

ORDINANCE 2-2020

Sidewalks and Curbs

Compliance Required

The owner or owners of any lot or lots in the Borough with sidewalks in the public right of way shall maintain such sidewalks in a safe and passable condition, free of tripping hazards and obstructions. The said owner or owners shall repair any defects in such sidewalks and remove any obstructions, which make them unsafe or impassable to pedestrians.

Sidewalks Required on Certain Streets

To provide pedestrian connectivity, sidewalks shall be constructed and maintained along the following streets:

<u>Street</u>	<u>Side</u>	<u>Between</u>
Main Street	East	Railroad Street to Wendroth Street
Main Street	West	Wendroth Street to Hickory Street
Main Street	East	Hickory Street to New Germany Road
Main Street	Both	New Germany Road to 2 nd Avenue
Wendroth Street	South	Main Street to Croyle Street
Bridge Street	South	Croyle Street to Main Street
Croyle Street	West	Railroad Street to Bridge Street
Jackson Street	West	Main Street to West Jackson Street
Market Street	West	New Germany Road to 2 nd Avenue
Spring Street	West	New Germany Road to end
New Germany Road	East	Main Street to Elm Street
New Germany Road	West	Elm Street to Borough line
1 st Avenue	North	Jackson Street to New Germany Road
2 nd Avenue	North	Jackson Street to Spring Street
West Jackson Street	North	Jackson Street to Dibert Street

Maintenance Obligation

The obligation of maintenance shall include but not limited to:

1. Repair of holes, and repair of cracks having a width in excess of ½ inch at any one point along a length of one foot or greater.
2. Maintenance of a constant grade.
 - a. Repair shall be made when one or more sections of the sidewalk rises above or drops below the grade of the edges of immediately adjacent sections resulting in irregular surface with depression greater than ½ inch in depth.
 - b. Repair shall be made when the curb is out of vertical alignment with the adjacent curb or an adjacent section of slab of sidewalk in excess of ¾ inch
 - c. Repair shall be made when the curb is out of horizontal alignment with the adjacent curb in excess of ½ inch.
3. Repair of any section of sidewalk that has spalling on twenty-five percent (25%) or more of its surface.

4. The removal of leaves, tree limbs, grass clippings, debris, cinders, gravel, grits or any other refuse on such sidewalk or projecting branches and other obstructions below six (6) feet, eight (8) inches above the sidewalk. The property owner shall be responsible for the prompt removal of any such items whether or not such items were deposited by the owner, his tenants, anyone acting under his direction, control, license or any third person. Such leaves, tree limbs, grass clippings, debris, cinders, gravel, grits, and other refuse shall be properly bagged and disposed of upon being removed from such sidewalk. The sweeping or other removal of such items onto Borough streets or state highways is prohibited.
5. Repair of any other instance, which may create a pedestrian safety hazard as determined by the Borough Inspection Agency.

Property owner to repair; time limits

Every owner of property in the Borough shall, on sixty (60) days notice, repair the sidewalk or curbing, or both, in the manner stipulated in such notice, in front of or alongside such property. If the (60) days concludes after November 15, then said repairs shall be made on or before April 30 of the following year of said notice. However, where a condition exists of an emergency nature, such repairs shall be made within ninety-six (96) hours of said notice.

Construction and repair on initiative of property owners

Any new sidewalk and curbing shall comply with PennDOT specifications/standards. Any property owner, upon his own initiative and without notice from any borough authority, may repair a sidewalk or curbing along his property, provided that such owner shall have obtained the permits specified in this ordinance and shall do such repairs in accordance with requirements of this Ordinance.

Maintenance specifications

All repairs, alterations or other maintenance required shall be performed in accordance with the specifications set forth in PennDOT standards/specifications

Permit Required

A permit shall be obtained from the Borough Inspection Agency before doing any repairs or maintenance required.

Borough to act at expense of property owner

Upon failure of any owner of property in the Borough to repair any curb or sidewalk after notice has been given in accordance with this Ordinance, the borough may cause the necessary repairs to be done at the expense and penalties as authorized.

Violations and penalties

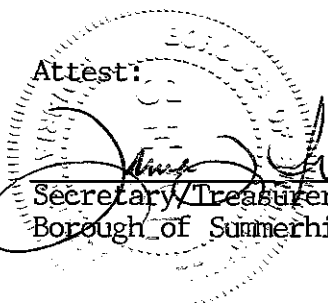
Any person who violates any of the provisions of this Ordinance shall, upon conviction in a summary proceeding before any District Justice of the County be punishable by a fine not more than three hundred dollars (\$300) and costs of prosecution for each and every offense or, upon default in payment of the fine and costs not caused by indigence or lack of sufficient assets, by imprisonment in the County Prison for a period not to exceed thirty (30) days. Each day that such violation is continued shall constitute a new and separate offense, punishable by like fine, penalty or imprisonment.

If any portion or portions of this Ordinance shall be declared invalid by a Court of competent jurisdiction, the remaining portion hereof shall remain in full force and effect as if having been adopted without inclusion of said portion or portions.

All ordinance or parts thereof inconsistent herewith are repealed as to any such inconsistency or inconsistencies.

Adopted by the Council of Summerhill Borough this 12th day of May 2020.

Attest:



[Handwritten Signature]
Secretary/Treasurer
Borough of Summerhill

[Handwritten Signature]
Council President
Borough of Summerhill

[Handwritten Signature]
Mayor