

ORDINANCE NO. 10

AN ORDINANCE OF THE BOROUGH OF SOUTHMONT, CAMBRIA COUNTY, AND STATE OF PENNSYLVANIA AMENDING THE PROVISIONS OF SECTION 2 OF ARTICLE FOUR OF AN ORDINANCE PROVIDING A SYSTEM OF GOVERNMENT FOR THE BOROUGH OF SOUTHMONT, COUNTY OF CAMBRIA AND COMMONWEALTH OF PENNSYLVANIA, AND PROVIDING FOR THE ENFORCEMENT OF THE SAME.

Be it enacted and ordained by the Burgess and Town Council of the Borough of Southmont, and it is hereby enacted and ordained by the authority of the same, that section Two of article Four of an ordinance providing a system of government for the Borough of Southmont, County of Cambria and Commonwealth of Pennsylvania, and providing for the enforcement of the same, and which reads as follows:

Section 2--Sidewalks

'Clause A' Whenever the Borough may determine to pave any street, it shall be the duty of the street commissioner to give notice to all owners of property abutting on either side of said street requiring such owner within fifteen (15) days after service of such notice to cause to be set in front of their respective properties and along the street line of their sidewalks a line of curbing of uniform size and character,

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to-wit: to be of approved material in accordance with the plans and specifications on file with the Borough Engineer and the Borough Secretary, the grade for which will be furnished by the Borough Engineer upon application made for that purpose, and such notice shall be served on the owner personally if such owner resides on the premises, otherwise on the tenant, if there be a resident tenant, and by posting a copy of the notice on the premises, if the property be unimproved or unoccupied, then by posting such notice on the premises for the period of ten (10) days, upon failure of any such property owner to provide and set such curbing the Borough may proceed to cause the same to be done and the expense thereof, with a penalty twenty (20%) per centum added, which may be collected from the property or the owner in the manner herein provided by filing a lien therefor and bringing a proper action thereon or from the owner of the property by any appropriate action, is hereby amended to read as follows, to wit:

Section 2--Sidewalks and curbing

Clause A-- That whenever the lines and grades of any street or streets within the limits of the said Borough and the width of the sidewalk thereon are ascertained by ordinance, or where the roadway has been paved of any street or streets, or provision has been made for paving the roadway of said street by the Borough Council, or where a majority in number and interest of the property owners along and abutting on any street or streets shall petition the Council for the laying of curbs and sidewalks along said street or streets, it shall be the duty of the owners of any lots of ground fronting thereon, upon proper notice from Council, without delay, to cause the sidewalks and curb to be placed according to the lines and grades established by the Borough Engineer and in accordance with the plans and specifications on file with the Borough Engineer and with the Borough Secretary

Clause B--At all entrances to private property, the driveways shall be constructed of material, and on plans approved by the Borough Engineer.

Clause C--If the owner or owners of any lot of ground abutting on any street or streets as aforesaid shall neglect or refuse to set the curbing, pave the sidewalk, or keep the same in repair, it shall be the duty of the Street Commissioner to give said owners written notice requiring the setting of the curbs or the paving of the sidewalk or the repairing of the same, as the case may be; within thirty days from the date of the said notice, and if the said owner shall not comply with the said notice, it shall be the duty of the said street commissioner to cause the same to be curbed, paved or repaired in accordance with the requirements of this ordinance and the expense of such curbing, paving, or repairing, with twenty per cent advance thereon, shall be levied and collected from such owners, with cost, as it now or may hereafter be provided by law.

Clause D--All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed

Passes finally in Council this 13th day of March A.D. 1922

M.J. Moore

Pres. of Council

Attest

Roy G. Wertz

Sec of Council

Approved this 13th day of March A.D. 1922

Attest

C.A. Matthews

Burgess

Roy G. Wertz

Sec of Council

This ordinance was advertised in the Johnstown Ledger Wednesday morning March 15th and posted at 12 public places in the Borough March 22, 1922. RGW Sec