

ORDINANCE NO. #353

AN ORDINANCE OF THE BOROUGH OF SPRING CITY ENTITLED "THE SIDEWALK AND CURB ORDINANCE OF THE BOROUGH OF SPRING CITY," PRESCRIBING REGULATIONS AND SPECIFICATIONS FOR THE INSTALLATION, CONSTRUCTION AND REPAIR OF SIDEWALKS, CURBS AND DRIVEWAY ENTRANCES, REGULATING THE SIDEWALKS AND CURBS WITHIN THE BOROUGH OF SPRING CITY AND PRESCRIBING PENALTIES FOR VIOLATIONS.

BE IT ENACTED by the Borough Council of the Borough of Spring City in the County of Chester, State of Pennsylvania and IT IS HEREBY ENACTED AND ORDAINED by the authority of the same as follows:

Section 1. This Ordinance shall be known and may be cited as "The Sidewalk and Curb Ordinance of the Borough of Spring City."

Section 2. Width and Location of Sidewalks.

A. All Sidewalks shall have a minimum width as follows:

1. In residential areas -- four (4') feet;
2. In commercial areas -- eight (8') feet; and
3. In front of public buildings -- six (6') feet;

provided that Borough Council may, by ordinance, establish different minimum widths on any street or part thereof; and provided that Borough Council may, by resolution, provide for lesser widths for individual properties where the physical facts of individual cases make such action necessary or desirable.

B. In residential areas, the edge of the sidewalks furthest from the street shall be six (6') feet, one (1") inch from the curb, or as the Borough Council may by resolution, otherwise provide. Between each curb and sidewalk of all residential properties, a grass plot, a minimum of eighteen (18") inches wide, extending from the side property line to the other side property line, exclusive of driveway area, shall be installed, provided for and maintained by the property owner.

C. Wherever, at the time of the adoption of this ordinance or thereafter, sidewalks have been constructed along a portion, but not all, of a side of a street, avenue, or alley between cross streets, avenues or alleys, all sidewalks thereafter constructed shall be of the same width as the existing sidewalk and both sides shall be the same distance from the curb as the existing sidewalk, anything in this ordinance to the contrary notwithstanding. This provision shall apply to all sidewalks thereafter constructed along the same side of the street, avenue, or alley and shall extend until a cross street or avenue or alley is encountered.



D. Every owner of property in the Borough of Spring City who shall hereafter commence construction of any residential, commercial or industrial structure upon said property or upon a property where a residential, commercial or industrial structure exists, shall construct or reconstruct a sidewalk and curb on said property, which shall conform to all applicable requirements of this and other applicable ordinances, in front of or along side of such property. Borough Council may, upon due cause shown, grant a property owner an exception from the provisions hereof for a specific period of time.

### Section 3.

A. Responsibility for Construction, Repair and Maintenance of Sidewalks, Curbs, Gutters and Drains. Sidewalks for the use of pedestrians shall be built, maintained and kept in repair as provided in this ordinance and any other applicable ordinances of the Borough and by State law. Curbs, gutters and drains may be required in conjunction with existing or hereafter constructed sidewalks, as Borough Council may from time to time require, and at all intersections of streets and/or public alleys the curb shall be rounded at the intersection, having a minimum radius of three (3') feet except where the Council shall specifically require a curb of different radius.

B. Existing brick sidewalks which require the replacement of more than twenty percent (20%) of the total area shall be entirely replaced by a concrete pavement or sidewalk. In the case of concrete sidewalks, in the event any concrete block thereof requires replacement of more than twenty-five percent (25%) of the total area of said concrete block, then said concrete block in need of repair shall be replaced in its entirety; provided, however, where a portion of such concrete block is removed for installation or repairs to utilities, then said block shall be replaced in its entirety.

