

## **ORDINANCE NO. 30**

AN ORDINANCE OF THE MILL VILLAGE BOROUGH REQUIRING THE CONSTRUCTION AND REPAIR OF SIDEWALKS, CURBS AND GUTTERS AND SUPPORTS THEREOF IN CONFORMITY TO LINES AND GRADES; AUTHORIZING NOTICES TO DO WORK AND INSPECTIONS THEREOF; PROVIDEING FOR CONSTRUCTION AND ENERGENCY REPAIRS BY MILL VILLAGE BOROUGH IN CERTAIN CASES AND FOR IMPROVEMENTS BY PROPERTY OWNERS; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Mill Village Borough hereby ordains:

### **Section 1. Construction and Repair Required.**

The Mill Village Borough may require owners of property abutting any street, including State highways, to construct, pave, repave and repair the sidewalk, curb and gutter along such property, at such grades and under such regulations as may be prescribed by the Mill Village Borough Engineer.

### **Section 2. Supports Under Sidewalk and Curbs.**

Where sidewalks or curbs are to be constructed, paved, repaved or repaired over coal cellars or other excavations, such sidewalks shall be supported by iron or steel beams, girders, stone or concrete arches. Any support of wood or perishable material shall be prohibited.

### **Section 3. Conformity to Line and Grade.**

All sidewalks, curbs and gutters shall be constructed, paved, repaved or repaired upon the line and grade obtained by the property owner from the Mill Village Borough Engineer.

### **Section 4. Notice to Do Work.**

Notice to construct, pave, repave and repair sidewalks, curbs or gutters shall be given by registered or certified mail to abutting property owners, and such owners shall have thirty (30) days to comply with said notice in conformity with and construction specifications prescribed by the Mill Village Borough Engineer.

### **Section 5. Inspection.**

At any time during the performance of the required work, the Mill Village Borough Engineer may inspect the work to determine whether construction specifications are being observed.

### **Section 6. Municipality May Do Work and Collect Costs.**

Upon the failure of any property owner to construct, pave, repave or maintain any sidewalk, curb or gutter in compliance with notice to do so, the Mill Village Borough may do the same or cause the same to be done, and may levy the cost of its work on such owner as a property lien to be collected in the manner provided by law.

### **Section 7. Emergency Repairs.**

Where in the opinion of the Borough Engineers a dangerous condition exists that can be repaired the Mill Village Borough shall send such property owner notice by registered or certified mail stating emergency repairs are required. Upon failure of such property owner to comply with the notice within 48 hours after receiving it, the Mill Village Borough may make emergency repairs, and levy the cost of its work on such owner as a lien to be collected in the manner provided by law.

### **Section 8. Construction and Repair Done on Owner's Initiative Without Notice.**

Any property owner not required by notice to construct, pave, repave or keep in repair sidewalks, curbs or gutters may construct, pave, repave or repair the sidewalk, curb and gutter abutting his property; provided, such owner shall make application to the Mill Village Borough Engineer

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before commencing work, shall conform to the provisions of this ordinance and other regulations as to specifications for construction and repair work and shall notify the Mill Village Borough Engineer within 2 days after completion of his work.

### **Section 9. Borough Sidewalk Repairs and Sidewalk Repair Fund.**

Council of the Mill Village Borough shall create a revolving fund with grants of the Commonwealth or other revenues which shall be used to construct, reconstruct or repair sidewalks as determined by the Council of the Mill Village Borough. Council of the Mill Village Borough shall use said finds to construct, pave, repave and repair the sidewalks, curbs and gutters with (within?) the Mill Village Borough.

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ORDAINED AND ENACTED this 8<sup>th</sup> day of September, 2004.

ATTEST:

Selma H. Peters  
Borough Secretary

Cris E. Peters  
President of Borough Council

APPROVED this 8<sup>th</sup> day of September, 2004.

Steve Yovich  
Steve Yovich, Mayor

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