

ORDINANCE BY THE BOROUGH OF ALBURTIS, LEHIGH COUNTY, PENNSYLVANIA, REGULATING THE INSTALLATION OF CURBING AND SIDEWALKS ALONG STREETS OF THE BOROUGH AND REQUIRING THE PROCURING OF PERMITS FOR SUCH WORK; PROVIDING FOR INSTALLATION OF CURBING AND SIDEWALKS BY THE BOROUGH AT THE COST OF THE PROPERTY OWNER AFTER NOTICE TO AND FAILURE BY THE PROPERTY OWNER TO INSTALL SAME; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Alburdis, Lehigh County, Pennsylvania, and it is hereby ordained and enacted by the same as follows:

Section 1. From and after the effective date of this Ordinance, no person, firm or corporation shall install, or cause to be installed any curbing or sidewalks along any public Borough street or along any proposed street that has been dedicated to public use in the Borough of Alburdis, Lehigh County, Pennsylvania (the "Borough") except in accordance with the provisions and conditions of this Ordinance.

Section 2. All curbing hereafter installed in the Borough shall be constructed of concrete and shall be constructed and installed in accordance with the following specifications and requirements:

A. EXCAVATION:

Excavation for curb shall be made to a depth of at least 24 inches below the curb grade and at least 6 inches clear of either face thereof. The bottom of all excavations shall be well tamped before forming is placed.

B. MATERIALS:

- (1) Cement shall be a product of a Portland Cement Institute Member conforming to the latest ASTM specifications under Designation C150, Type I.
- (2) Sand shall be clean, hard, coarse, uncoated grains of stone, uniformly graded from coarse to fine to produce a minimum percentage of voids.
- (3) Coarse Aggregate: Crushed stone three-fourth (3/4) inch in size.
- (4) Water: Clean and fresh.

C. CONCRETE MIXING:

- (1) All concrete shall be mixed by machine, except when the Borough Inspector shall otherwise permit under special conditions.
- (2) The concrete proportions shall be one (1) part Portland Cement, two (2) parts sand, and four (4) parts crushed stone.

- (3) The mixing of materials shall be done carefully by persons familiar with the technology involved to prevent separation of the component parts of the mixture and to provide dense, uniform concrete, free of voids and free of honeycombing.
- (4) Transit Mix or Plant Mix concrete will be acceptable upon approval of the producer by the Borough Inspector.

D. FORMS, FINISH AND JOINTS:

- (1) All curbs shall be formed on both faces for a minimum 22 inches in height. Forms shall be substantially constructed to insure against deformation under pressure. All curves and radii shall be formed of curved form sections to provide a uniform curve.
- (2) The outside edge of all curbs shall be rounded with a finishing tool with a minimum radius of one-half (1/2) inch, and the inside edge shall have a light radius to prevent spauling, said edge being likewise tool made.
- (3) The top surface shall be of a smooth float finish, and the exposed vertical surfaces shall have a smooth, rubbed finish accomplished while concrete is still green.
- (4) All curbs shall be cut clean through to consist of sections approximately ten (10) feet long and provided with a three-eighth (3/8) inch expansion joint of bituminous material at intervals of approximately 30 feet on center.

E. DIMENSIONS:

All curbing shall have a width at the top of at least six (6) inches and a width at the bottom of at least eight (8) inches, with the front face having a batter of one in twelve. The back face of the curbing may be vertical.

F. MISCELLANEOUS:

- (1) Rolled curbing and integral curb and gutter curbing shall be and is hereby prohibited.
- (2) Where existing curbing requires repair or replacement the same type of curbing as now exists may be installed in order to provide uniformity.
- (3) Crossovers shall be so located as to not create or constitute a traffic hazard or create a threat to the safety of the traveling public.

Section 3. All sidewalks hereafter installed in the Borough shall be constructed of concrete and shall be constructed and installed in accordance with the following specifications and requirements:

A. EXCAVATION:

Excavation for sidewalks shall be made to a depth of at least 12 inches below the sidewalk grade. The bottom of all excavations shall be well tamped before forming is placed.

B. MATERIALS:

Materials shall be the same as specified for curbing in Section 2 hereof with this addition: Under sidewalk ballast shall consist of crushed stone or other material approved by the Borough Inspector.

C. CONCRETE MIXING:

Same as specifications for curbing in Section 2 hereof.

