

## Chapter 21

### *Part A:                   REGULATING SIDEWALKS AND CURBS*

*(ORI-2015) (OR3-2020)*

#### **SECTION 100.00 – PURPOSE/COMPLIANCE:**

- 100.10       The owner/owners of any lot or lots in the Borough of Saegertown with sidewalks in the public right-of-way shall establish, maintain and repair such sidewalks in conformance with this Ordinance and the regulations promulgated hereunder. All sidewalks in Saegertown Borough shall be regulated and be subject to this Ordinance.
- 100.20       **Definitions:**
- 100.21       **ADA** - shall mean the “Americans With Disabilities Act” of 1990, as amended or modified.
- 100.22       **Borough** - shall mean the “Borough of Saegertown”.
- 100.23       **Council** - shall mean “Council for the Borough of Saegertown”.
- 100.24       **Sidewalk** - shall mean as provided in 8 Pa. C.S. §1800.

#### **SECTION 200.00 - EFFECTIVE DATE:**

- 200.10       This Ordinance shall be in effect immediately upon passage by Borough Council.
- 200.20       *All new sidewalks* constructed shall be constructed and maintained pursuant to this Ordinance and the regulations promulgated thereto.
- 200.30       *All existing sidewalks* shall be brought into compliance with this Ordinance by September 1, 2017.

#### **SECTION 300.00 - SPECIFIC LOCATIONS REGULATED:**

- 300.10       Main Street:**
- 300.11       All property owners on Main Street in the following designated areas shall maintain a sidewalk that meets all provisions of this Ordinance and related regulations.
- 300.12       West Side, from 628 Main Street south to 350 Main Street.
- 300.13       East Side, from McGill House (649 Main Street) south to 237 Main Street.
- 300.20       Erie Street:**
- 300.11       South Side, from Main St. to the west side of Grant St.

**SECTION 400.00 - GENERAL REQUIREMENTS:**

- 400.10 *Non-regulated locations:*
- 400.11 All property owners in non-regulated locations shall comply with one of the following:
- 400.12 **Repair** all sidewalks to the specifications in this Ordinance and related Resolution(s);
- 400.13 **Remove** all sidewalks and repair yards to specifications in this Ordinance and related Resolution(s).
- 400.14 **Replace** all sidewalks that do not comply with specifications to this Ordinance and related Resolution(s).

**SECTION 500.00 - SPECIFICATIONS:**

- 500.10 All specifications for sidewalks shall be as set forth on the duly adopted by Resolution of Borough Council, and may be amended and/or modified from time to time by Resolution of Borough Council.
- 500.20 **ADA Requirements:**
- 500.21 All sidewalks shall meet requirements of the ADA Act.
- 500.22 Where sidewalks meet all corners of streets and alleys said sidewalks must meet ADA requirements, including slopes, grades, offsets, detectable warnings and any other requirement of the ADA Act and regulations.
- 500.23 The property owner shall be responsible for meeting the ADA requirements.
- 500.30 **Trees:**
- 500.31 All new sidewalks, or new or existing trees planted along sidewalks shall meet the specifications of the regulations of this Ordinance and related Resolution(s).

**SECTION 600.00 – MAINTENANCE AND REPAIR:**

- 600.10 **Snow removal:**
- 600.11 Sidewalks on Main Street shall be kept clear of snow and ice in a manner to eliminate dangerous or hazardous conditions. Snow that accumulates more than two (2) inches shall be removed at least once every calendar day.
- 600.12 Owners of property other than Main Street that have sidewalks, may elect to remove snow or not, but shall be responsible for liability resulting from such.
- 600.20 **Repairs:**
- 600.21 The Owner/Owners of said lot or lots within the Borough of Saegertown shall repair any defects in such sidewalks and remove any obstructions which make them unsafe or impassable to pedestrians. All sidewalks shall be repaired in a manner to meet the minimum requirements of the regulations set by Resolution(s) of Borough Council

- 600.30     **Parking:**  
                   *(This section revised 12-14-2020 by OR3-2020)*
- 600.31     No person shall drive over or park on any sidewalk on Main St. or Erie St. or portion thereof except at areas designated as entry or exit points or as otherwise approved by Council.
- 600.32     No person shall drive over or park on any other sidewalk in the Borough or portion thereof except at areas designated as entry or exit points unless approved by the owner of the property.
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- 600.40     **Repairs:**
- 600.41     The Owner/Owners of said lot or lots within the Borough of Saegertown shall repair any defects in such sidewalks and remove any obstructions which make them unsafe or impassable to pedestrians. All sidewalks shall be repaired in a manner to meet the minimum requirements of the regulations set by Resolution(s) of Borough Council.
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- 600.50     *Sidewalks Extending to Streets:***
- 600.51     No sidewalk, except at street corners, shall extend between the street and the lateral sidewalk without permission from the Borough, and must not extend above the existing grade or impede the flow of any storm water.
- 600.52     Sidewalks at street corners shall be extended to meet ADA requirements

**SECTION 700.00 - ENFORCEMENT:**

- 700.10     Enforcement shall be by the code enforcement officer or any other person so designated by Borough Council.
- 700.20     All sidewalks shall be inspected yearly by the code enforcement officer or any other person so designated by Borough Council.
- 700.21     Property owner shall be notified in writing of any repairs needed to sidewalks, or violations of this Ordinance.
- 700.22     Property owner shall have the time specified in the Borough Code, 8 Pa. C.S. §1805 (b) to make necessary repairs to sidewalks.
- 700.30     ***Borough Right to Repair:*** The Borough shall provide notice in accordance with the Borough Code, 8 Pa. C.S. §1805(b). The Borough shall have the rights established under the Borough Code, 8 Pa. C.S. §1800, et seq. and specifically §1805 and 1806.
- 700.31     The Borough shall have the right to repair or remove any sidewalk that is not brought up to the provisions of this Ordinance and regulations. The Borough shall be entitled to collect the actual cost of the work plus a 10% fee in

accordance with the Borough Code.

- 700.32 Failure to pay repair costs shall result in the Borough Council assessing penalties and interest and filing a lien on the property pursuant to the laws of the Commonwealth of Pennsylvania.

**SECTION 800.00 - PENALTY:**

- 800.10 Any violation of this Ordinance shall be a Class E fine as set by duly adopted Resolution of Borough Council from time to time.
- 800.11 Each calendar month that the subject is in violation shall be considered a separate offense, for repairs and construction.
- 800.12 Each forty-eight (48) hours that the subject is in violation shall be considered a separate offense, for snow and ice removal.

**SECTION 900.00 - REPEALER:**

- 900.10 All Ordinances or parts thereof inconsistent herewith are repealed as to any such inconsistency or inconsistencies.
- 900.20 If any section, subsection, sentence, or clause of this Ordinance is held, for any reason, to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 1000.00 - ENACTED:**

- 1000.10 **AND NOW**, this 8th day of June 2015, it is hereby Enacted and Ordained by Borough Council of the Borough of Saegertown, County of Crawford, Pennsylvania, that:
- 1000.20 Revised 12-14-2020 by OR3-2020