

ORDINANCE NO 2015-06

**AN ORDINANCE OF THE BOROUGH OF GREENCASTLE, FRANKLIN COUNTY,
PENNSYLVANIA AMENDING CHAPTER 169 ENTITLED "STREETS AND
SIDEWALKS" ARTICLE IV ENTITLED "SIDEWALK AND CURB REPAIR AND
CONSTRUCTION" OF THE CODE OF THE BOROUGH OF GREENCASTLE**

WHEREAS, the Council of the Borough of Greencastle deems it in the best interest, and for the general welfare of the citizens and residents of the Borough to amend certain provisions of Chapter 169, Article IV of the Borough of Greencastle.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and Borough Council of the Borough of Greencastle, Franklin County, Pennsylvania, and it is enacted and ordained as follows:

SECTION I: Chapter 169 of the Code of the Borough of Greencastle, entitled "Streets and Sidewalks", Article IV thereof, entitled "Sidewalk and Curb Repair and Construction", Section 16 thereof, entitled "Conformity required", shall be renumbered and known as Subsection 16.2.

SECTION II: Chapter 169 of the Code of the Borough of Greencastle, entitled "Streets and Sidewalks", Article IV thereof, entitled "Sidewalk and Curb Repair and Construction", Section 16 thereof, shall be amended by adding a new Subsection 16.1, entitled "Definitions", which shall read as follows:

169-16.1 Definitions.

As used in this Article, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Public Street: Any street, avenue, boulevard, road, highway, freeway, parkway or other ways intended to be used by vehicular traffic or pedestrians, BUT NOT including a minor street which provides secondary access to the back or side of properties otherwise abutting a street.

SECTION III: Chapter 169 of the Code of the Borough of Greencastle, entitled "Streets and Sidewalks", Article IV thereof, entitled "Sidewalk and Curb Repair and Construction", Section 17 thereof, entitled "Responsibility of property owners", shall be amended and shall read as follows:

Every owner of land abutting any public street or public alley in the Borough shall maintain existing sidewalks and curbs abutting such land in a safe condition as the Borough shall deem appropriate and in conformity

with standards and specifications that the Borough Council may from time to time designate by resolution or written policy.

SECTION IV: Chapter 169 of the Code of the Borough of Greencastle, entitled “Streets and Sidewalks”, Article IV thereof, entitled “Sidewalk and Curb Repair and Construction”, Section 18 thereof, entitled “Notice to construct, repair or relay”, Subsection A shall be amended and shall read as follows:

- A. Every owner of property abutting any public street in the Borough shall construct, repair or relay sidewalk and/or curb upon service of a written notice to do so by the Borough.

SECTION V: Chapter 169 of the Code of the Borough of Greencastle, entitled “Streets and Sidewalks”, Article IV thereof, entitled “Sidewalk and Curb Repair and Construction”, Section 19 thereof, entitled “New construction”, Subsection A shall be amended and shall read as follows:

- A. All owners of real estate in the Borough of Greencastle who hereafter secure a land use permit for the construction of any building within the Borough shall, within six months after the securing of such permit, construct a concrete curb and sidewalk along the public street on which said real estate abuts, said curb and sidewalk to be constructed at the location designated by the Borough Manager or his/her designee. Said owners of real estate shall include with the building permit application a sidewalk permit application and curb/sidewalk deposit in an amount the Borough Council may from time to time determine by resolution. Upon failure of the owner of the real estate to construct a concrete curb and sidewalk within 60 days following issue of a certificate of occupancy, the Borough, after proper notice in accordance with §169-18 above, may cause the installation of curb and sidewalk to be done.

SECTION VI: **REPEALER.** All provisions of previous Ordinances of the Borough of Greencastle which are contrary to this Ordinance are expressly repealed.

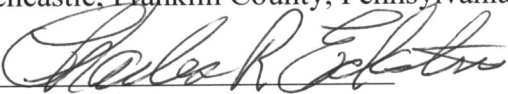
SECTION VII: **SAVINGS CLAUSE.** In all other respects, Chapter 169 of the Code Borough of Greencastle shall remain as previously enacted and ordained.

SECTION VIII: **SEVERABILITY.** The provisions of this Ordinance are severable and if any of its sections, clauses, or sentences shall be held illegal, invalid, or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences.

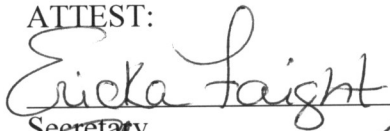
SECTION IX: **EFFECTIVE DATE.** This Ordinance shall take effect immediately.

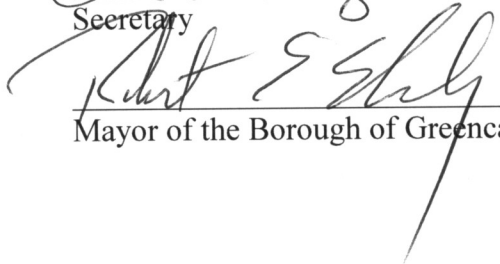
ENACTED, ORDAINED, AND APPROVED this 5th day of October, 2015.

Borough Council of the Borough of
Greencastle, Franklin County, Pennsylvania

By: 
President

ATTEST:


Secretary


Mayor of the Borough of Greencastle