C. Curb and sidewalk shall be constructed along the front of each lot within the Borough on which a new building or structure, other than a private garage is constructed, where said lot adjoins a public street, road or highway. In the case of a corner lot, curbing and sidewalk shall be constructed along both the front of the lot and the side of the lot adjacent to the public street, road or highway. In the case of industrial or commercial development, the Council of the Borough of Spring City may, by Resolution, waive any or all of the requirements in this Subparagraph if, in its opinion, said development is located in an area of the Borough where curb and/or sidewalk is neither desirable or necessary. Such curb and sidewalk shall be constructed within sixty (60) days after such a new building or structure is completed and/or ready for occupancy.

### Section 4.

Driveways. Commercial driveways, such as those at gasoline service stations, shall be a maximum width at the sidewalk of thirty-five (35') feet, and in cases where there are multiple driveways an



eighteen (18') foot safety island must be maintained between driveways. In residential areas, the width of the driveway at the street line shall not exceed twelve (12') feet. No driveway shall exceed the widths stated above except upon approval by Resolution of Borough Council.

Section 5. Specifications for Sidewalks, Curbs, Driveways, Gutters and Drains. The construction of any sidewalks, curbs, gutters and/or drains following any other specifications or using any other materials than those specified herein or as shown on Plan No. 88-47-A-1 prepared by Motley Engineering Co., consulting engineers, is hereby forbidden.

1. Concrete Walks. All new sidewalks shall be one-course concrete construction. All sidewalks and curbs shall be constructed in accordance with grades and lines as established by the Borough Council other than that established in an approved subdivision. Said grades and lines will be established in the field one time, by the Borough Engineer, at no expense to the owner. Any replacement of field grades will be established at the cost of labor and materials to be paid by the owner.

2. Expansion Joints. Expansion joints shall be three-eighth inch (3/8") thick pre-formed, non-extruding and resilient bituminous joint filler, and shall be placed every twenty (20') feet to the full depth of curb and sidewalk and where the sidewalk meets the outside face of a wall and/or curbing. Sidewalks shall be scored every four (4') feet and curbs shall be scored at ten (10') foot intervals.

3. Subgrade. All sidewalks, curbs and driveway entrances shall have a three-inch (3") to four-inch (4") base of Pennsylvania Department of Transportation No. 2B stone to be used as base material pursuant to said plan.

4. Rainwater Conductors.

a. All underground rain conductors shall be of pipe material such as cast iron, wrought iron, asbestos cement, clay, or approved plastics, constructed under the sidewalk and through the curb to the gutter. No open gutters for conducting rain water or drainage of any kind will be permitted to run over top of the sidewalk or curbs.

b. All subsurface rainwater conductors shall be placed in such a manner that the top of pipe will not be less than three (3") inches from top of curb with expansion joints placed vertically to the center line of pipe.

5. Thickness and Depth of Sidewalk, Driveways and Curbs. The curbs shall have a depth of not less than twenty-two (22") inches and shall be eight (8") inches thick at the base and seven (7") inches thick at the top. Curbs shall be constructed with a seven-inch (7") reveal with a batter on the street side. Sidewalks shall be not less



than four (4") inches in thickness and shall rest on a compact bed or broken stone of a depth of three (3") inches to four (4") inches and shall have a three-eighth-inch ( $3/8$ ") pitch per lineal foot from the inner edge of the sidewalk to the outer edge of the curb.

All driveway entrances shall have a minimum curb radius of two (2') feet and a maximum curb radius of four feet eight inches (4'8"); shall have the outside edge raised one and three-quarter ( $1\text{-}3/4$ ") inches above the flow-line of the gutter; shall have a straight slope therefrom to the prescribed outside edge of sidewalk, and shall have a sidewalk surface of the same grade and width prescribed for sidewalks and all driveway entrances, slope and sidewalk surfaces shall be eight (8") inches in thickness. In lieu of driveway entrance having curb radii as part of its construction, a depressed curb driveway entrance may be used.

6. Removal of Existing Blacktop. Removal of existing blacktop necessitated by curb removal and replacement shall be done with hand-operated pneumatic tools, hydraulically operated equipment or by a power saw to furnish a clean, straight cut in the pavement twelve (12") inches from and parallel to the curb line. It shall be the responsibility of the contractor to remove all excavated material.

