

ORDINANCE NO. 2001-12

**AN ORDINANCE OF THE BOROUGH OF NORTHUMBERLAND,
NORTHUMBERLAND COUNTY, PENNSYLVANIA WHICH ADDRESSES THE
CONDITION OF SIDEWALKS WITHIN THE BOROUGH; REQUIRES THAT
SIDEWALKS BE ESTABLISHED IN CERTAIN AREAS WITHIN THE BOROUGH; WHICH
SETS FORTH STANDARDS FOR THE REPLACEMENT OF SIDEWALKS; AND WHICH
SETS FORTH STANDARDS FOR THE CONSTRUCTION OF NEW SIDEWALKS**

Section 1. Preamble and Name

- A. This Ordinance is the Sidewalk Standards Ordinance of 2001.**
- B. The Council finds that the general condition of the sidewalks located within the Borough of Northumberland is very poor; that many areas adjoining streets which should have sidewalks do not have them present; that many sidewalks are constructed of inferior materials or with poor workmanship; and that all of these conditions adversely affects the health, safety, and welfare of the Borough's residents and also adversely effects the visual appearance of the Borough.**

Section 2. Technical Requirements for Sidewalk Construction

All sidewalks shall be at least five (5') feet or the width of any abutting sidewalk and at least four (4") inches thick. The thickness where a sidewalk crosses a driveway shall be at least six (6") thick.

Except as provided in Section 3, all sidewalks shall be constructed of concrete, 3500# type. No design shall be etched into the concrete and all sections shall have a light broomed finish. No sidewalks shall be constructed or replaced with slate or blacktop or other asphalt mixture.

Concrete sidewalks must extend through a driveway area at the established grade of the adjoining sidewalks.

- D. The surface of the sidewalk shall have the transverse slope of one quarter inch per foot, with a low side adjacent to the roadway, and shall not exceed a grade slope of one half inch to the foot and shall contain no steps.**

All sidewalks shall be placed in an excavation made to the required depth and to a width to permit the installation of bracing of forms. The sub grade shall be shaped and compacted to a firm surface conforming to the established grade. The subgrade shall be filled with four (4") inches of clean 3/4 inch stone. All forms shall be of wood or metal and extend for the full depth of the concrete and of sufficient strength to resist the

pressure of the concrete without springing.

Sidewalks shall have a 5 x 5 w/2 1xw2.1 steel mesh located 1 1/2 inches from the top of the concrete for reinforcement.

Sidewalks shall have expansion joint fillers 1/2 inch thick at a maximum of every twenty (20') and between the walk and any fixed structures, extending the full depth of the concrete.

SECTION 3. EXCEPTIONS FOR UNIQUE PROPERTY CONDITIONS, UNIQUE DESIGN REQUIREMENTS, AND HARDSHIP

The Council recognizes that some properties may not be appropriate for the application of the uniform sidewalk specifications set forth in this Ordinance due to unique topographic conditions, drainage problems, special design and architectural conditions, including but not limited to the desire to install historically correct sidewalks (brick, cobblestone, or slate) or other conditions which would render the application of Section 2 a severe hardship upon the property owner. If a property owner believes that he or she should be granted an exception from the application of this Ordinance, then he or she shall submit a written application to Council with supporting evidence and Council shall upon voice vote grant or deny the request for exception. A negative vote shall be considered a final action of the local government agency and may be appealed to the Court of Common Pleas within thirty (30) days.

SECTION 4. SIDEWALK REPLACEMENT STANDARDS

Property owners shall replace their sidewalks according to Sections 2 and 3 of this Ordinance when any of the following apply:

- A. Any sidewalk section has more than one significant crack.
- B. Any sidewalk section which has one significant crack and one of the pieces on either side of the crack has risen or fallen one (1") inch or more than any of the adjoining sidewalk sections. Said sidewalk may also be repaired provided the sections in question are within one (1") of finished grade of the adjoining sidewalk sections.

Any section of sidewalk, which has risen or fallen one (1") or more above or below an adjoining sidewalk section or curb. Said sidewalk may also be repaired provided the sections in question are within one (1") of finished grade of the adjoining sidewalk sections.

Any section of sidewalk which has spider-webbed cracks such that the cracked pieces can be removed.

E. Any section which has surface deterioration enabling pieces to be removed.

Any sidewalks made of slate, subject to the right to request an exception under Section 2.

G. Any sidewalks made of brick, subject to the right to request an exception under Section 2.

Any sidewalk which has flush edges but have risen or fallen by one (1") inch or more over a twelve (12') span.

SECTION 5. SIDEWALKS REQUIRED

The Borough Council may, after public hearing, designate by resolution a list of locations and addresses in the Borough of Northumberland where sidewalks are required to be installed. This resolution shall be made available to the public. The Borough Council may require that property owners located within the designated area install sidewalks within ninety (90) days. If any property owner refuses to install sidewalks after receipt of written notice from the Borough, then the Borough may enter onto the property in question and install a sidewalk at its expense. The Borough may then charge the property owner for the cost of the installation. The Borough's costs may also be imposed as a municipal lien in accordance with the laws of the Commonwealth of Pennsylvania.

SECTION 6. ENFORCEMENT

This Ordinance shall be enforced by the Code Enforcement Officer or other agent designated by the Borough Council. The Borough may commence a civil action in any court of competent jurisdiction to enforce compliance with this Ordinance.

SECTION 7. SAVINGS CLAUSE

The invalidity of any section of this Ordinance shall not affect the validity of any other section of this Ordinance.

ORDAINED AND ADOPTED As an Ordinance of the Borough of Northumberland on
the 4th day of December, 2001.

ATTEST
WPA 402
[Signature]

Jenice R. Bowman,
Borough Secretary

[Signature]
President
Borough Council