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**PART 1**

**STREET USES AND OCCUPANCIES**

**§101. DEFINITIONS AND INTERPRETATION.**

The following words, as used in this Part, shall have the meanings hereby respectively ascribed thereto:

**PERSON** - any natural person, partnership, association, firm or corporation;

**STREET** - any street or public alley in the Borough of Wrightsville.

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

(Ord. 256, 12/6/1971, §1)

**§102. UNLAWFUL TO ALLOW TRAILER NOT ATTACHED TO VEHICLE UPON ANY STREET.**

It shall be unlawful for any person to place or allow to remain, upon any street in the Borough of Wrightsville, any trailer of any type whatever, not attached to a vehicle or tractor that shall be a source of motive power thereto.

(Ord. 256, 12/6/1971, §2)

**§103. REPAIRING, WASHING OR DISMANTLING OF VEHICLES ON STREETS RESTRICTED.**

It shall be unlawful for any person to wash, repair or dismantle any vehicle or tractor of any

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kind whatsoever, while the same shall be parked upon any street in the Borough of Wrightsville, except that such repairing or dismantling may be done as may be required in case of emergency, for the purpose of enabling such vehicle to be removed immediately from a street.

(Ord. 256, 12/6/1971, §3)

**§104. PENALTY FOR VIOLATION.**

Any person, firm or corporation who shall violate any provision of this Part shall be, upon conviction thereof, sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

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(Ord. 256, 12/6/1971, §4; as amended by Ord. 86-4, 11/17/1986, §1; and by Ord. 98-4, 9/14/1998)

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**PART 2**

**SIDEWALK AND CURB CONSTRUCTION AND REPAIR**

**§201. DEFINITIONS AND INTERPRETATION.**

The following words as used in this Part, shall have the meanings hereby respectively ascribed thereto:

**PERSON** - any natural person, partnership, association, firm or corporation.

**PROPERTY** - any lot, parcel or piece of land abutting upon any street in the Borough of Wrightsville.

**STREET** - any legally adopted and/or legally opened street in the Borough of Wrightsville, but not any alley, regardless of the designation thereof, of which the principal purpose shall be to gain access to the rear of properties abutting upon any

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street.

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

(Ord. 257, 12/6/1971, §1)

**§202. RESPONSIBILITY FOR CONSTRUCTION AND GRADE OF CURBS AND SIDEWALKS.**

It shall be the duty of every owner of property in the Borough of Wrightsville, upon notice from the Borough Council, and within the time limit prescribed by such notice, to grade and construct concrete curb and/or sidewalk, along the entire street frontage of such property, according to the requirements and specifications set forth in this Part. Provided; no sidewalk shall be required on any dead-end street or dead-end portion of a street which has no dwelling or commercial or industrial building fronting upon such dead-end street or dead-end portion of a street.

(Ord. 257, 12/6/1971, §2 )

**§203. RESPONSIBILITY FOR RECONSTRUCTION AND REPAIR OF CURBS AND SIDEWALKS.**

It shall be the duty of every owner of property in the Borough, upon notice from the Borough Council and within the time limit prescribed by such notice, to reconstruct or repair the curb and/or sidewalk, along the portion of the street frontage of such property, specified in such notice, in the manner stipulated in such notice.

(Ord. 257, 12/6/1971, §3)

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**§204. AUTHORITY FOR BOROUGH TO DO WORK AND COLLECT COST AND PENALTY FROM PROPERTY OWNER.**

In any case where a property owner shall fail, neglect or refuse to construct, reconstruct or repair a sidewalk, as the case may be, within the time limit specified in the notice so to do, the Borough shall have authority to cause the said work to be done, and to collect the cost thereof, with any additional amount authorized by law, in the manner prescribed by law.

(Ord. 257, 12/6/1971, §4)

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**§205. PERMIT REQUIRED TO CONSTRUCT OR RECONSTRUCT CURB OR SIDEWALK.**

No curb or sidewalk shall be constructed or reconstructed unless a permit shall have been issued by the Borough and unless the line and grade of the proposed work shall first have been established by the Borough Engineer. Any curb or sidewalk constructed or reconstructed without the lines and grades having been established by the Borough Engineer, or placed otherwise than in conformity with such official lines and grades, shall be removed and replaced at the proper line and grade at the expense of the owner of the abutting property.

