

ORDINANCE NO. 169

AN ORDINANCE REGULATING THE ALTERATION OR  
CONSTRUCTION OR RECONSTRUCTION OF SIDEWALKS  
AND PROVIDING PENALTIES FOR VIOLATIONS.

Be it ordained and enacted by the Town Council of the Borough of Freeport and it is hereby ordained and enacted by authority of the same.

SECTION 1. DEFINITIONS. For the purpose of this Ordinance, the following terms, words and phrases shall have the meaning set forth below.

A. "BUILDING OFFICIAL" - The building official of the Borough of Freeport.

B. "BUSINESS DISTRICT" - That portion of Freeport Borough which lies on both sides of Fifth Street between Market Street and Franklin Street and both sides of High Street from Sixth Street to a point, being 300 feet westward from the western curb line of Fifth Street and both sides of Market Street from a point being 200 feet eastward from the eastern curb line on Fifth Street to Fourth Street.

C. "CONTRACTOR" - A person, firm, syndicate, joint venture, organization or corporation who undertakes construction of or causes to be constructed any of the sidewalks as defined herein.

D. "OWNER" - Any person or corporation who is the occupier, tenant, landlord, landlord's agent, holder of a life or fee interest or any fractional part thereof of land in Freeport Borough.

E. "RESIDENTIAL DISTRICT" - All areas of Freeport Borough not included in the definition of "business district".

F. "SIDEWALK" - That area of Freeport Borough lying adjacent to the streets, avenues, alleys, or ways reserved for or used by the public pedestrian traffic.

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SECTION 2. Every sidewalk shall be subject to the following regulations and specifications when any portion thereof shall be altered, constructed or reconstructed.

A. The edge of the sidewalk adjacent or nearest to the private portion of the land shall be two inches higher than the elevation of the curb, such elevation to be determined on a perpendicular or right angle to the curb.

B. The sidewalk shall be constructed to be at least 54 inches wide, except where prevented by the lay of the land, a building or part thereof.

C. The sidewalks in the business district will be constructed to a width of at least 12 feet from the curb. A variance of 18 inches in the width of said sidewalk on the land or building side may be granted for good cause by the building official.

D. The sidewalks shall be constructed in such manner as to meet smoothly with the sidewalks connecting from adjoining land.

E. Expansion joint shall be installed in such manner that no slab of concrete shall exceed 50 square feet.

F. All public utility fixtures shall be placed flush with the surface of the sidewalk.

G. All sidewalk grating and sidewalk doors will be installed flush with the surface of the sidewalk.

H. No concrete for sidewalks shall be poured when the temperature is less than 40 degrees Fahrenheit or when the temperature can be reasonably expected to fall below 40 degrees Fahrenheit within the next 24 hours. Any concrete poured during such period shall be removed and replaced by the contractor at his expense, and in default thereof by the owner, it being the intent of this subsection to place the burden

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upon the contractor operating within the Borough of pouring concrete under the above described weather conditions.

I. The surface edges of each slab of concrete will be rounded to a radius of one-half inch.

J. While the concrete is setting, barricades at least three feet in height will be placed with necessary safety lights to be placed during the hours of night and darkness on the said barricades and on any materials placed on the public streets.

SECTION 3. In the preparation and laying of concrete sidewalks, the following specifications will be met:

A. Excavation will be done to at least 8 inches below the finished grade.

B. All roots will be cut and any other vegetation or obnoxious materials shall be removed.

C. A backfill or subbase material other than earth or soil, 4 inches deep after compaction, will be placed under the entire area to be covered by the concrete.

D. Every sidewalk shall be at least 4 inches in thickness, except where the sidewalk will be traversed by a driveway or vehicles, it will be 6 inches in thickness with expansion joints on each side of the driveway.

E. A mixture of the concrete for sidewalks will be as follows: three parts clean aggregate, two parts clean sand, and one part cement. A maximum of seven gallons of water will be used to one bag of cement.

F. Expansion joints will be of non-extruding material and will be of one-half inch in thickness.

G. Concrete will be the only material of sidewalk construction, whether or not a sidewalk of other material previously existed where the new sidewalk is to be constructed.

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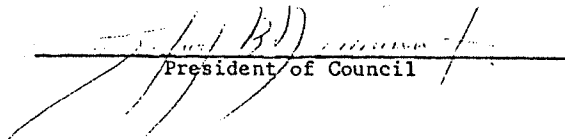
H. No sidewalk will be resurfaced.

SECTION 4. The provisions of this Ordinance shall be enforced and administered by the Building Official.

SECTION 5. Anyone failing to comply with the provisions of this Ordinance shall be liable to a summary conviction with fine not to exceed \$100.00, and upon default thereof, to imprisonment in the county jail for a period not to exceed 30 days.

SECTION 6. All Ordinances or parts of Ordinances in consistent herewith are hereby repealed.

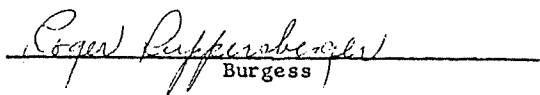
DONE, ORDAINED AND ENACTED at a meeting of the Town Council of the Borough of Freeport the 5<sup>th</sup> day of APRIL 1961.

  
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President of Council

ATTEST:

  
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Secretary

Examined and approved by me this 5<sup>th</sup> day of APRIL 1961.

  
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Burgess