

## Part 1

## Sidewalks

**§21-101. Short Title.**

This Part shall hereafter be known as the "Youngsville Borough Sidewalk Ordinance."

(Ord. 499, 10/12/1992, §1)

**§21-102. Construction or Installation of New Sidewalks Required.**

1. The primary consideration for the requirement of sidewalks shall be that of pedestrian safety. The following criteria shall be the accepted standard to determine the construction or installation of any new sidewalks within the limits of the Borough.

A. Where pedestrian traffic is heavy, and the lack of walks creates a pedestrian hazard from motor vehicle operation, even if the vehicle traffic is moderate (such as areas close to schools).

B. Where vehicle traffic is heavy and/or fast, and pedestrians are required to walk in the street, even if pedestrian traffic is moderate.

C. In areas where there are large concentrations of children without adequate off-street areas to play. (Such as near apartments or multiple housing and, in some cases, in concentrated, single-family residential areas.)

2. *Exception.* Where topographical or other naturally occurring conditions make the installation of a sidewalk prohibitive, and where the lack of a sidewalk does not create a pedestrian safety hazard, streets, parts of streets, sides of streets, or other areas may be eliminated from the sidewalk requirements.

(Ord. 499, 10/12/1992, §2)

**§21-103. Property Owners to Construct or Reconstruct Sidewalk Following Notice.**

Every owner of property where sidewalk construction is deemed necessary shall receive written notice from Borough Council. Property owners shall respond to the Borough Manager within 30 days with a statement of intention. This statement shall be on a form provided by the Borough and shall include the sidewalk construction plan, an estimated completion date, and the signature of the property owner. All sidewalk construction shall be completed within 1 year from the date of the original notice. (Reconstruction is defined as any sidewalk which requires more than 50 percent of the walk to be replaced.)

(Ord. 499, 10/12/1992, §3)

**§21-104. Safety Criteria for Existing Sidewalks.**

Sidewalks of approved width, which afford a hard, even surface without excessive cracks, elevation differences, or unevenness, shall meet the safety criteria of the Borough of Youngsville. Sidewalks which have any of the following defects do not meet the safety criteria:

A. Any concrete block that is cracked, fractured, heaved, or settled to the extent that there is:

- (1) Cracks or fractures a block that create a walking hazard.
- (2) Separations in excess of  $\frac{1}{4}$  inch in any direction for parts of a block.
- (3) Portions of a sidewalk block missing.
- (4) Portions of the sidewalk block or walking surface visibly movable under a 300 pound point load.
- (5) A visible difference in the surface plane of the parts of a block.
- (6) Settlement or heaving in the block which creates a  $\frac{1}{2}$ -inch difference in the elevation between the block and any adjoining block, curb, or reference point.

B. Any concrete block or brick walk or other surface in the sidewalk area which has surface defects which cannot be properly patched or otherwise repaired in accordance with Borough specifications, or which has a sidewalk surface which is covered with soil, vegetation, or other objectionable material.

C. Any asphaltic concrete sidewalk or sidewalk patched with asphaltic concrete installed in violation of Borough ordinances.

D. Any asphaltic concrete walk which was not installed in violation of Borough ordinances, but which has deteriorated to the extent that it constitutes a safety hazard to the public. Any asphaltic concrete sidewalk which has heaved or settled to the extent that an 8-foot straight edge positioned in any location on the sidewalk will leave a gap of 1 inch or more at any point shall be considered as a safety hazard.

E. Any brick sidewalk which was heaved or settled to the extent that a 5-foot straight edge positioned in a longitudinal direction on the sidewalk will leave a gap of 1 inch or more at any point, or where a difference in elevation between the bricks and adjoining bricks, walks, or curbs is in excess of  $\frac{1}{2}$  inch.

F. Any sidewalk or portion of a sidewalk which, because of settling, heaving, improper installation, or deterioration, creates a surface from which water will not drain properly.

G. Any type of walk which, because of settling, heaving, improper installation, or deterioration, creates a condition which in the opinion of the Borough Manager creates a hazard to public safety.

