

CATHARINE TOWNSHIP ORDINANCE NO. 58

The Supervisors of Catharine Township, Blair County, Pennsylvania, in accordance with the powers granted unto them by the Act of Assembly of 1995, November 9, P.L. 350 No. 60 (53 P.S. 65101 et seq) as supplemented and amended, hereby enact and ordain and it is hereby enacted and ordained as follows:

1.

The owner or owners of any lot or lots in the Township with sidewalks in the public right of way shall maintain such sidewalks in a safe and passable condition, free of tripping hazards, snow and ice and other obstructions. The said owner or owners shall repair any defects in such sidewalks and remove any obstructions (including all snow and ice), which make them unsafe or impassable to pedestrians.

2.

The obligation of maintenance shall include but not be limited to:

A. Repair of holes, and repair of cracks having a width in excess of $\frac{1}{2}$ inch at any one point along a length of one foot or greater.

B. Maintenance of a constant grade.

1. Repair shall be made when one or more sections of the sidewalk rises above or drops below the grade of the edges of immediately adjacent sections resulting in an irregular surface with depression greater than $\frac{1}{2}$ inch in depth.

2. Repair shall be made when the curb is out of vertical alignment with the adjacent curb or an adjacent section or slab of sidewalk in excess of $\frac{3}{4}$ inch.

3. Repair shall be made when the curb is out of horizontal alignment with the adjacent curb in excess of $\frac{1}{2}$ inch.

C. Repair of any section of sidewalk that has spalling on twenty-five percent (25%) or more of its surface.

D. The removal of leaves, tree limbs, grass clippings, debris, cinders, gravel, grits, or any other refuse on such sidewalk or projecting branches and other obstructions below six (6) feet, eight (8) inches above the sidewalk. The property owner shall be responsible for the prompt removal of any such items whether or not such items were deposited by the owner, his tenants, anyone acting under his direction, control, license or any third person. Such leaves, tree limbs, grass clippings, debris, cinders, gravel, grits and other refuse shall be properly bagged and disposed of upon being removed from such sidewalk. The sweeping or other removal of such items onto Township streets or state highways is prohibited.

E. Repair of any other instance, which may create a pedestrian safety hazard as determined by the Board of Supervisors.

F. Removal of all snow and ice within 48 hours after the termination of snowfall or ice build-up.

3.

Every owner of property in the Township shall, on ninety (90) days notice, repair the sidewalk or curbing, or both, in the manner stipulated in such notice, in front of or alongside such property. If the ninety (90) days concludes after November 15, then said repairs shall be made on or before April 30 of the following year of said notice. However, where a condition exists of an emergency nature, such repairs shall be made within ninety-six (96) hours of said notice.

4.

Any property owner, upon his own initiative and without notice from any Township authority, may repair a sidewalk or curbing along his or her property, provided that such owner shall have obtained the permits specified in this Ordinance and shall do such repairs in accordance with the requirements of this Ordinance.

5.

All repairs or other maintenance required shall be performed in accordance with the specifications set forth in this ordinance.

6.

A permit shall be obtained from the Township before doing any repairs or maintenance required. Application for the permit shall be made in accordance with the following rules and regulations:

A. The applicant shall submit three (3) copies of the application and three (3) copies of the information requested on the form of application to the Township Secretary.

B. The application fee shall be One Dollar (\$1.00).

C. The Board of Supervisors may inspect the work to determine the degree of compliance to the regulations governing the work.

7.

Upon failure of any owner of property in the Township to repair any curb or sidewalk after notice has been given in accordance with this Ordinance, the Township may cause the necessary repairs to be done at the expense of said owner and may collect the cost thereof and all additional charges, expenses and penalties as authorized.

8.

Any person who violates any of the provisions of this Ordinance shall, upon conviction in a summary proceeding before any District Magisterial Judge, be punishable by a fine of not more than three hundred dollars (\$300) and costs of prosecution for each and every offense or, upon default in payment of the fine and costs by imprisonment in the County Prison for a period not to exceed thirty (30) days. Each day that such violation is continued shall constitute a new and separate offense, punishable by like fine, penalty or imprisonment.

9.

If any portion or portions of this Ordinance shall be declared invalid by a Court of competent jurisdiction, the remaining portion hereof shall remain in full force and effect as if having been adopted without inclusion of said portion or portions.

10.

All ordinances or parts thereof inconsistent herewith are repealed as to any such inconsistency or Inconsistencies.

11.

The effective date of this Ordinance shall be five days after the enactment and ordaining thereof.

CATHARINE TOWNSHIP
BOARD OF SUPERVISORS

By Ralph F. Lippold
By David A. Bigelow M.
By Bernie R. Lyland