
Chapter 56 — Curbs, Sidewalks, and Walkways

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Article I — In General; Administration

§ 56-101 Compliance Required.

No person, firm, or corporation shall install or cause to be installed any curbing or sidewalks along any public street or along any proposed street that has been dedicated to public use in the Borough, except in accordance with the provisions and conditions of this Article. All curbing shall conform to the specifications set forth in Article IV, and all sidewalks shall conform to the specifications set forth in Article V.

§ 56-102 Permit Required.

Before installing any curb or sidewalks along any public street or proposed public street which has been dedicated to public use in the Borough, the owner of the property along which the curbing or sidewalk is to be installed, or his duly authorized agent, shall obtain a permit for the installation of such curbing or sidewalk from the Borough Secretary.

§ 56-103 Fees.

A fee shall be paid to the Borough for a permit under this Article in the amount of Five Dollars (5.00) for each building lot in front of which curbing or sidewalks are to be installed, plus the costs of the Borough Engineer to set the line and grade and to inspect the work (both before and after pouring concrete), at the standard hourly rate charged by the Borough Engineer to the Borough. The person applying for a permit shall deposit the amount of such fees, as estimated by the Borough Secretary, with the Borough Secretary before the permit is issued.

§ 56-104 Line and Grade; Cut Sheets.

Before issuing any permit under this Article, the Borough Secretary shall cause the Borough Engineer to fix the line and grade for the setting of the curbing or sidewalk. However, 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. Also, cut sheets shall be given to the Borough Inspector.

§ 56-105 Inspection Prior to Pouring Concrete.

After the excavation has been made and the forms have been set for the pouring of any curbing or sidewalk, the Borough Engineer 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 Chapter is hereby declared to be a nuisance *per se* and shall, notwithstanding any prosecution being brought under § 56-106, be removed within fifteen (15) days of written notice to do so given by the Borough to the property owner.

§ 56-106 Violations and Penalties.

Any person who violates any provision of this Article shall, upon conviction thereof before a District Justice, be sentenced to pay a fine of not less than Ten Dollars (\$10.00) nor 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.

Article II — Required Installation

§ 56-201 Right to Require Installation.

The Borough Council of the Borough shall have the right to compel the owner of any private property abutting any public 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 Chapter.

§ 56-202 Installation by the Borough.

If the owner of private property fails to install, repair or replace such curbing or sidewalks as directed in accordance with § 56-201 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 percent (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 a civil action.

§ 56-203 Curb Construction Fee.

The fee charged by the Borough for constructing any curbing through Borough forces shall be One Dollar Twenty-five Cents (\$1.25) per lineal foot for the first eighty (80) feet, and Twenty-five Cents (\$0.25) per lineal foot for each additional foot. Notwithstanding the foregoing, if the Borough engages any contractors to construct curbing, the charge imposed by the Borough shall be the cost incurred by the Borough for the installation of the curbing (including Borough oversight costs), as reasonably apportioned and determined by the Borough.

Article III — Trees and Other Obstructions

§ 56-301 Removal of Trees and Other Obstructions.

All persons and property owners are hereby required to remove all trees and other obstructions within the space prescribed and set apart for sidewalks within the Borough, except such trees, poles, posts, etc., as the Borough may permit immediately inside the curb, on five (5) days' notice.

§ 56-302 Violations and Penalties.

Any persons violating any of the provisions of this Article shall, upon conviction before a District Justice, be fined not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), and in default of payment of the same, be committed to the Lehigh County prison.

Article IV — Curbing Specifications

§ 56-401 In General.

All curbing hereafter installed in the Borough shall be constructed of concrete and shall be constructed and installed in accordance with the specifications and requirements set forth in this Article.

§ 56-402 Excavation.

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

§ 56-403 Materials.

Materials for curbing shall be as follows:

(a) Cement shall be a product of a Portland Cement Institute member conforming to the latest ASTM specifications under Designation C150, Type I.

(b) Sand shall be clean, hard, coarse, uncoated grains of stone, uniformly graded from coarse to fine to produce a minimum percentage of voids.

(c) Coarse aggregate shall be crushed stone three-fourths inch (0.75”) in size.

(d) Water shall be clean and fresh.

§ 56-404 Concrete Mixing.

Concrete for curbing shall be mixed as follows:

(a) All concrete shall be mixed by machine, except when the Borough Inspector shall otherwise permit under special conditions.

