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Part 1
Snow Removal

§101. Removal By Owners, Occupant or Tenant. The owner, occupant or tenant of every property fronting upon or alongside of any of the streets in the Borough of Shamokin Dam is hereby required to remove or cause to be removed from all of the sidewalks in front of or abutting such property, which are connecting sidewalks to sidewalks on adjoining properties, all snow or ice thereon fallen or formed, within twenty-four (24) hours after same shall have ceased to fall or be formed. PROVIDED, the owner of a property shall be responsible for conforming to the requirements of this section where such property is occupied by such owner or is unoccupied or vacant; the tenant or occupier thereof where such property is occupied by such tenant or occupier only; and the owner thereof where the property is a multiple business or multiple dwelling property, occupied by more than one tenant or occupier. (Ord. 79, 2/4/1963; as amended by Ord. 82-4, 9/13/1982)

§102. Removal By Borough. In any case where the owner, occupant or tenant, as aforesaid, shall fail, neglect or refuse to comply with any of the provisions of §101 of Part 1, within the time limit prescribed therein, the Borough authorities may proceed immediately to clear all snow and ice from the sidewalk of such delinquent, and to collect the expense thereof, with any additional amount allowed by law, from such owner, occupant or tenant, as the case may be, which may be in addition to the penalty imposed under §104 of this Part. (Ord. 79, 2/4/1963)

§103. Multiple Offenses. Provided: Fines and costs may be in addition to any expense and additional amounts authorized by law, imposed as provided in §102 of this Part. That the imposition of one penalty for any violations of this Part shall not excuse the violation or permit it to continue on each day of continuance shall constitute a separate offense. (Ord. 79, 2/4/1963)

§104. Penalties. Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars; and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part 1 continues shall constitute a separate offense. (Ord. 79, 2/4/1963; as amended by Ord. 88-3, 10/17/1988)

Part 2

Regulating Street Excavations and Street Openings in the Borough

§201. Definitions and Interpretation.

1. The following words, when used in this Part, shall have meanings ascribed to them in this Section, except in those instances where the context clearly indicates otherwise:

BOROUGH - the Borough of Shamokin Dam, Snyder County, Pennsylvania.

EXCAVATION - any activity within the right-of-way of any street, alley or cartway which involves cutting, breaking or disturbing the surface thereof. In this Part, the term "opening" shall have essentially the same meaning as excavation.

PERSON - any natural person, partnership, firm, association, corporation or municipal authority

STREET - any public street, avenue, road, square, alley, highway or other public place located in the Borough of Shamokin Dam and established for the use of vehicles, but shall not include State highways.

2. In this Part, the singular shall include the plural and the masculine shall include the feminine and the neuter.

(Ord. 98-5, 11/2/1998, §1)

§202. Permit Required to Make Opening or Excavation. It shall be unlawful for any person to open or to make any excavation of any kind in any of the streets or utility rights-of-way in the Borough without first securing a permit therefor, as hereinafter provided. (Ord. 98-5, 11/2/1998, §1)

§203. Application for Permit. Any person who shall desire to make any opening or excavation in any of the streets or utility rights-of-way in the Borough shall make application to the Borough Manager, in writing, for that purpose. Such application shall be made upon forms to be furnished by the Borough and shall set forth the name of the applicant, the exact location of the proposed opening or excavation and the approximate size and depth thereof, and shall contain an agreement on the part of the applicant that the work shall be done in full compliance with the ordinances of the Borough and the laws of the Commonwealth in relation thereto, and that the applicant shall well and truly save, defend and keep harmless the Borough from and indemnify it against any and all actions, suits, demands, payments, costs and charges for or by reason of the proposed opening or excavation, and all damages to persons or property resulting in any manner therefrom, or occurring in the prosecution of the work connected therewith or from any other matter, cause or thing relating thereto. Applicant shall be required to provide the Borough with proof of insurance coverage for liability in the amount of one million dollars (\$1,000,000.00) and be required to add the Borough as an additional insured for all excavation performed in the Borough

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limits. In addition, the applicant shall provide the Borough with a performance bond to assure compliance and construction in accordance with this Part in an amount of at least one hundred twenty-five (125) percent of applicant's project cost for its repair work. (Ord. 98-5, 11/2/1998, §1)

§204. Permit Fee. Before any permit shall be issued to open or excavate any street or utility right-of-way in the Borough, the applicant shall pay a permit fee in the amount fixed according to a schedule established pursuant to a resolution. (Ord. 98-5, 11/2/1998, §1)

