

OFFICIAL
BOROUGH OF CORAOPOLIS
ORDINANCE NO. 1712

AN ORDINANCE OF THE BOROUGH OF CORAOPOLIS COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA AMENDING THE CORAOPOLIS BOROUGH CODE OF ORDINANCES SO AS TO ESTABLISH RULES, REGULATIONS AND SPECIFICATIONS REGARDING THE CONSTRUCTION, REPAIR AND MAINTENANCE OF SIDEWALKS SITUATED IN THE BOROUGH OF CORAOPOLIS.

WHEREAS, the Borough of Coraopolis has from time to time established standards and regulations regarding the construction, maintenance and repair of sidewalks situated in the Borough; and,

WHEREAS, it is the desire of the Borough Council to amend the aforesaid standards and regulations as is hereinafter set forth.

NOW, THEREFORE, be it ORDAINED and ENACTED as follows:

SECTION 1. Sidewalks to be at Grade. Every owner of property in the Borough of Coraopolis shall, before constructing, reconstructing, paving, repaving, or curbing or recurbing any sidewalk or handicapped ramp in said Borough shall secure from the Borough Engineer the proper established grade of the street, unless otherwise specified by ordinance or resolution.

SECTION 2. Notice to Construct. Every owner of property in the Borough of Coraopolis shall, on thirty (30) days notice from the Borough Manager,

construct or reconstruct a sidewalk, which shall conform to all applicable requirements of this Ordinance in front of or alongside of any property along any street.

SECTION 3. Owner to Repair Upon Notice. Every owner of property in the Borough of Coraopolis shall, on thirty (30) days' notice from the Borough Manager, repair the sidewalk, in the manner stipulated in such notice, in front of or alongside such property.

SECTION 4. Notices to be in Writing. The notices referred to in Section 2 and Section 3 of this Ordinance may be written or printed or partly written and partly printed.

SECTION 5. Sidewalks to Meet Specifications. All sidewalks and curbs, if any, shall be constructed, reconstructed and repaired of concrete only, according to specifications determined from time to time by the Borough Engineer. However, the Borough Engineer may authorize a substitute material if site conditions determine that the use of concrete is inappropriate.

SECTION 6. Owner Responsible to Construct or Repair. All sidewalks and/or curbs and handicapped ramps shall be constructed, reconstructed and repaired and the grading therefor done upon the line and grade obtained by the property owner from the Borough Engineer, and not otherwise. Upon Notice, as provided in Section 2 and 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.

SECTION 7. Borough Engineer to Inspect. It shall be the duty and responsibility of the Borough Engineer to determine, in the case of any individual property, whether or not the sidewalk and/or curb shall be reconstructed or repaired, and, if so, the specific part or parts thereof reconstructed or repaired. The Engineer may at any time during the course of work of constructing, reconstructing or repairing any sidewalk and/or curb, and/or handicapped ramp, visit the site of such work to ascertain whether such work is being done according to requirements; and he or one of his assistants shall visit any such site for such purpose whenever requested by the property owner. Within ten (10) days after the completion of the work of constructing, reconstructing or repairing any sidewalk and/or curb, it shall be the duty of the owner of the property where such work was done to notify the Borough Engineer of that fact, so that he may inspect such sidewalk to determine whether the grade thereof has been observed and followed.

SECTION 8. Owner May Construct or Repair without Notice. Any property owner, upon his own initiative, and without notice from any Borough Official, 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 Engineer and shall conform to the requirements of this Part as to line and grade and as to material used, and that he shall also notify the Borough Engineer, as required by Section 7 of this Ordinance within ten (10) days after completion of the work.

SECTION 9. Owners Along Paved Streets Shall Pave Sidewalks.

Owners of property abutting on any paved street, including state highways and county roads, shall be required to pave, curb, repave or recurb sidewalks along their property according to the minimum requirements of this Ordinance unless otherwise specified in a particular ordinance or resolution within thirty (30) days of the date of service of such notice. Upon failure of the abutting property owner to comply with said notice and ordinance, the Borough of Coraopolis may cause the same to be done, and to levy and collect the cost of such grading, paving, curbing, repaving and recurbing thereof from the abutting property owners in accordance with the Municipal Claim Law or suit in assumpsit.

SECTION 10. Lien May be Filed. The cost of any such grading,

paving, curbing, repaving and recurbing shall be a lien upon the premises from the time of the commencement of the work, which date shall be fixed by the Borough Engineer and be filed with the Borough Manager. Any such lien may be collected by action in assumpsit or by lien filed in the manner provided by law for the filing and collection of municipal claims.

SECTION 11. Owner to Keep Sidewalk Safe and Clear. The owner or

owners of the abutting property shall keep the sidewalk, together with any portion of his property paved and used as a sidewalk or public walk, immediately in front of his property, in good order and repair, and, at all times, free and clear of all obstruction to safe and

convenient passage, and free of any merchandise placed there for display, if the removal thereof is ordered by the Borough Manager. If the owner or owners of any property neglects to perform the duty so required of him, the Borough Manager may serve written notice upon him requiring him to do that which is necessary. If such property owner or owners fail to comply with the requirements of such notice within thirty (30) days from the date of its service, the Borough may make the necessary repairs or remove obstruction. The cost of the same, together with a penalty of ten percentum (10%) shall be paid by the delinquent property owner or owners, and may be collected by action of assumpsit, or the Borough may file a municipal lien against the property. The notice provided for in this section may be served on the property owner or owners by leaving the same at his place of residence, or if he has no residence in the Borough, then by posting the same on the premises and mailing a copy thereof to the owner or owners at his last known address.

SECTION 12. Responsibilities for Removal of Snow and Ice. The owner, occupant or tenant of every property fronting upon or alongside of any of the streets in the Borough is hereby required to remove or cause to be removed from all of the sidewalks in front of or alongside such property, all snow and ice thereon fallen or formed, within twenty-four (24) hours after the same shall have ceased to fall or to be formed. Provided: The owner of a property shall be responsible for conforming to the requirements of this Section where such property is occupied by such owner, is unoccupied or vacant, or

is a multiple-business or multiple-dwelling property, occupied by more than one (1) tenant or occupant; the tenant or occupant of every single-unit property, occupied by such occupant or tenant only, shall be responsible for conforming to the requirements of this Section.

SECTION 13. Authority to Borough to Remove Snow and Collect Costs. In any case where the owner, occupant or tenant, as aforesaid, shall fail, neglect or refuse to comply with any of the provisions of Section 12 of this Ordinance within the time limit prescribed therein, the Borough authorities may proceed immediately to clear all snow and/or ice from the sidewalk of such delinquent, and to collect the expenses thereof, with an additional amount of ten percent (10%) from such owner, occupant or tenant, as the case may be, which may be in addition to any fine or penalty imposed under Section 14 hereof.

SECTION 14. Penalties. Any person who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not exceeding Six Hundred Dollars (\$600.00) and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Provided, such fine and costs of prosecution may be in addition to any expenses and additional amount imposed as provided in other Sections of this Ordinance.

SECTION 15. Repealer. Any ordinances or parts of ordinances inconsistent with the within ordinance are hereby repealed to the extent of the inconsistency.

SECTION 16. Effective Date. The within ordinance shall take effect immediately upon passage and approval of same.

ORDAINED and ENACTED this 8th day of March, 2000.

ATTEST:

BOROUGH OF CORAOPOLIS

[Signature]
Borough Manager

[Signature]
President of Council

Examined and approved by the Mayor of the Borough of Coraopolis this 8th day of March, 2000.

[Signature]
Mayor