H. The sidewalk portion of a paved driveway, of any material, which was installed in violation of Borough ordinances.

(Ord. 499, 10/12/1992, §4)

**§21-105. Property Owners to Repair Sidewalk Following Notice.**

Every owner of property in the Borough of Youngsville where sidewalk repair is needed shall receive notice from Borough Council and shall respond to the Borough Manager within 30 days with a statement of intention. This statement shall be on a form provided by the Borough and shall include the plans to complete the required repair, the estimated completion date, and the signature of the property owner. All sidewalk repairs must be completed within 1 year. Exception: Those sidewalks deemed

a serious pedestrian hazard by the Borough Manager must be repaired within 60 days.  
(Ord. 499, 10/12/1992, §5)

**§21-106. Requirements for Notices.**

Each notice referred to in §§21-103 or 21-105 of this Part shall be sent to the property owner by registered mail.  
(Ord. 499, 10/12/1992, §6)

**§21-107. Sidewalks to Be of Concrete; Exceptions.**

All sidewalks shall be constructed, reconstructed, and repaired of concrete only, according to specifications determined from time to time by Borough Council. Provided, a bituminous surface, meeting specifications determined by the Borough Manager, may be applied to an existing asphalt walkway for minor repairs; but where a block of concrete must be replaced, such replacement shall be with concrete only. Provided further, where an existing brick sidewalk meets the established criteria, such sidewalk may be repaired with brick.  
(Ord. 499, 10/12/1992, §7)

**§21-108. Sidewalk Widths.**

All sidewalks in the main business area, that area from the intersection of East, West, and North Main Streets easterly to Railroad Street, shall extend from the building line to the curb. On all other streets, the sidewalk shall be at least 5 feet wide. Provided, where a special condition necessitates a narrower width (such as the normal growth of a healthy tree), a narrower width on a specified street or a specific area may be authorized. Provided further, an existing sidewalk that is less than the required width shall be permitted as long as it meets the established safety criteria.  
(Ord. 499, 10/12/1992, §8)

**§21-109. Supports Required Where Sidewalks Constructed over Excavations.**

In all cases where sidewalks are constructed, reconstructed, or repaired over coal cellars or other excavations, 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.  
(Ord. 499, 10/12/1992, §9)

**§21-110. Conformity to Line and Grade.**

All sidewalks shall be constructed, reconstructed, or repaired, and the grading therefor done, upon the line and grade obtained from the Borough Manager or his engineer, and not otherwise. Such grades will be taken from the ordained profile of each street, or as previously established by the adjoining existing sidewalks.  
(Ord. 499, 10/12/1992, §10)

**11. Determination of Necessity and Scope of Work; Inspections; Location of Completion of Work.**

It shall be the duty and responsibility of the Borough Manager or his designee to determine in the case of each individual property, whether or not the sidewalk shall be constructed, reconstructed, or repaired, and the specific part or parts thereof to be reconstructed or repaired. The Borough Manager or his designee may at any time during the course of construction, reconstruction, or repair of any sidewalk, visit the site of such work to ascertain whether such work is being done according to requirements. The Borough Manager or his designee shall visit any site for such purpose whenever requested by the property owner. Within 5 days after completion of construction, reconstruction, or repair of any sidewalk it shall be the duty of the owner of the property where such work is done to notify the Borough Manager. The Borough Manager or his designee shall determine whether the grade thereof has been observed and followed.

(Ord. 499, 10/12/1992, §11)

**§21-112. Property Owner Aggrieved by Manager's Determination.**

Any property owner who feels that the determination of the Borough Manager or his designee is not within the guidelines set forth in this Part, or that the determination causes an unnecessary hardship to him, shall have the right to request relief from such determination from the Borough Council.

(Ord. 499, 10/12/1992, §12)

**§21-113. Authority for Property Owners to Construct, Reconstruct, or Repair Sidewalk on Own Initiative.**

Any property owner, upon his initiative and without notice from any Borough authority, may construct a sidewalk in front of or alongside of his property; provided, that such property owner shall first notify the Borough Manager, and shall conform to the requirements of this Part as to the line and grade and as to material used, and that he shall also notify the Borough Manager as required by §21-112 of this Part within 5 days after completion of the work.

(Ord. 499, 10/12/1992, §13)

**§21-114. Responsibility for Cost of Grade Surveys.**

The cost of the survey to establish a sidewalk grade shall be borne by the Borough.

(Ord. 499, 10/12/1992, §14)

**§21-115. Specification Sheet to Be Furnished to Property Owners.**

A specification sheet designating the width, thickness, and composition of concrete to be used for the purpose of construction, reconstruction, or repair of sidewalks shall be furnished to each property owner when such notice is given or requested.

(Ord. 499, 10/12/1992, §15)

**§21-116. Authority for Borough to Construct, Reconstruct, or Repair Sidewalk and Collect Cost from Property Owner.**

In the event a property owner fails to construct, reconstruct, or repair a sidewalk upon notice as provided for in this Part, the Street Committee of Borough Council may

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direct the Borough Manager to have such work done by Borough employees, and the costs thereof, plus 10 percent, shall be collected from the property owner as provided for by law.

(Ord. 499, 10/12/1992, §16)

**§21-117. Penalty for Violation.**

Any person, firm, or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 499, 10/12/1992, §17; as amended by Ord. 510, 5/9/1994, §21-117)

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Chapter 24  
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