7. Backfilling of Cartway Area. All areas of excavation within the cartway area shall be backfilled with PennDOT 2B stone to the grade of the existing roadway by the contractor. The blacktop shall be furnished and installed by the Borough of Spring City.

8. Concrete Specifications and Finishing. All sidewalks, curbs and driveway entrances shall be constructed of airentrained structural concrete having an ultimate strength of 3,000 pounds per square inch at twenty-eight (28) days and containing six percent (6%) air by volume. The sources of concrete materials and the mix design shall be subject to the approval of the Borough Engineer.

The top surfaces of all sidewalks, curbs and driveway entrances shall receive a wood floated finish, and the finish tolerance shall be a true plane within one-quarter ( $1/4$ ") inch in ten (10') feet. The exposed vertical surfaces of curbs and driveway entrances shall be repaired of all honeycombed and defective areas, and shall receive a smooth rubbed finish. This finish shall be produced by wetting the surfaces and rubbing with a carborundum brick, or other abrasive, until a uniform color and texture are produced. The finishing shall be completed before the concrete is thirty-six (36) hours old.

Immediately after finishing, all concrete shall be cured by using either an approved, impervious, light-colored plastic covering placed and maintained in contact with the concrete surface, or an approved, impervious light-colored liquid curing compound sprayed on the concrete surface. The curing shall be continued for at least five (5) days.



The building inspector may reject any new construction of concrete sidewalks, curbs and driveway entrances which do not conform to the requirements of this Ordinance or the generally accepted standards of the American Concrete Institute.

Mortar shall be used only in case of patching honey-combed concrete and then shall be one (1) part cement and two (2) parts of sand or its equal.

All individual home services for public utilities (excluding gas services) shall be raised and/or lowered to proper curb elevation by the person, firm or corporation installing concrete curb, driveways and sidewalks.

All traffic signs and lamp posts removed during construction of concrete curb, sidewalk and/or driveways shall be replaced by the person, firm or corporation performing installation.

Expansion material shall be placed around existing and/or proposed utility poles.

The capping of defective curbs is prohibited.

9. Safety and Warning Measures Required. The Contractor must furnish and shall be responsible for placing the proper barriers and warning signs during construction.

Section 6. Public Safety. It shall be the duty of the owner of the land abutting upon any curbs, and/or sidewalks to keep them in such repair and condition that they do not become dangerous to the welfare and safety of the travelling public. The Borough Council of the Borough of Spring City is hereby empowered to notify property owners when sidewalks and curbs are in need of repair or renewal and the repair or renewal thereof shall be made by the property owner within thirty (30) days after said written notice is given to said property owner. Nothing herein contained shall be construed to place the responsibility of determining when sidewalks may become dangerous to the welfare and safety of the travelling public upon the Borough. At all times such responsibility shall be solely upon the property owner whose land abuts the curb or sidewalk.

The following criteria shall be used by the Code Enforcement Officer and/or the Borough Engineer in evaluating the need for repair or replacement of existing curbs and sidewalks:

1. Unevenness in horizontal and vertical alignment which creates tripping hazards, ponding of surface water and icing conditions during the winter months;

2. Large cracks, jagged edges, open joints, broken sections, hazardous finishes and improper slopes on sidewalks;



3. Rainwater conductors installed improperly and/or lack of them allowing water from down spouts to flow across sidewalks rather than being discharged into the gutter; and/or

4. Curb face projections which may cause damage to vehicle tire sidewalls while parking.

Upon neglect of any property owner to comply with any of the requirements of this Ordinance, the Borough may, ten (10) days after notice to the property owner, cause the grading, paving, repairing, curbing and/or guttering to be done at the cost of such owner, and may collect the cost thereof and ten (10%) percent additional, together with all charges and expenses, from such owner, and may file a municipal claim therefore or collect the same by action in assumpsit.

Any such notices shall be served upon a property owner hereunder shall be served upon the owner of the premises if such owner is a resident of the Borough. If the owner is not a resident, then the notice may be served upon the agent or tenant of the owner, or upon the occupant of such premises. If the owner has no agent or tenant or there is no occupier of such premises, then service shall be by notice posted upon the premises.