D. SIDEWALK DIMENSIONS:

The sidewalk shall be of formed concrete with a minimum thickness of 5 inches on a compacted base of under sidewalk ballast with a minimum ballast depth of 6 inches. The sidewalk shall be divided into blocks having an area of approximately 25 square feet. All sidewalks shall be pitched to drain toward the street with an approximate fall of $\frac{3}{8}$ inch per foot of width.

E. JOINTS, EDGES AND ENDS:

The outer edges or ends of all concrete sidewalks shall be finished to a radius of not less than $\frac{3}{8}$ inch. Sidewalk blocks shall be separated by division plates extending full concrete thickness and not exceed $\frac{1}{4}$ inch in thickness with a top radius of not less than $\frac{3}{8}$ inch. When division plates are removed, the groove shall be filled with clean, sharp sand. Where sidewalk abuts concrete curb, provide an expansion joint of $\frac{3}{8}$ inch minimum thickness bituminous material between the sidewalk and curb and between sidewalk sections approximately every thirty (30) feet.

Section 4. Before installing any curb or sidewalks along any public Borough street or proposed public street which has been dedicated to public use, the owner of the property along which the curbing or sidewalk is to be installed, or his duly authorized agent, shall obtain from the Borough Secretary a permit for the installations of such curbing or sidewalk. Before issuing such permit, the Borough Secretary shall cause the Borough Engineer to fix the line and grade for the setting of said curbing or sidewalk. The cost of having said line and grade set by the Borough Engineer shall be paid by the person applying

for the permit at the time application is made for the permit in accordance with a schedule of reasonable rates established by the Borough Council. In addition to such charge, the applicant shall pay a permit fee of Five Dollars (\$5.00). Provided, however, that in real estate developments or subdivisions where the plans thereof have been approved by the Borough Engineer as to lines and grades for curbing and sidewalks, any curbing and sidewalk installed in such development or subdivision shall be installed in accordance with said approved lines and grades, and it shall not be necessary for the Borough Engineer to fix the line and grade for such curbing and sidewalks. Before any curbing or sidewalk is installed in any such development or subdivision, however, a permit therefore shall be obtained from the Borough Secretary as in all other cases, and a permit fee of Five Dollars (\$5.00) for each building lot in front of which curbing or sidewalks are to be installed shall be paid to Borough. Also, cut sheets shall be given to the Borough Inspector.

Section 5. After the excavation has been made and the forms have been set for the pouring of any curbing or sidewalk the Borough Inspector, or his designee, shall be notified so that he may inspect the work before any concrete is poured, and no concrete shall be poured until such inspection has been made and approval is given to proceed with the pouring. Any curbing or sidewalk installed contrary to the provisions of this Section or of any other provision of this Ordinance is hereby declared to be a nuisance per se and shall, notwithstanding any prosecution being brought under Section 7 of this Ordinance, be removed within fifteen (15) days of written notice to do so given by the Borough to the property owner.

Section 6. The Borough Council of the Borough shall have the right to compel the owner of any private property abutting any public Borough street or on any proposed public street dedicated to public

use in the Borough to install curbing or sidewalks along said private property, or to repair or replace existing curbing or sidewalks which are in need of repair or replacement, and to do said work in accordance with the terms of this Ordinance. If the owner of such private property fails to install, repair, or replace such curbing or sidewalks as directed after thirty (30) days' written notice from the Borough to do so, the Borough shall install, repair or replace such curbing or sidewalks and collect the cost of such work and the Borough Engineer's charge for establishing the line and grade for such work, plus an additional ten per cent (10%) of such cost, from the owner of the property along which the curbing or sidewalks have been installed, repaired, or replaced; said charges to be collectible by the Borough in the manner provided by law for the collection of municipal claims by filing liens or by an action in assumpsit.

Section 7. Any person who violates any provision of this Ordinance shall, upon conviction thereof before any Justice of the Peace in the Borough, be sentenced to pay a fine of not less than Ten Dollars (\$10.00) or more than Three Hundred Dollars (\$300.00), plus costs of prosecution, and in default of payment thereof, shall undergo imprisonment for a period of not more than thirty (30) days.

Section 8. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED into an Ordinance this 11th day of May, 1971

BOROUGH OF ALBURTIS

By: David B. Richardson

President, Borough Council

Attest:

Bertha M. Kuhn
Secretary

Approved this 11th day of June, 1971

Edward B. Chugman, Jr.
Mayor of the Borough of Alburdis
Lehigh County, Pennsylvania

