

ORDINANCE NO. 1015

AN ORDINANCE OF THE BOROUGH OF UNION CITY PROVIDING FOR THE CONSTRUCTION, RECONSTRUCTION OR REPAIR OF SIDEWALKS IN CONFORMITY WITH SPECIFICATIONS APPROVED BY BOROUGH COUNCIL AND PROVIDING A METHOD FOR THE WORK TO BE DONE BY THE BOROUGH UPON THE FAILURE OF THE OWNER TO DO SO AND REQUIRING PROPERTY OWNERS TO REMOVE SNOW, SLEET AND ICE FROM SIDEWALKS.

Section 1. Property Owner to Construct, Reconstruct and Repair Sidewalks.

The owners of land fronting or abutting on any of the streets of the Borough of Union City, Pennsylvania, are hereby ordered and directed to construct, reconstruct or repair sidewalks in front of their respective properties whenever, in the judgment of the Borough of Union City sidewalk committee, such construction, reconstruction or repair is necessary.

Section 2. Notice to Construct, Reconstruct or Repair.

Whenever, in the judgment of the Borough of Union City sidewalk committee, it shall become necessary to construct, reconstruct or repair any sidewalk abutting any of the streets of the Borough, the Borough of Union City sidewalk committee shall give written notice by certified mail to the owners of such land, or to their duly authorized agent in charge of such land, to construct, reconstruct or repair the sidewalk. Such construction, reconstruction or repair shall be completed within sixty (60) days after the owner's receipt of notice.

Section 3. Specifications for Construction, Reconstruction and Repair of Sidewalks.

All sidewalks shall be constructed, reconstructed and repaired in accordance with the specifications determined by resolution of the Borough Council and kept on file at the office of the Borough Secretary. It shall be unlawful for any person to construct, reconstruct or repair a sidewalk at a different grade, different width or contrary to the specifications furnished by Borough Council.

Section 4. Creation of and Duties of Borough of Union City sidewalk committee.

Borough Council shall designate and appoint three individuals to be members of the Borough of Union City sidewalk committee. It shall be the duty and responsibility of the Borough of Union City sidewalk committee to determine, in the case of any individual property, whether or not a sidewalk shall be constructed, reconstructed or repaired.

Section 5. Inspection of Construction, Reconstruction and Repairs.

The Union City Borough Building Inspector or sidewalk committee as directed by Borough Council may at any time, during the course of the work of constructing, reconstructing or repairing any sidewalk, visit the site of such work to ascertain whether such work is being done according to the specifications. The Building Inspector or sidewalk committee shall visit any such site for that purpose whenever requested by the property owner.

Within two (2) days after the completion of the work of constructing, reconstructing or repairing any sidewalk, it shall be the duty of the owner of the property where such work was done to notify the Building Inspector or sidewalk committee that the construction, reconstruction or repair project has been completed so that the Building Inspector or sidewalk committee may inspect such sidewalk to determine whether the specifications have been observed and followed.

Section 6. Application to Construct, Reconstruct or Repair.

Any property owner, upon his/her own initiative, and without notice from any Borough authority, may construct, reconstruct or repair a sidewalk in front of or along his/her property, provided that such owner shall make application to the Borough of Union City sidewalk committee before commencing work, shall conform to the requirements of the specifications as approved by Borough Council and on file with in the Borough Secretary's office and provided that such owner shall notify the Borough of Union City sidewalk committee within two (2) days after the completion of the work.

Section 7. Building Permit.

All persons must secure a building permit for the construction, reconstruction or repair of sidewalks in accordance with Ordinance No. 707 as amended.

Section 8. Failure of Property Owner to Repair.

Upon any property owner's failure, neglect or refusal to construct, reconstruct or repair any sidewalk in compliance with Sections 1, 2 and 3 of this Ordinance, the Borough Council may cause said construction, reconstruction or repair, as the case may be, to be done at the expense of the owner. The cost of construction, reconstruction or repair shall be paid by the property owner within ninety (90) days. If the property owner shall fail to pay within the ninety (90) day period, then the Borough shall then collect the cost of such work plus ten (10) percent of such cost, together with all charges and expenses from the owner, and levy a property lien to be collected in the manner provided by law.

Section 9. Duty to Clear Sidewalks.

It shall be the duty of the owner or occupant of property fronting or abutting on any of the streets of the Borough of Union City, Pennsylvania, to remove or cause to be removed all

snow, ice or sleet from the sidewalk in front of the respective property within twelve hours after the snow, ice or sleet has ceased to fall or form. If the ice or snow is so hardened or frozen that it cannot be removed without injury to the sidewalk, the property owner or occupant shall sprinkle sand or sawdust or salt to make the surface of the sidewalk safe, but the ice must be removed as soon as it is possible to do so. Failure of an owner or occupant to clear the snow, ice or sleet from the sidewalk adjoining his/her property as required in this Section shall be guilty of a violation of this Ordinance and the Borough will have the snow, ice or sleet removed at the expense of the owner of the land.