Section 7. Emergency Repairs to Sidewalks. In addition to the remedies now vested in this Borough to make repairs to sidewalks pursuant to the Borough Code and other applicable statutes and ordinances, the Borough of Spring City shall have the power to make emergency repairs to any sidewalks located within the Borough of Spring City, where, in the opinion of the building inspector, a dangerous condition exists that can be repaired by an expenditure of not more than One Hundred (\$100) Dollars. Before any such repairs are made, a notice to make the repairs within forty-eight (48) hours shall be served upon the owner of said property. If the owner cannot be served within the County, notice may be served upon the agent of the owner or the party in possession, or if there is no agent or party in possession, the notice may be served by posting the same upon such premises. Upon completion of such work, the cost thereof shall be a charge against the owners of the property, and shall be a lien, until paid, upon the abutting property, provided a claim is filed therefor in accordance with the law providing for the filing and collection of municipal claims. Any such charge may also be collected by action of assumpsit. The certificate of the building inspector in charge of repairs to sidewalks shall be conclusive evidence of the existence of the emergency justifying the repair under the terms of this section.

Section 8. No person or persons, firm or corporation shall construct or repair any sidewalk, curb or gutters, without first applying for and obtaining from the Building Inspector of the Borough of Spring City a permit for the same. The application for such permit shall set forth:



1. The full name and address of the owners of the land affected;
2. The name and address of the contractor, or the person to perform the work;
3. The precise location of the property upon which the work is to be done;
4. The length of the proposed project; and
5. Such other pertinent information as may be considered necessary.

No permit will be required for new curbing, gutters, or sidewalk to be constructed in an approved subdivision which is to be installed by the developer.

Section 9. Fees. The cost of obtaining a permit to repair existing curbs, gutters and sidewalks shall be the sum of Two (\$2.00) Dollars, and the cost of obtaining a survey permit to stake out line and grade of new curbs, gutters and sidewalks, other than that established in an approved subdivision plan required to be surveyed by the developer, shall be the sum of Forty (\$40.00) Dollars for the first ten (10') feet or fraction thereof, and Fifty (\$0.50) Cents per foot for each additional foot.

Section 10. Indemnification of Borough. Any person, firm or corporation applying for any permit under this Ordinance shall indemnify and hold harmless the Borough of Spring City against all liability of whatever nature arising during the performance of work or as a result of work for which a permit is granted, whether or not said liability arises as a result of the negligence or acts of the person, firm or corporation to whom the permit was issued or resulted from the negligence or acts of any other party including the Borough of Spring City, its agents, servants, workmen or employees.

Section 11. Penalty for Violation.

A. It shall be unlawful for any person, association, partnership or corporation to violate any provision of this Ordinance and any such person, association, partnership, or corporation so violating any provision hereof shall, upon conviction thereof before a District Justice, be sentenced to pay a fine of not more than Three Hundred (\$300) Dollars and costs of prosecution, and in default of payment of such fine and costs, to imprisonment for not more than ten (10) days. For the purposes of this Ordinance, each day's violation of any provision thereof shall be deemed a separate offense.

B. The Borough Council may revoke any permit issued to any person, firm or corporation violating any of the provisions of this Ordinance.



C. The imposition of penalties herein prescribed shall not preclude the Borough from instituting an appropriate action of proceeding to prevent the performance of work or acts declared to be unlawful under the provisions of this Ordinance, or to restrain correct, or abate a violation, or seek relief by a Complaint in Equity or any other appropriate remedy.

Section 12. Severability. If any provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other provision or provisions, and this Ordinance shall be construed and enforced as if such provisions had not been included.

Section 13. Repeal of Conflicting Ordinance. This Ordinance repeals Ordinance No. 158.

Section 14. Effective Date. This Ordinance shall become effective five (5) days after its enactment.

ENACTED AND ORDAINED this 5th day of July, 1988.