§205. Issuance of Permits Restricted. Permits shall be issued only to person furnishing public utility services or the owner or owners of the real property adjoining the location where such opening or excavation is to be made. (Ord. 98-5, 11/2/1998, §1)

§206. Information Contained on Permit. Any permit issued hereunder shall specify the exact location where the opening or excavation is to be made, the approximate permitted size and depth thereof and the time within which the work for which the permit is granted to be completed. (Ord. 98-5, 11/2/1998, §1)

§207. Permit Approval/Disapproval. A permit may be issued to the applicant after all the requirements therefor have been satisfied. If the application is disapproved, written notice of disapproval, together with reasons therefor shall be given to the applicant. (Ord. 98-5, 11/2/1998, §1)

§208. Responsibility to Contact Utilities. The work authorized by the permit is subject to all the provisions of the Act of December 10, 1974, P.L. 852, No. 287, §1 et seq., as amended or supplemented from time to time. It shall be the permittee's responsibility to contact the utilities that have recorded their facilities in compliance with said Act. A partial list of utilities providing services in the Borough and their office addresses may be obtained from the County Recorder of Deeds. (Ord. 98-5, 11/2/1998, §1)

§209. Refilling of Opening or Excavation; Restoration of Surface; Responsibility for Defects Occurring Within Two (2) Years. Any person who shall open or excavate any street or utility right-of-way in the Borough shall thoroughly and completely refill the opening or excavation in such manner as to prevent any settling thereafter and shall restore the surface to the same condition as it was before the opening or excavation, and such restoration shall be in accordance with the specifications of the Borough for the restoration of surfaces of streets in the Borough, as restored; the surface shall conform to the proper grade and be of the same surface covering as the part of the thoroughfare immediately adjoining the opening. If, within two (2) years after the restoration of the surface as herein provided, defects shall appear therein resulting from defective backfilling by the applicant, the applicant shall reimburse the Borough for the cost of all necessary repairs to the permanent paving. The performance bond required at §103 shall remain in effect to the benefit of the Borough for two (2) years after date of restoration. (Ord. 98-5, 11/2/1998, §1)

§210. Responsibility of Permit Holder for Certain Work; Right of Borough to do Certain Work; Charges Therefor. All other work in connection with openings in any street, including excavation, protection, refilling and temporary paving shall be done by or for the person to whom the permit has

been issued at his or her or its expense, and all such work shall be subject to the provisions of this Part and to the supervision and approval of the Borough Manager; provided, that the Borough Manager may, if he deems it necessary to the proper performance of the work, require that cutting of the surface of streets and the backfilling of all excavations therein shall be actual cost of the work performed by the Borough. (Ord. 98-5, 11/2/1998, \$1)

§211. Requirements for Work; Correction of Unsatisfactory Work; Completion of Incomplete Work.

1. No opening or excavation in any street shall extend from the curb line into the highway a distance greater than one (1) foot beyond the center line of the street before being refilled and the surface of the highway restored to a condition safe and convenient for travel.

2. No more than one hundred (100) feet longitudinally shall be opened in any street at any one (1) time.

3. The work of excavation shall be so conducted as not to interfere with the water mains, sewers or their connections with the houses, or any other subsurfaces lines or constructions, until permission of the proper authorities in connection with such subsurface lines or constructions shall have been obtained.

4. No tunneling shall be allowed without the express approval of the Borough Manager and permission therefor endorsed upon the permit.

5. All openings or excavations shall be backfilled promptly with 2A subbase and thoroughly compacted in layers, each of which layers shall not exceed four (4) inches in depth. Backfilling shall be placed to within ten (10) inches of the surface.

A. For temporary repairs, backfill shall be to within two (2) inches of the surface and a temporary paving with two (2) inches of cold patch.

B. For permanent repairs, backfill shall be to within six (6) inches of the surface after which there shall be placed four (4) inches of BCBC topped with two (2) inches of ID2 wearing asphalt.

C. The perimeter of the permanent patch repair shall be sealed with a hot asphalt sealer.

6. A temporary paving of coldpatch premix, thoroughly bound and compacted, shall be installed flush with the surface of the adjoining paving and maintained for a period of ninety (90) days.

7. During the making of any excavation in the street, every necessary and reasonable precaution shall be taken by the applicant and the parties making the same to keep the street in a safe and passable condition both day and night by guards, barriers, lanterns and other devices, and all excavating permits granted hereunder are granted under and subject to the express condition that the person to whom the same is issued shall indemnify, save and keep harmless the Borough from any loss in damages or otherwise whatsoever, which may or shall be occasioned at any time by the said

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excavation or by any leak, explosion or other injury from any pipe, apparatus, conduit or any other matter placed in the said excavation.

