

STREETS AND SIDEWALKS

Chapter 183

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§ 183-15. Depositing snow or ice on highways prohibited.

§ 183-16. Violations and penalties.

[HISTORY: Adopted by the Board of Supervisors of the Township of West Deer as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Driveways — See Ch. 105.

Grading, excavations and fill — See Ch. 132.

ARTICLE I

Street Excavations

[Adopted 12-14-1978 by Ord. No. 127]

§ 183-1. Permit required.

In accordance with the provisions of Section 1156 of Article XI of the Second Class Township Code, as amended,¹ no railroad or street railway shall hereafter be constructed upon any township road, nor shall any railroad or street railway crossing nor any gas pipe, water pipe, electric conduits or other piping be lain upon or in, nor any drain, culvert, footpath, drive or driveway or other means of ingress or egress be graded, constructed, installed or erected onto or in, nor shall any telephone, telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in, any portion of a township road except under such conditions, restrictions and regulations relating to the installation and maintenance thereof, as may be prescribed in permits granted by the township for such purposes.

¹ Editor's Note: See 53 P.S. § 66156.

§ 183-2. Permit application.

The application for a permit shall be on a form prescribed by the township and submitted to the township in triplicate. The application shall be accompanied by a fee in accordance with the Schedule of Fees set forth by the Department of Transportation, for highway occupancy permits and restoration charges. In addition, the applicant shall submit three copies of a sketch showing such dimensions as the location of the intended facility, width of the traveled roadway, right-of-way lines and a dimension to the nearest intersecting street.

§ 183-3. Issuance of permit.

A permit shall be issued to the applicant after all the aforementioned requirements have been filed.

§ 183-4. Notice of completion.

Upon completion of the work, the applicant shall give written notice thereof to the township.

§ 183-5. Inspection; defects to be repaired.

Upon completion of the work authorized by the permit, the township shall inspect the work and, when necessary, enforce compliance with the conditions, restrictions and regulations prescribed by the permit. Where any settlement or defect in the work occurs, if the applicant shall fail to rectify any such settlement or other defect, within 60 days after written notice from the township to do so, the township may do the work and shall impose upon the applicant the cost thereof, together with an additional 20% of such cost.

§ 183-6. Bond. [Added 1-22-1997 by Ord. No. 265]

All completed excavations shall be bonded against defect as provided by the township as a condition of the permit.

§ 183-7. Violations and penalties.² [Amended 1-22-1997 by Ord. No. 265]

Any person, firm, corporation or utility which shall violate any of the provisions of this article shall be subject, upon conviction before a District Justice, to pay a fine of not more than \$1,000, plus costs of prosecution, and, in default of the payment of such fine and costs, to imprisonment in the county jail for not more than five days.

ARTICLE II
Sidewalk Maintenance
[Adopted 3-8-1979 by Ord. No. 130]

§ 183-8. Title.

This article shall be known and may be referred to as the "Township of West Deer Sidewalk Ordinance."

§ 183-9. Definitions.

As used in this article, the following terms shall have the meanings indicated:

SIDEWALK — Includes all paved pedestrian pathways situated within public street rights-of-way and abutting private or public property.

§ 183-10. Purpose.

The purpose of this article is to ensure that sidewalks are adequately maintained and kept in a state of good repair in order to reduce or otherwise eliminate any condition that would constitute a hazard to or result in possible injuries to the pedestrian public.

² Editor's Note: See also Ch. 1, General Provisions, Art. III, Violations and Penalties.

§ 183-11. Responsibility of property owner.

It shall be the responsibility of the owner of the abutting property to keep the sidewalk immediately in front of his property in good order and repair and at all times free and clear of all obstruction to safe and convenient passage. This shall include keeping and maintaining such sidewalks free and clear of all dirt, trash and similar debris, including the removal of snow and ice, and shall also include keeping and maintaining the sidewalk free of any merchandise, sign or other unauthorized structure or appurtenance.

§ 183-12. Notice of violation.

In the event that a property owner fails to properly maintain the sidewalk in front of his property in accordance with the preceding section, a notice of violation shall be issued by the township and sent to the property owner by registered or certified mail. The property owner shall take the steps necessary to correct such violation(s) within a reasonable period of time, but in no case shall any violation remain uncorrected for a period of more than 30 days from the date of receipt of the notice of violation. Failure to comply shall subject the property owner to the penalties contained in this article. If the property owner continues to fail to comply with such notice, the township may make the necessary repairs, remove any obstructions or eliminate any hazard to pedestrian safety. The cost of the same, together with a penalty of 10%, shall be paid by the delinquent property owner and be collected by an action of assumpsit, or the Township Supervisors may file a municipal lien against the property.

§ 183-13. Specifications.

Installation, repair or replacement of sidewalks or sections thereof shall be in accordance with current Township of West Deer specifications. These specifications shall be made available to the property owner to ensure that the proper requirements are met.

**§ 183-14. Violations and penalties.³ [Amended 1-22-1997
by Ord. No. 265]**

Each property owner or agent who violates the provisions of this article shall, upon conviction, be subject to a fine not to exceed \$600, plus costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for a period of not more than 30 days.

ARTICLE III

**Depositing Snow or Ice on Highways
[Adopted 2-21-2001 by Ord. No. 304]**

§ 183-15. Depositing snow or ice on highways prohibited.

It shall be unlawful for any person, firm or corporation to shovel, plow or deposit snow or ice onto the paved or traveled portion of any public highway, road or street.

§ 183-16. Violations and penalties.⁴

Any person, firm or corporation violating the provisions of this article shall upon conviction, for each and every violation be sentenced to pay a fine of not less than \$25 nor more than \$300 and the costs of prosecution, or be sentenced to undergo imprisonment for a period not exceeding 30 days, or both.

³ Editor's Note: See also Ch. 1, General Provisions, Art. III, Violations and Penalties.

⁴ Editor's Note: See also Ch. 1, General Provisions, Art. III, Violations and Penalties.