Snow, ice or sleet, when removed from sidewalks used by the public, may be thrown toward the outside of the sidewalk toward the roadway. However, no person shall remove snow, ice or sleet from private property or driveways and deposit that snow, ice or sleet onto the roadways of the Borough of Union City.

Section 10. Penalty.

Any person violating any provision of this Ordinance shall, upon conviction thereof, be fined not less than three hundred dollars (\$300.00) nor more than one thousand dollars (\$1,000.00) for each and every offense, together with costs, and in default of payment thereof, shall be imprisoned not more than thirty (30) days. Each failure to obtain a permit or to comply with any of the requirements of this Ordinance, and each and every day during which such violation continues shall constitute a separate offense.

Section 11. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Council of the Borough of Union City that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 13. Repealer.

Ordinance No. 604, enacted September 4, 1956; Ordinance No. 625, enacted October 2, 1956; Ordinance No. 668, enacted August 20, 1963; and Ordinance No. 719, enacted August 15, 1967, are hereby repealed.

ORDAINED and ENACTED this 10th day of July, 2001.

ATTEST:

BOROUGH OF UNION CITY

Cheryl R. Capela
Secretary

[Signature]
President

APPROVED this 10th day of July, 2001.

BY: [Signature]
Mayor

I hereby certify that the above is a true copy of the Union City Ordinance No. 1015 adopted by the Council of the Borough of Union City on July 10th, 2001, and advertised in the *Times-Leader* on June 23rd, 2001.

Cheryl Capela
Cheryl Capela, Borough Secretary

**BOROUGH OF UNION CITY
SIDEWALK SPECIFICATIONS**

1. **Description.** Cement concrete work shall conform to §676 of the Pennsylvania Department of Transportation Manual Form 408, 1983 Edition, except as specifically modified hereunder.
2. **Materials.** Materials used in constructing curbs and related improvements or restorations shall conform to the following:
 - A. **Cement Concrete.** All sidewalk and curbs shall be constructed of cement concrete, 6.0 bags per cubic yard limestone mix, 2,750 psi/7 day, 3,300 psi/28 day compressive design strengths, 3 inch maximum slump subject to design mix limits. Pavers may be used upon special exception permission of the sidewalk committee in accordance with detailed specifications provided by property owner and approved by the sidewalk committee.
 - B. **Expansion Joints.** One-half inch by four inch by six inch asphalt impregnated felt or fiber cut to match adjacent structural shape at all construction joints. New joints shall be installed every 30 feet. Dummy joints shall be placed every 5 feet.
 - C. **Subbase.** Select granular material meeting 1B standard compacted to a depth of 3 inches under cement concrete sidewalk for new construction.
 - D. **Forms.** Where forms are employed, they shall be of good wood or metal, straight and free from warp and of sufficient strength when anchored to resist concrete placement pressures without bowing, springing or displacing.
 - E. **Sidewalk Thickness.** All sidewalk not located in driveways shall be full 4 inches thick. All sidewalk located in driveways shall be a full 6 inches thick.
 - F. **Sidewalk Width.** All existing sidewalk shall be 3, 4 or 5 feet wide, depending upon the existing width of the sidewalk and the width of adjoining sidewalk. All sidewalk to be newly constructed shall be 5 feet wide.
 - G. **Approach Aprons.** Shall conform with sidewalk thickness as located in driveways and shall be finished with no more than 1½ inch lip along existing road.
 - H. **Slope.** Minimum slope shall be ¼ inch foot towards road.
 - I. **Edging.** Sidewalk shall be edged on all sides.
 - J. **Grade.** To be determined by Building Inspector or sidewalk committee.
 - K. **Curb Ramps.** Curb ramps shall be constructed in accordance with American Disability's Act requirements.

Application Fee: \$3.00

**UNION CITY
SIDEWALK
REPAIR / REPLACEMENT
PERMIT**

Property Owner: _____

Address: _____

Phone: _____

Construction Address if Different than above:

Description of proposed sidewalk work:

Total Square Feet: _____

Contractor's Name: _____

Construction Start Date: _____

Construction End Date: _____

Sidewalk Committee Pre-Inspection Signature/s: _____

_____,
Sidewalk Committee Post-Inspection Signature/s: _____

Approved REFUND Amount: (.50 per sq. ft.) _____

Applicant Signature: _____

Sidewalk Committee Signature/s: _____

_____,
Date of Approved Completion: _____