8. The applicant shall notify the Borough Manager at the following stages of restoration:

A. When the opening or excavation is ready for backfill before any backfilling is done.

B. When backfilling work is completed.

C. When the temporary paving has been installed.

D. When the street has been permanently restored so that inspections may be made at each stage of restoration.

9. In the event that any work performed by or for a permit holder shall, in the opinion of the Borough Manager, be unsatisfactory and the same shall not be corrected in accordance with his instructions within the time fixed by him, or in the event that the work for which the permit was granted is not completed within the time fixed by the Borough Manager, the Borough may proceed to correct such unsatisfactory work and assess the correction expense at cost thereof, plus fifty (50) percent to the applicant.

10. Monuments of concrete, iron or other property line monument or survey bench mark, or a permanent survey control bench mark within the Borough, shall not be removed or disturbed or caused to be removed or disturbed unless permission to do so is first obtained in writing from the Borough Manager. Permission shall be granted only upon condition that the applicant shall pay all expenses incident to the proper replacement of the monument.

11. When the work performed by the applicant interferes with the established drainage system of any street, provision shall be made by the applicant to provide proper drainage to the satisfaction of the Borough Manager.

12. When any earth, gravel or other excavated material is caused to roll, flow or wash upon any street, the applicant shall cause the same to be removed from the street within twenty-four (24) hours after deposit. In the event the earth, gravel or other excavated material so deposited is not removed, the Borough shall cause such removal and the cost incurred shall be paid by the applicant.

13. Access to private driveways shall be provided, except during working hours when construction operations prohibit provision of such access. Free access must be provided at all times to fire hydrants.

(Ord. 98-5, 11/2/1998, §1)

§212. Emergency Openings. In the case of any leak, explosion or other accident in any subsurface pipe, line, construction or apparatus, it shall be lawful for the person owning or responsible for such pipe, line, construction or apparatus, to commence an excavation to remedy such condition before securing a permit; provided, that application for a permit shall be made

immediately and not later than the next business day thereafter and that such person comply with all other provisions of this Part. If any such emergency condition shall not be immediately attended to by the owner or person responsible for such pipe, line, construction or apparatus, the Borough Manager, after such notice as he shall deem necessary under the circumstance of the particular case, shall proceed to cause to be done the work necessary and required by such emergency and charge the same on the basis of cost plus fifty (50) percent to such owner or person. (Ord. 98-5, 11/2/1998, §1)

§213. Restrictions Regarding Trees and Shrubbery. The permission herein granted does not confer upon the permittee or its contractors the right to cut, remove or destroy trees or shrubbery within the legal right-of-way, except under specifications, regulation and conditions as the Borough may prescribe. (Ord. 98-5, 11/2/1998, §1)

§214. Work Necessitating Opening or Excavation to be Done Prior to Street Improvement and Not Until Five (5) Years Thereafter; Exception. The Borough Manager shall give timely notice to all persons owning property abutting on any street within the Borough about to be paved or improved and to all public utility companies operating [within] the Borough, and all such persons and utility companies shall make all water, gas or sewer connections, as well as any repairs thereto, which would necessitate excavation of the said street within thirty (30) days from the giving of such notice, unless such time is extended in writing for cause shown by the Borough Manager. New paving shall not be opened or excavated for a period of five (5) years after the completion thereof, except in case of emergency and the necessity for the opening or excavating of such paving to be determined by the Borough Manager. If it is sought to excavate upon or open a sewer within five (5) years after the completion of the paving, applicant shall make written application to the Borough Manager, and a permit for such opening shall be issued only after express approval of the Borough Council. (Ord. 98-5, 11/2/1998, §1)

§215. Conditions for Laying and Extending Utility Lines. No new water, sewer, steam or gas main or electric, telephone or other utility line shall hereafter be laid or constructed, and no such existing main or line shall be extended, in any of the streets of the Borough until the plan therefor shall have been first filed with the Borough Manager and such plan, and the exact location of such main or line, approved by him. The Borough Manager shall not approve the locating of any such main or line at a depth of less than thirty (30) inches from the surface of the street unless he shall be convinced that locating the same at a depth of more than thirty (30) inches from the surface is impossible or impractical. (Ord. 98-5, 11/2/1998, §1)

