrian use.

PASSAGEWAY. Shall mean that portion of the public walkway dedicated to access for a driveway or for off street parking.

Section 2. Width of Cartways and Public Walkways. The following schedule shall determine widths:

| Street Right of Way | Cartway | Public Walkway (each side) | Sidewalk |
|------------------------|---------|-------------------------------|----------|
| 50 feet | 34 feet | 8 feet | 4 feet |
| 30-50 feet | varies | 6 feet | 4 feet |
| 20-30 feet | varies | 4 feet | 4 feet |
| 15 feet | 11 feet | 2 feet | ----- |

Section 3. Property Owner May Construct, Reconstruct or Repair. Any property owner may, upon their own initiative and without notice from any Borough authority, construct, reconstruct or repair a sidewalk or curb in front of or alongside their property, provided that they shall first have made application to the Borough for line and grade, and shall have conformed to all requirements of this and every other applicable ordinance as to width, location and specifications for such construction.

Section 4. Property Owner to Construct, Reconstruct or Repair Sidewalks and Curbing on Notice from the Borough. It shall be the duty of every owner of real estate in the Borough of West Easton upon notice from Borough Council to construct or reconstruct a sidewalk or curb in front of or alongside such property, and upon five (5) days notice, to repair the sidewalk or curb in front of or alongside such property. All work must be completed within ninety (90) days of receipt of notice.

Section 5. Permits Required. It shall be unlawful for any property owner to excavate, for the purpose of installing a sidewalk, curb, gutter or passageway, unless he shall have first

obtained a permit from the Borough Zoning Administrator. The fee for issuance of such permit shall be as established from time to time by resolution of Borough Council, and the applicant shall provide the Borough with the following information:

Exact location of the excavation.

The contractor or parties doing the excavation work.

The estimated time for completion of work.

Section 6. Protective Measures. It shall be the duty of every person making an excavation to provide and maintain barriers and warning devices which may be necessary for safety of the general public, to include protection for traffic, as well as pedestrians.

Section 7. Notice to Defaulting Property Owner; Borough May Do Work and Collect Costs. Upon failure or neglect of any property owner to comply with the notice sent pursuant to this ordinance, the Borough, by its Solicitor, shall give notice by certified mail to such property owner of his failure so to do, and further notify the property owner that the Borough may cause the necessary work to be done at the expense of said owner, and may file a lien thereon, together with all additional charges, expenses and penalties as authorized by law, or take such other steps permitted by law to collect said costs and charges.

Section 8. Responsibility for Maintenance. It shall be the full responsibility of every owner of property which abuts any street to keep the sidewalks, curbs and passageways in a safe condition at all times.

Section 9. Construction Criteria.

LINE, GRADE AND MATERIALS. Line, grade and materials for all sidewalks, curbs, gutters and passageways shall be approved by the Borough. The Borough will have the work inspected and provide a certificate of approval upon completion.

CURBING. All curbing shall be nine (9) inches in thickness at the bottom and seven (7) inches in thickness at the top, and have a seven (7) inch reveal, where possible, measured from the top of the finished curb to the top of the finished gutter or street, and shall have a minimum overall height of twenty-four (24) inches. Forms shall be removed before the concrete has hardened, and the front and top of the curbing floated to a uniform surface with all voids filled. The top edge shall be rounded to a three quarter (3/4) inch radius. Minimum mix shall be one (1) part cement, two (2) parts sand and four (4) parts stone by volume.

GUTTERS. All gutters shall be two (2) feet wide measured from the face of curb, and have a pitch of one and one-half (1 1/2) inches rising from the face of the curb, shall be four (4) inches thick and of the same mix used for curbing.

SIDEWALKS. Sidewalks shall be laid on a foundation of

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compact stone of not less than four (4) inches below the underside of the slab, and shall pitch one-fourth (1/4) inch per foot toward the curb. They shall be five (5) inches in thickness except that where passageways cross, the thickness shall be six (6) inches. The surface of all sidewalks shall be roughened, and in no case shall the surface be smooth troweled. The mix shall be as required for curbing.

PASSAGEWAY. Where passageways cross curbing, a beveled notch ten (10) feet wide and four and one-half (4 1/2) inches deep shall be permitted, but where the sidewalk is adjacent to the curb, a smooth and gradual slope shall be provided so that a hazard will not exist.

SECTIONS AND JOINTS. Curbing and gutters shall be built in sections not exceeding ten (10) feet. Joints shall be filled with an elastic joint filler. Scored joints, one-half (1/2) inch deep, shall be at five (5) feet intervals for sidewalks.

Section 10. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

Section 11. Penalties. Any person who shall violate any provision of this Ordinance shall, upon conviction, be sentenced to pay a fine not exceeding six hundred dollars (\$600.00) and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues shall constitute a separate offense.

Section 12. Effective Date. This ordinance shall become effective on



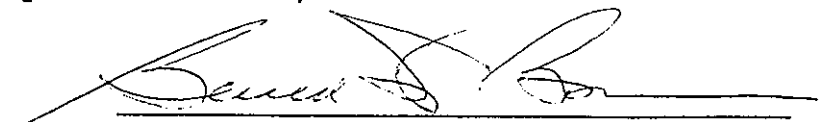
President of Council

ATTEST:



Borough Manager

Approved this day of , 1998.



Mayor