Attest:

BOROUGH COUNCIL OF THE  
BOROUGH OF SPRING CITY

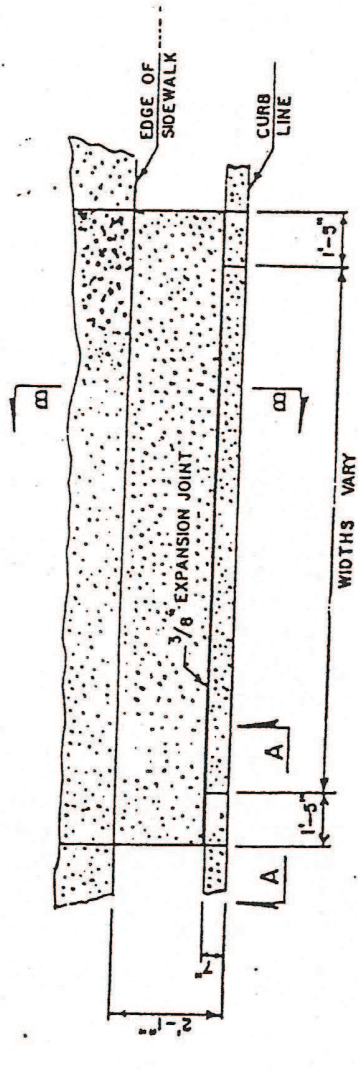
Dennis Rittenhouse  
Secretary

Carl S. J. [unclear]  
President

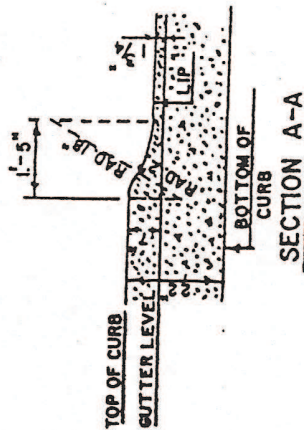
EXAMINED AND APPROVED THIS 5TH DAY OF JULY, 1988.

Jean B. Jeffers  
Mayor

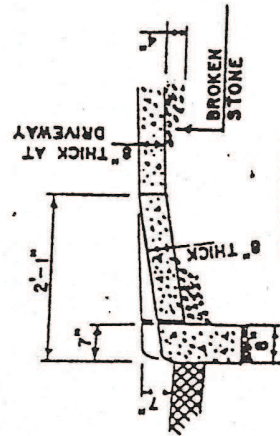




PLAN-DEPRESSED CURB DRIVE ENTRANCE



SECTION A-A



SECTION B-B

NOTES:

1. 3/8" PREMOLOD EXPANSION-JOINTS EVERY 20' OR LESS ON CURB AND SIDEWALK.
2. SCORE SIDEWALK EVERY 4 LINEAL FEET & CURB EVERY 10 FEET.
3. CONCRETE STRENGTH—3000 P.S.I. AT 28 DAYS.
4. 3"-4" OF PENN D.O.T. 2-B STONE TO BE USED AS BASE MATERIAL FOR ALL CURB, SIDEWALKS AND DRIVEWAY CONSTRUCTION.
5. ALL AREAS OF EXCAVATION WITHIN THE CARTWAY AREA OF THE STREET, SHALL BE BACKFILLED WITH PENN D.O.T. 2-B STONE TO THE GRADE OF THE EXISTING ROADWAY. (BLACKTOP TO BE PLACED BY BOROUGH)
6. SIDEWALK TO BE 8" THICK AT ALL DRIVEWAY RAMP

ORDINANCE PLAN  
CURB, SIDEWALK, AND  
DRIVEWAY CONSTRUCTION  
BOROUGH OF SPRING CITY  
CHESTER CO., PA



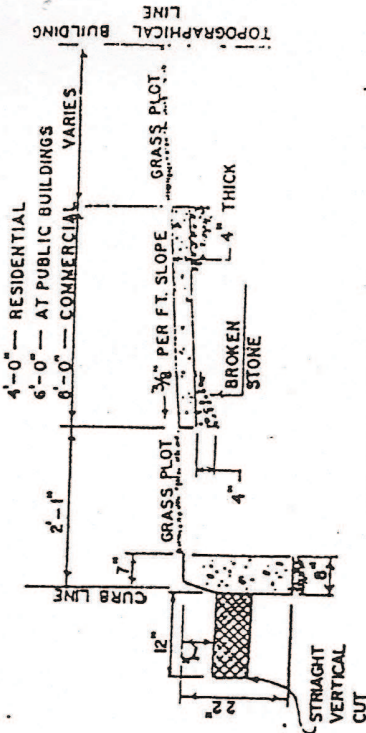
MOTLEY ENGINEERING CO., INC.  
consulting engineers