§216. Payment for Work Done by Borough. Payment for all work done by the Borough under the provisions of this Part shall be made by the person made liable for such work by the terms of this Part. The Borough shall send a bill for any such work to the person liable to pay for such work by certified mail to the last known mailing address of such person. The person liable for payment of such bill shall make payment to the Borough within thirty (30) days of that person's receipt of the bill. In the event that person fails to make full payment of the bill within thirty (30) days, the Borough may proceed to collect the amount due in the manner provided by the terms of this Part or other applicable law. (Ord. 98-5, 11/2/1998, §1)

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§217. Penalties. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than six hundred dollars (\$600.00) and, in default of payment, to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part continues shall constitute a separate offense. (Ord. 98-5, 11/2/1998, §1)

§218. Applicability. The provisions of this Part shall not apply to laying sidewalks or curbs. (Ord. 98-5, 11/2/1998, §1)

Part 3

Regulating Opening of Streets and Alleys

§301. Street Widths Established. All streets proposed or opened in the Borough of Shamokin Dam shall be at least fifty (50) feet in width and must be approved and accepted by the Borough Council as a part of the Borough system of streets. (Ord. 28, 9/2/1947; as amended by Ord. 72-21, 11/7/1972)

§302. Alley Widths Established. All alleys proposed or opened in the Borough of Shamokin Dam shall be at least sixteen (16) feet in width and approved by the Borough Council. (Ord. 28, 9/2/1947)

§303. Snow Removal Not Acceptance Or Approval. Removal of snow and ice from a proposed street or alley by the Borough shall not be deemed an acceptance or approval of such proposed street or alley. (Ord. 28, 9/2/1947)

§304. Penalties. Any person, firm or corporation who shall violate any provision of this Part 3 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars; and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part 3 continues shall constitute a separate offense. (Ord. 28, 9/2/1947; as amended by Ord. 88-3, 10/17/1988)

Part 4

Regulation Of The Original Construction and The Repair of Sidewalks

§401. Construction and Repair Required. The Shamokin Dam Borough may require owners of property abutting on any street, including state highways, to construct, pave, repave and keep in good repair the sidewalk, curb and gutter along such property, at such grades and under such regulations as may be prescribed by ordinance or resolution. (Ord. 85-3, 1/7/1985)

§402. Supports Under Sidewalks 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. (Ord. 85-3, 1/7/1985)

§403. 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 Borough Engineer. (Ord. 85-3, 1/9/1985)

§404. 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 sixty (60) days to comply with said notice in conformity with any construction specifications prescribed by ordinance. (Ord. 85-3, 1/9/1985)

§405. Inspection. At any time during the performance of the required work, the Borough Code Enforcement Officer may inspect the work to determine whether construction specifications are being observed. (Ord. 85-3, 1/9/1985)

§406. 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 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. (Ord. 85-3, 1/19/1985)

§407. Emergency Repairs. Wherein the opinion of the Borough Code Enforcement Officer a dangerous condition exists that can be repaired by an expenditure of one hundred (\$100.00) dollars, the Borough shall send such property owner notice by registered or certified mail stating emergency repairs are required. Upon failure of such owner to comply with the notice within forty-eight (48) hours after receiving it, the Borough may make emergency repairs, and levy cost of its work on such owner as a property lien to be collected in the manner provided by law. (Ord. 85-3, 1/9/1985)

§408. 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 Borough Manager before commencing work as to specifications for construction and repair work and shall notify the Manager within two (2) days after completion of his work. (Ord. 85-3, 1/9/1985)

§410. Penalties. Any person, firm or corporation who shall violate any provision of this Part 4 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars; and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part 4 continues shall constitute a separate offense. (Ord. 85-3, 1/9/1985; as amended by Ord. 88-3, 10/17/1988)

Part 5

Snyder County Public Safety System 911 to
Regulate and Enforce Structure/property Address Numbering
and Private Street Name Signage

§501. Street Number Regulations. The owners of all buildings or structure/property within the Borough to which street numbers have been assigned shall have the street number prominently displayed at all times in accordance with the following standards. For purposes of this Part a "street number" is an address number established in accordance with the County-wide 911 Public Safety System with reference to the adjacent road or street, assigned and given to a particular building or structure/property by Snyder County 911 and the United States Postal Service. For specific sections of roadways with an existing addressing system that is approved by Snyder County 911, the "street number" is the retained street number in the existing addressing system that is established in conjunction with the County Addressing Project.

