

BOROUGH OF BROCKWAY

ORDINANCE NO. 663

AN ORDINANCE AMENDING SECTION ONE OF ORDINANCE 157, AS AMENDED BY ORDINANCE 158, REGARDING THE CONSTRUCTION OF SIDEWALKS IN THE BOROUGH OF BROCKWAY, AND PROVIDING THE SPECIFICATIONS AND TYPE OF CONSTRUCTION, CREATING RULES AND REGULATIONS FOR THE MAINTENANCE AND CARE THEREOF AND PROVIDING FOR ASSESSMENT OF LIEN AGAINST THE PROPERTY HOLDER FOR FAILURE TO CONSTRUCT OR MAINTAIN OR CARE OF SAID SIDEWALKS, AND TO CLARIFY THE CONSTRUCTION OR MAINTENANCE OF DRIVEWAYS ADJACENT TO SIDEWALKS.

BE IT ORDAINED AND IT IS HEREBY ORDIANED on this 2nd day of July, 2008 by the Borough of Brockway, Jefferson County, Pennsylvania, that Section 1. of Ordinance No. 157, as amended by Ordinance No. 158, and any other Ordinances involved in the above, is hereby **AMENDED** as follows:

SECTION 1.

A. All owners of property abutting on public streets of said Borough shall construct and maintain a sidewalk in front of their property, beginning at the curb line and extending five (5) feet from said curb line back toward or into the property of the owner and in laying new sidewalks, relaying old sidewalks, or repairing sidewalks which have become unfit for use, concrete shall be a minimum of 3500 psi mix with 6" X 6" mesh wire, and shall lay the sidewalk at least give (5) feet wide and four (4) inches thick, six (6) inches thick where vehicles cross sidewalk for driveway, following current ADA requirements.

B. No brick pavers or blacktop shall be used on sidewalks. If a driveway exists or is installed from the street to the residence, which driveway extends through an area formerly occupied as a sidewalk only, this area shall be considered a driveway and not a sidewalk.

C. In areas where a curb currently exists along side a sidewalk, a blacktop driveway may not be installed through the sidewalk without special permission by Borough Council. Blacktop may be used only to replace an area where a sidewalk previously exists when a homeowner is installing a blacktop driveway to their property where there is no concrete curbing. Where this construction occurs, there must be a minimum of three (3) inches base and 1 ½ (one and one half) of topcoat where any concrete is being replaced with blacktop.

D. When such construction is being done, and sidewalks are being replaced, new concrete sidewalks must be installed before paving on each side of said driveway and blacktop must meet the sidewalk at a 90 degree angle and must be level with existing sidewalk and have no slope across where the former

sidewalk area is replaced. In such instances of new construction, no feathering in of blacktop to sidewalk is allowed. Where a driveway presently exists and is extended to the road, feathering is permitted.

E. Where pavement is installed on the said driveway between the roadway and the sidewalk, it shall not impede the flow of storm water to cause a backup or puddle on either side of said sidewalk. Should this occur, the homeowner may be required to repair or remove a portion of their sidewalk to the satisfaction of the Borough to avoid any unsafe conditions. All other sidewalks shall be laid at a grade with the curb line of the street. The repairs of existing sidewalk must be made with concrete. Final design of the said driveway and/or sidewalk shall be with the Borough of Brockway, and should the said approval not be received, it shall be considered a violation of this said Ordinance and be subject to fines as set forth herein.

SECTION 2.

Any and all former penalties as set forth in Ordinance No. 157 as Amended by Ordinance No. 158, or any other Ordinances so affected by this Ordinance are hereby repealed, and should any individuals violate the said Ordinance a fine of up to \$600.00 shall be made, and failure to pay the said fine and costs, then imprisonment in the Jefferson County Jail for a period up to thirty (30) days.

SECTION 3. REPEALER.

Any Ordinances or parts of Ordinances inconsistent with the herein Ordinance are hereby amended or repealed accordingly.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect immediately.

ORDAINED AND ENACTED by Brockway Borough Council at its regular meeting on the __2nd__ day of July, 2008.

ATTEST:

BROCKWAY BOROUGH COUNCIL:

Laurie Wayne, Secretary

Floyd Work, President

I do hereby **APPROVE** the within Ordinance this __2nd__ day of July, 2008.

William Hrinya, Mayor