(b) The concrete proportions shall be one (1) part portland cement, two (2) parts sand and four (4) parts crushed stone.

(c) 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.

(d) Transit mix or plant mix concrete will be acceptable upon approval of the producer by the Borough Inspector.

§ 56-405 Forms, Finish, and Joints.

(a) All curbs shall be formed on both faces for a minimum twenty-two (22) inches in height. Forms shall be substantially constructed to ensure against deformation under pressure. All curves and radii shall be formed of curved form sections to provide a uniform curve.

(b) 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 spalling, said edge being likewise tool-made.

(c) The top surface of all curbs shall be of a smooth flat finish, and the exposed vertical surfaces shall have a smooth rubbed finish accomplished while concrete is still green.

(d) All curbs shall be cut clean through to consist of sections approximately ten (10) feet long and provided with a three-eighths-inch (0.375") expansion joint of bituminous material at intervals of approximately thirty (30) feet on center.

§ 56-406 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 (1) in twelve (12). The back face of the curbing may be vertical.

§ 56-407 Prohibited Types of Curbing.

Rolled curbing and integral curb and gutter curbing shall be and are hereby prohibited.

§ 56-408 Repair or Replacement of Existing Curbing.

Where existing curbing requires repair or replacement, the same type of curbing as now exists may be installed in order to provide uniformity.

§ 56-409 Crossovers.

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.

Article V — Sidewalk Specifications

§ 56-501 In General.

All sidewalks hereafter installed in the Borough shall be constructed of concrete and shall be constructed and installed in accordance with the specifications and requirements set forth in this Article.

§ 56-502 Excavation.

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

§ 56-503 Materials.

Materials shall be the same as specified for curbing in § 56-403 with this addition: Under-sidewalk ballast shall consist of crushed stone or other material approved by the Borough Inspector.

§ 56-504 Concrete Mixing.

Concrete for sidewalks shall be mixed in the same manner as set forth in § 56-404 for curbing.

§ 56-505 Dimensions.

The sidewalk shall be of formed concrete with a minimum thickness of five (5) inches on a compacted base of under-sidewalk ballast with a minimum ballast depth of six (6) inches. The sidewalk shall be divided into blocks having an area of approximately twenty-five (25) square feet. All sidewalks shall be pitched to drain toward the street with an approximate fall of three-eighths (3/8) inch per foot of width.

§ 56-506 Joints, Edges, and Ends.

The outer edges or ends of all concrete sidewalks shall be finished to a radius of not less than three-eighths (3/8) inch. Sidewalk blocks shall be separated by division plates extending full concrete thickness and not exceeding one-fourth (1/4) inch in thickness with a top radius of not less than three-eighths (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 bituminous material of a minimum thickness of three-eighths (3/8) inch between the sidewalk and curb and between sidewalk sections approximately every thirty (30) feet.

§ 56-507 Width.

The minimum width of all sidewalks on Main Street in the Borough shall be six (6) feet from the outer edge of the curb.

Article VI — Snow and Ice Removal

§ 56-601 Removal by Property Owners.

All property owners shall remove snow and/or ice from paved walkways on or abutting their property and adjacent to public streets within twenty-four (24) hours after such snow and/or ice falls, forms, is plowed onto, or otherwise becomes present on such walkways, to the extent necessary to create a clear path at least twenty-four (24) inches in width.

§ 56-602 Violations and Penalties.

(a) **Summary Offense.** Any person who violates § 56-601 shall be guilty of a summary offense.

(b) **First Offense.** Upon conviction therefor for the first offense in a given snow season (October 1 to the following April 30), a violator shall be sentenced to pay a fine of not less than Fifty Dollars (\$50.00) nor more than Three Hundred Dollars (\$300.00), plus the costs of prosecution and the Borough's costs (if any) in removing the snow and ice from the walkway for which the person is responsible, or, in default of payment, to undergo imprisonment for a period not to exceed thirty (30) days.

(c) **Subsequent Offenses.** Upon conviction therefor for the second and subsequent offenses in the same snow season (October 1 to the following April 30), a violator shall be sentenced to pay a fine of not less than One Hundred Dollars (\$100.00) nor more than Three Hundred Dollars (\$300.00), plus the costs of prosecution and the Borough's costs (if any) in

removing the snow and ice from the walkway for which the person is responsible, or, in default of payment, to undergo imprisonment for a period not to exceed thirty (30) days.