60 SHILLINGTON RD. • SINKING SPRING, PA. 19608  
(215) 678-0445

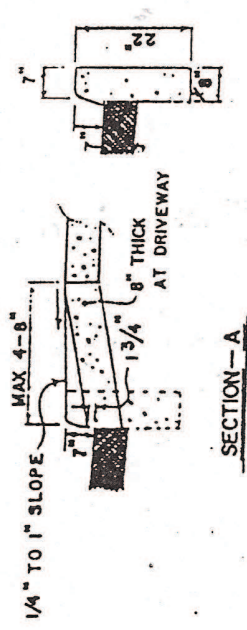
R.A.M. J.T.M.  
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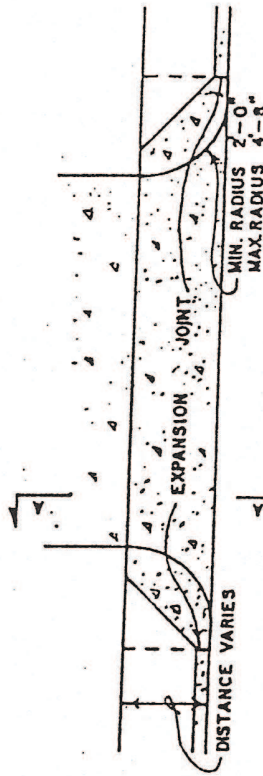
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TYPICAL CURB & SIDEWALK SECTION



SECTION A-A

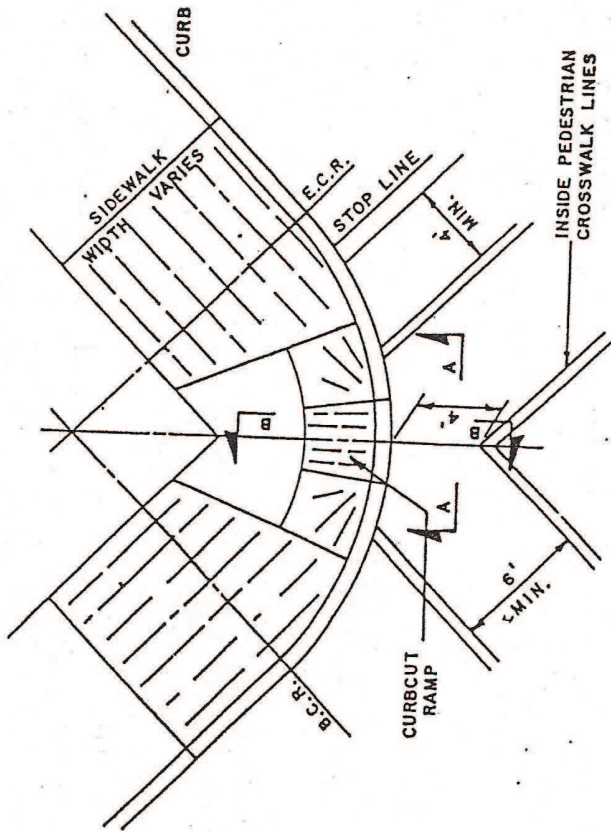


PLAN-RADIAL DRIVEWAY ENTRANCE  
DRIVEWAY WIDTHS: RESIDENTIAL - 12' MAX.  
COMMERCIAL - 35' MAX.



