

ORDINANCE NO. A-198-80

AN ORDINANCE RELATING TO SIDEWALK CONSTRUCTION AND
REPAIR AND PROVIDING PENALTIES FOR VIOLATIONS

BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the Council of the Borough of Apollo, Commonwealth of Pennsylvania, as follows:

SECTION I. That the respective owners of all lands fronting on both sides of any street, highway, or avenue in the Borough of Apollo shall lay a concrete sidewalk to grade along the whole frontage of their respective properties, according to the specifications herein set forth.

SECTION II. Every owner of property in the Borough of Apollo shall, on twenty (20) days' notice from the Borough Council, construct or reconstruct a sidewalk, which shall conform to all applicable requirements of this ordinance in front of or alongside of such property.

SECTION III. Every owner of property in the Borough of Apollo shall, on ten (10) days' notice from the Borough Council, repair the sidewalk, in the manner stipulated in such notice, in front of or alongside such property.

SECTION IV. The notices referred to in Sections 2 and 3 of this ordinance may be written or printed or partly printed.

SECTION V. All sidewalks shall be constructed, reconstructed, and repaired of concrete only according to specifications as provided in Section 6 of this ordinance. Provided: a bituminous surface may be applied, as a protective coating only, where a driveway crosses over a sidewalk, provided, however, that the consent of the Borough Council or its authorized agent is first obtained.

SECTION VI. In the event that any sidewalk be constructed, reconstructed, or repaired, either voluntarily by the land owner or by order of Borough Council, such sidewalk shall be paved a width of not less than four (4) feet or in such a manner as to conform in width and be in regular line and an even distance from curb to correspond with the pavement already laid. All sidewalks, or sections thereof, shall have a minimum thickness of four (4) inches and shall have an expansion joint at a minimum of every fifteen (15) feet.

SECTION VII. In all cases where sidewalks are constructed, reconstructed, or repaired over coal cellars or other excavations under such sidewalks, such sidewalks shall be supported by iron or steel beams or girders, or stone or concrete arches. In no case shall any support of wood or other perishable material be used.

SECTION VIII. All sidewalks shall be constructed, reconstructed and repaired and the grading therefor done upon the line and grade obtained by the property owner from Borough Council or its authorized agent. Upon notice, as provided in Section 2 or Section 3 of this ordinance, as the case may be, such work of construction, reconstruction or repair shall be done by the owner or owners of such property. Upon failure of the owner to comply with said notice, the Borough may proceed with the required work and collect the cost thereof and ten per centum additional as provided by the Borough Code.

SECTION IX. It shall be the duty and responsibility of Borough Council or its authorized agent to determine, in the case of an individual property, whether or not the sidewalk shall be reconstructed or repaired, and if so, the specific part or parts thereof to be reconstructed or repaired. It shall be the duty of the Borough's authorized agent to notify all members of Borough Council meeting at a regular meeting, of all sidewalks that need

constructed, reconstructed or repaired. The Borough's authorized agent may at any time, during the course of work of constructing, reconstructing, or repairing any sidewalk, visit the site of such work to ascertain whether such work is being done according to requirements. Within two (2) days after the completion of the work of construction, reconstruction or repair of any sidewalk, it shall be the duty of the owner of the property where such work was done to notify the Borough authorized agent of that fact, so that he may inspect such sidewalk to determine whether the grade thereof has been observed and followed.

SECTION X. Any property owner, upon his own initiative, and without notice from any Borough authority, may construct, reconstruct, or repair a sidewalk in front of or along his property, provided that such owner shall first make application to the Borough Secretary and shall conform to the requirements of this ordinance as to line and grade, and that he shall also notify the Borough Secretary, as required by Section 9 of this ordinance, within two (2) days after completion of the work.

SECTION XI. In the event that any sidewalk be constructed, reconstructed, or repaired that are not done in conformity with the provisions of this ordinance are hereby declared to be nuisances and must be taken up and relaid according to the provisions of this ordinance.

SECTION XII. Any person violating any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than three hundred dollars (\$300.00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for no more than ten (10) days. Provided: such fine and costs of prosecution may be in addition to any expenses and additional amounts authorized by law, imposed as provided in the 8th section of this ordinance.

Any ordinance that is in direct conflict with any section of this ordinance, is hereby repealed and considered null and void.

ADOPTED this 20th day of October, 1980.

Shm I Hebram
President of Council

EXAMINED AND APPROVED this 20th day of October, 1980.

Mark X Futterman
Mayor