A. Each building to which a street number has been assigned shall have a street number displayed upon the building except for buildings which are located a distance greater than two hundred (200) feet from the nearest edge of the cartway of the public roadway or upon which signage cannot be attached which would be readable from the nearest public roadway by reason of natural or manmade obstructions, the owner of said structure/property shall be required to provide posted street number signage at least twenty (20) feet and not more than thirty (30) feet from the nearest edge of the cartway of the public roadway, which post shall have affixed thereon the street number which has been assigned to the building.

B. The assigned street numbers shall be either affixed directly to the building or post or displayed on a sign affixed to the building or post. The street number shall be displayed in such a manner that the numbers will contrast in color with the background and will be observed and readable from the nearest public or private roadway. All numbers shall be in standard Arabic numerals, not less than four (4) inches in height and not less than one half ($\frac{1}{2}$) inch in width. It is recommended that the numbers be reflective for greater nighttime visibility.

C. If, for any reason the street number of a particular building is not readily identifiable by posted signage along the roadway whether due to the proximity of multiple buildings with different street numbers or some other reason, the street number should be affixed to the building as well as posted by the road. Similarly, if a single building has multiple street numbers or apartment numbers such as professional buildings or apartments, a building directory should be posted at the main entrance of the building.

(Ord. 05-5, 9/12/2005, §1)

§502. Private Road Name Signs. The owner of all private drives, roadways or easements used for vehicle access to multiple properties where

the drives and roadways are not recognized as Borough roads and which is referenced in the address of structure/property owner whose residence or business abuts said private drive or roadways shall, in addition to the other requirements set forth in this Part install a sign which identifies the private road or private drive name as adopted by the Borough, with said signage to be placed at the entrance where the private road or private drive intersects with the public roadway, but not creating an obstruction to visibility of motorists. (Ord. 05-5, 9/12/2005, §1)

§503. Prohibited Activity. It shall be unlawful to cover, conceal, obstruct, destroy, remove, deface or vandalize any street number or road/street name sign or placard, installed or displayed pursuant to and in accordance with the requirements of this Part. (Ord. 05-5, 9/12/2005, §1)

§504. Enforcement. On determined that a building or structure/property owner has not complied with the street numbering or road name signage regulations of this Part, the Borough Council or their designated representative, with the supervisors consent, may pursue any of the following enforcement remedies:

A. The Borough Council may provide written notice to the owners, occupants, and other persons in possession of building or structure/property which has not been numbered in accordance with these regulations, of the violation and the need to comply.

B. In the event that person's persist in refusing to comply with these regulations despite notices to do so, the Borough Council may issue a written order directing the owners, occupants or others in possession of the building or structure/property in violation of this Part to comply with the applicable requirements of this Part. Any person who is aggrieved by any order issued pursuant to this Part may appeal to the Borough Council by filing a written notice of appeal to the office of the Borough Secretary within ten (10) days of the date of the subject order or notice.

C. In the event the structure/property owners or occupants or possessors fail or refuse to take action in accordance with the notices and an order issued pursuant to this Part, the Borough Council may provide the signage, as necessary, in order to bring the structure/property owner into compliance with the standards promulgated in this Part. The Borough may recover the cost of materials and labor for the purchase and installation of signage from the structure/property owners, occupants or possessors reasonable administrative fees, interest or other charges allowed by law. In the event the owners, occupants or possessors of the subject structure/property fail to pay the loss of such installation as determined and approved then the Borough may institute proceedings at law to collect the full cost together with all penalties, interest, fees, and other charges against the premises and the owners thereof and collect same as a municipal lien or may take other action to collect these sums as may be permitted by law.

(Ord. 05-5, 9/12/2005, §1)

§505. Penalty for Violation. Any person who shall be found to have engaged in the prohibited unlawful conduct as set forth in this Part or who

shall willfully fail to comply with any order to comply with the street numbering regulations, shall be guilty of a summary offense and shall upon conviction be sentenced to pay a fine of no more than six hundred dollars (\$600.00) together with court costs, and upon default in payment of the fine shall be sentenced to imprisonment for not more than thirty (30) days. (Ord. 05-5, 9/12/2005, §1)

§506. Compliance. The proper officers of the Borough are hereby authorized to take necessary and proper action to establish, implement and enforce the standardized system of structure/property address numbering and street/road name sign placement as provided for in this Part and to comply with the requirements of the automatic location information needs of the Snyder County Public Safety System. (Ord. 05-5, 9/12/2005, §1)