# NOTES:

- 1) THE SLOPE OF THE RAMP SHALL BE A MAX. OF 12 TO 1 (12" HORIZ. TO 1" VERT.). HOWEVER, IF THE 4 FT. LANDING AREA CANNOT BE OBTAINED WITH THIS SLOPE, IT MAY BE INCREASED, BUT IN NO CASE SHOULD IT EXCEED A MAX. OF 8 TO 1 (8" HORIZ. TO 1" VERT.).
- 2) RAMP SURFACE SHOULD BE ROUGHER THAN THE TEXTURE USED ON THE SURROUNDING SIDEWALK AND MAY BE OBTAINED BY COARSE BROOMING, TRANSVERSE TO THE RAMP SLOPE.
- 3) A 1/2" EXPANSION JOINT WILL BE REQUIRED WHERE THE RAMP JOINS ANY RIGID PAVEMENT OR STRUCTURE.
- 4) CONCRETE STRENGTH - 3000 P.S.I. AT 28 DAYS.
- 5) 3"-4" OF PENN. DOT. APPROVED AGGREGATE TO BE USED AS BASE MATERIAL.



PLAN VIEW

NO SCALE

ORDINANCE PLAN FOR THE CONSTRUCTION OF CURB CUT RAMPS FOR PHYSICALLY HANDICAPPED.

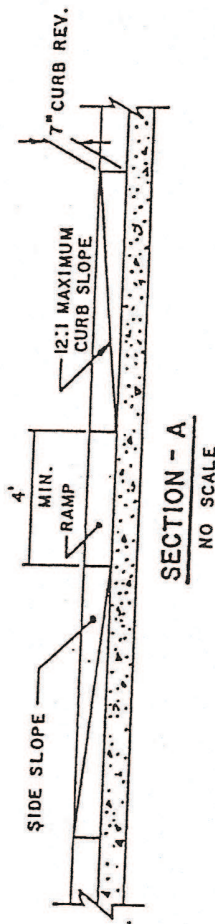
BOROUGH OF SPRING CITY, CHESTER CO., PA

DRAWN BY: L.C.H.	CHECKED BY: J.T.M.	DATE: 4/27/88	PLAN NUMBER: 88-47-A-2
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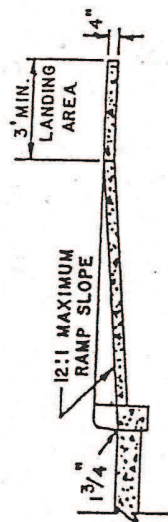
MOTLEY ENGINEERING CO., INC.  
consulting engineers  
60 SHILLINGTON RD. • SINKING SPRING, PA. 19608  
(215) 678-0445

- 6) ALL AREAS OF EXCAVATION WITHIN THE STREET AREA SHALL BE BACK-FILLED WITH PENN. D.O.T. 2 A MODIFIED AGGREGATE TO THE GRADE OF THE EXISTING STREET. (BLACKTOP TO BE REPLACED BY BOROUGH)
- 7) CONSTRUCTION DETAILS TYP. FOR ALL RAMPS AS NOTED.



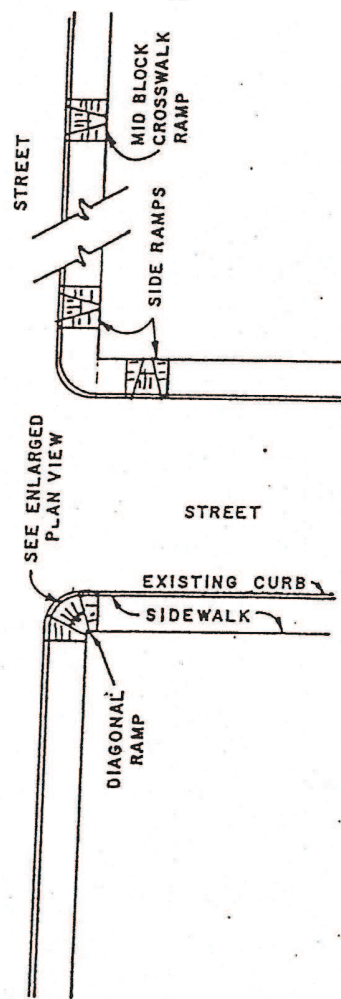
SECTION - A

NO SCALE



SECTION - B

NO SCALE



TYPICAL RAMP LOCATIONS

NO SCALE