

ORDINANCE NO. _____ - 2017

**AMENDING CHAPTER 144 OF THE SOUTH GREENSBURG CODE TO REGULATE
THE SIZE AND REPAIR OF SIDEWALKS**

WHEREAS, Borough of South Greensburg Code Chapter 144 regulates sidewalks; and

WHEREAS, the Borough desires to amend Chapter 144 to further enhance the public health, safety, and welfare by providing certain standards relating to the size and repair of sidewalks within the Borough.

NOW, THEREFORE, be it enacted and ordained by Counsel of the Borough of South Greensburg in a regular meeting assembled and by authority of the same:

SECTION 1. The Borough of South Greensburg Code is amended by adding the following provisions to add the following subsections to § 144-1:

E. Sidewalk Standards.

When constructing new sidewalks, or replacing fifty percent (50%) or more of the sidewalks on a lot of land, said sidewalks shall be uniform throughout the entirety of the frontage on each right of way. The width shall be equal to and consistent with the sidewalks on the adjacent properties. If the adjacent properties along the same right of way have different sidewalk widths, the sidewalk width on the subject property shall be equal to the width of the wider adjacent sidewalk. A property that has sidewalk abutting more than one right of way may have sidewalk widths that are different on each different right of way, but only for the purpose of being uniform with sidewalks on adjacent properties. Otherwise, the sidewalks on properties with sidewalks on multiple rights of way shall be uniform throughout the entire property. (Example: The subject property is on the corner of Avenue A and Alley 1. The adjacent property on Avenue A has a sidewalk along Avenue A that is 5 feet wide. The adjacent property on Alley 1 has a sidewalk along Alley 1 that is 4 feet wide. The subject property may have a sidewalk on Avenue A that is 5 feet wide and a sidewalk on Alley 1 that is 4 feet wide.)

F. Duty to Repair.

Every owner of real property in the Borough of South Greensburg shall be responsible for maintaining the sidewalks in their property, including those sidewalks located in the public right-of-way in or along their property line. If the Borough determines that a sidewalk requires maintenance, the Borough shall provide notice to the property owner detailing the defective conditions of the sidewalk and directing that a certain specified repair be made. The repair shall be made as specified in the notice within thirty (30) days

of the issuance of the notice. If the repair is not made, the Borough may repair the defect itself and place a municipal claim and/or lien on the real property pursuant to the Pennsylvania Municipal Claims and Tax Liens Act, plus all costs and fees, including reasonable attorneys fees in the amount of \$250.00, or seek enforcement of this provision to a Court of competent jurisdiction.

SECTION 2. The within Ordinance is effective immediately.

SECTION 3. All other Ordinances inconsistent herewith are repealed.

ORDAINED AND ENACTED into an Ordinance of the Borough of South Greensburg this _____ day of _____, 2017, by the Council for the Borough of South Greensburg.

ATTEST:

BOROUGH OF SOUTH GREENSBURG

By: _____
Secretary

By: _____
Clentin C. Martin, President of Council

Examined and approved this _____ day of _____, 2017

By: _____
Betty Dobies, Mayor