

BOROUGH OF MACUNGIE

21 LOCUST STREET

MACUNGIE, PA 18062

610-966-2503



CURB AND/OR SIDEWALK APPLICATION

Location: _____

Owner: _____

Address: _____

Curb: _____ L.F.

Sidewalk: _____ L.F. Permit Fee: _____

Contractor: _____

Address: _____

Phone: _____

Signature: _____

Inspection Required Prior To Pouring - 24 hour notice required.

Chapter 296
STREETS AND SIDEWALKS

ARTICLE III
Sidewalks and Curbs
[Adopted 5-8-1954 by Ord. No. 159]

§ 296-10. Material, specifications, line and grade for curbs and sidewalks. [Amended 1-4-1960 by Ord. No. 181; 1-2-2001 by Ord. No. 2001-1]

- A. All curbs and sidewalks shall be constructed, reconstructed and repaired of concrete only in conformity with the specifications determined from time to time by the Borough Engineer and approved by Council and only upon the line and grade obtained by the Engineer and not otherwise.
- B. Specifications for the construction of curbs and sidewalks in the Borough are attached hereto as Exhibit 296-10 and incorporated herein.'

§ 296-11. Permit required; fee. [Added 1-2-2001 by Ord. No. 2001-1]

- A. Except as provided in §§ 296-14 and 296-15 regarding sidewalk and curb work done by the Borough, a permit shall be required and obtained for any new construction of sidewalks or curbs and for any repair of curbs in the Borough.
- B. Application for a permit required by this article shall be made to the Borough Manager on forms prepared and provided by the Borough.
- C. The application shall be accompanied by a fee in an amount as set forth in the current fee schedule as established by resolution of Borough Council.
- D. The Borough Manager may issue the permit with any conditions deemed necessary and appropriate to address safety concerns.
- E. Following issuance of a permit, no permit shall be transferable from one person to any other person.

§ 296-12. Property owner responsible for maintenance and repair of curbs and sidewalks.

All curbs and sidewalks shall be kept at all times in safe and usable condition and in good repair by the owner of the abutting property. Upon failure or neglect of any property owner to keep the curbs and sidewalks abutting his property in that condition and repair, the Borough shall give notice to that property owner to comply with the requirement to repair within 10 days. Upon failure of the property owner to do so within that time limit, the Borough may cause the necessary grading, paving, repairing, curbing and/or guttering to be done at the expense of the owner, and may collect the cost of the work, and all additional charges, expenses and penalties as provided by law.

§ 296-13. Notice to lay or repair curbs and sidewalks. [Amended 1-2-2001 by Ord. No. 2001-1]

- A. Notice to lay or repair curbs and sidewalks shall be given to the owner by the appropriate Borough official.
- B. Notice to construct curbs and sidewalks shall be 30 days.
- C. Notice to repair curbs and sidewalks shall be 10 days, except in the case of emergency repairs, when notice shall be 48 hours.
- D. All such notices shall be served upon the owner of the premises to which the notice refers, if such owner is a resident of the Borough. If the owner is not a Borough resident, then the notice may be served upon the agent or tenant of the owner, or upon the occupant of such premises. If the owner has no agent or tenant or there is no occupier of such premises, then service shall be by notice posted upon the premises.

§ 296-14. Authority for Borough to do work at expense of delinquent property owner. [Amended 1-2-2001 by Ord. No. 2001-1]

Upon the neglect of any property owner to comply with any of the requirements provided in the preceding sections of this article, the Borough may, after notice, cause the grading, paving, repairing, curbing and/or guttering to be done at the cost of such owner, and may collect the cost thereof and 10% additional, together with all charges and expenses, from such owner, and may file a municipal claim therefor or collect the same by action in assumpsit.

§ 296-15. Emergency repairs to sidewalks. [Added 1-2-2001 by Ord. No. 2001-1]

- A. In addition to the remedies vested in the Borough to make repairs to sidewalks, the Borough shall have the power to make emergency repairs to any sidewalks in the Borough, where, in the opinion of the appropriately designated Borough official, a dangerous condition exists.
- B. Before any such repairs are made, the owner of said property shall be served a notice to make the repairs within 48 hours. If the owner cannot be served within the county, notice may be served upon the agent of the owner or the party in possession or, if none, the notice may be served by posting the same upon such premises.
- C. In the event the property owner fails to make the repairs, the Borough shall make the repairs and, upon completion of the work, the cost thereof shall be a charge against the owner of the property and shall be a lien upon the abutting property until paid, provided a claim is filed in accordance with the law providing for the filing and collection of municipal claims. Any such charge may also be collected by action of assumpsit.