Appendix

¶ 56-A Disposition of Ordinance 4.

<u>Ordinance 4</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ I	§ 110-8	§ 56-507
§ II	§ 110-9	§ 56-301
§ III	§ 110-10	§ 58-101
§ IV	§ 110-11	§§ 56-302, 58-102

¶ 56-B Disposition of Ordinance 149.

<u>Ordinance 149</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 1	§ 110-1	§ 56-101
§ 2 (intro)	§ 110-2 (intro)	§ 56-401
§ 2(A)	§ 110-2(A)	§ 56-402
§ 2(B)	§ 110-2(B)	§ 56-403
§ 2(C)	§ 110-2(C)	§ 56-404
§ 2(D)	§ 110-2(D)	§ 56-405
§ 2(E)	§ 110-2(E)	§ 56-406
§ 2(F)(1)	§ 110-2(F)(1)	§ 56-407
§ 2(F)(2)	§ 110-2(F)(2)	§ 56-408
§ 2(F)(3)	§ 110-2(F)(3)	§ 56-409
§ 3 (intro)	§ 110-3 (intro)	§ 56-501
§ 3(A)	§ 110-3(A)	§ 56-502
§ 3(B)	§ 110-3(B)	§ 56-503
§ 3(C)	§ 110-3(C)	§ 56-504
§ 3(D)	§ 110-3(D)	§ 56-505
§ 3(E)	§ 110-3(E)	§ 56-506
§ 4	§ 110-4	§§ 56-102, 56-103, 56-104
§ 5	§ 110-5	§ 56-105
§ 6	§ 110-6	§§ 56-201, 56-202
§ 7	§ 110-7	§ 56-106
§ 8 (repealer)		

¶ 56-C Disposition of Ordinance 193.

<u>Ordinance 193</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ I (repeals Ord. 5)		
§ II	§ 105-1	§ 56-601
§ III	§ 105-2	Deleted by Ord. 336; <i>see</i> § 56-601
§ IV	§ 105-3	Deleted by Ord. 336; <i>see</i> § 56-601
§ V	§ 105-4	§ 56-602
§ VI (general repealer)		

¶ 56-D Disposition of 1981 Code, Chapter 105.

<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 105-1	§ 56-601
§ 105-2	Deleted by Ord. 336; <i>see</i> § 56-601
§ 105-3	Deleted by Ord. 336; <i>see</i> § 56-601
§ 105-4	§ 56-602

¶ 56-E Disposition of 1981 Code, Chapter 110.

<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 110-1	§ 56-101
§ 110-2 (intro)	§ 56-401
§ 110-2(A)	§ 56-402
§ 110-2(B)	§ 56-403
§ 110-2(C)	§ 56-404
§ 110-2(D)	§ 56-405
§ 110-2(E)	§ 56-406
§ 110-2(F)(1)	§ 56-407
§ 110-2(F)(2)	§ 56-408
§ 110-2(F)(3)	§ 56-409
§ 110-3 (intro)	§ 56-501
§ 110-3(A)	§ 56-502
§ 110-3(B)	§ 56-503
§ 110-3(C)	§ 56-504
§ 110-3(D)	§ 56-505
§ 110-3(E)	§ 56-506
§ 110-4	§§ 56-102, 56-103, 56-104
§ 110-5	§ 56-105
§ 110-6	§§ 56-201, 56-202
§ 110-7	§ 56-106
§ 110-8	§ 56-507
§ 110-9	§ 56-301

<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 110-10	§ 58-101
§ 110-11	§§ 56-302, 58-102

¶ 56-F Disposition of Ordinance 342, § 5.

<u>Ordinance 342</u>	<u>1981 Code</u>	<u>2003 Codified Ordinances</u>
§ 5	never codified to 1981 Code	§ 56-203

¶ 56-G Source Ordinances.

Ordinance 4	09-08-1914
Ordinance 149	05-17-1971
Ordinance 193	05-10-1978
Ordinance 215	11-11-1981
Ordinance 336	06-26-1996
Ordinance 342	12-30-1996
Ordinance 415	10-29-2003

¶ 56-H Prior Ordinances Concerning Related Subject Matter.

Ordinance 3	07-14-1914
Ordinance 5	12-08-1914
Ordinance 6	03-05-1915
Ordinance 21	06-07-1920
Ordinance 24	05-02-1921
Ordinance 65	11-22-1956