(Ord. 257, 12/6/1971, §5)

**§206. SAFETY AND WARNING DEVICES REQUIRED DURING WORK; MATERIALS, EARTH EXCAVATION OR EQUIPMENT NOT TO BE STORED IN STREET.**

Adequate barriers and warning lights shall be maintained by the property owner at all times during the construction of curbs and sidewalks. No materials, earth excavation or equipment shall be stored within the street cartway. Adequate and safe provisions shall be made for the passage of pedestrians while the work is in progress.

(Ord. 257, 12/6/1971, §6)

**§207. RESTORATION OF DESTROYED OR DISTURBED STREET PAVING.**

No street paving shall be destroyed or disturbed beyond a line 12 inches outside the face of the curb. Any damage to street paving shall be restored to a condition satisfactory to the Borough at the permittee's expense.

(Ord. 257, 12/6/1971, §7; as amended by Ord. 96-5, 12/9/1996, §1)

**§208. WIDTH OF SIDEWALKS; GRASSPLOTS.**

Sidewalks shall be laid to the width predominating within the same block and on the same side of the street, but in no case shall sidewalks be less than 4 feet in width. Grassplots are permitted, and shall be of the width predominating within the same block and on the same side

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of the street, but in no case less than 18 inches in width. The surface of grassplots shall be firm and level with sidewalk and curb and safe for the use of pedestrians, and not fenced or otherwise obstructed or maintained so as to endanger the public. Where adjoining properties have grassplots, and the property owner does not propose a grassplot, the rear line

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of the sidewalk (line most distant from the curb) shall match the rear line of adjoining walks, and the entire area from curb to rear sidewalk line shall be laid in concrete sidewalk.

(Ord. 257, 12/6/1971, §8)

**§209. PRIVATE DRIVEWAYS.**

Private driveway openings shall be provided with a depressed curb (or rolled concrete curb, when specifically permitted by Borough Council). Top of depressed curb shall be from 1 1/2 or 2 inches above the gutter grade. The location, width and design of driveway openings shall conform to the Pennsylvania Department of Highways "Driveway Regulations" dated January 2, 1969, unless specific exceptions thereto are authorized by Borough Council. The rise from depressed curb to normal sidewalk grade shall be completed within the grassplot area. Where no grassplot area is provided, the rise from depressed curb to normal sidewalk area shall be completed within 24 inches from face of curb and sidewalk at normal grade shall be provided not less than 30 inches in width across the driveway opening.

(Ord. 257, 12/6/1971, §9)

**§210. SIDEWALKS TO BE CONSTRUCTED OF CONCRETE ONLY.**

All sidewalks shall be constructed, reconstructed of concrete only, which shall be either:

A. Premixed certified portland cement concrete having a 28 day compressive strength of not less than 3000 psi.

B. Site mixed concrete mixed in proportions of one part portland cement, 2 parts sand and four parts stone, by volume, thoroughly mixed.

Provided, in any case where the owner of any property, in the interest of architectural harmony, shall petition the Borough Council for permission to construct a walk of brick or flagstone, instead of concrete, the Borough Council, at its discretion, may grant a variance permitting the use of such substitute material, provided that maximum pedestrian safety shall be assured. In all such cases, the advice of the Borough Engineer shall be sought and such walks shall be constructed in strict conformity with special specifications and requirements directed by the Engineer.

(Ord. 257, 12/6/1971, §10)

**§211. FORMS.**

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The forms may be either steel or a good straight timber planed on the side adjacent to the concrete and oiled. Timber forms shall be not less than 2 inches in thickness, except radius forms, which shall be prefabricated of plywood to the proper radius. Curbs constructed on a curve of less than 200 feet radius shall be formed with plywood on a true circular curve, and rigid steel or 2 inch timber forms shall not be used. Forms shall be straight, free from warp and of sufficient strength, when staked, to resist the pressure of the concrete without springing. Forms shall have a depth equal to that of the concrete.

(Ord. 257, 12/6/1971, §11)

### §212. WORK METHODS.

The following methods shall be strictly adhered to in all work done pursuant to this Part:

**A. Excavations.** Excavation shall be made to the required depth and the material upon which the work is to be constructed shall be compacted to a firm, even surface. All soft and yielding material shall be removed and replaced with suitable material. Wherever it is necessary to remove old concrete work, care shall be taken not to damage adjacent concrete work which is to remain and all broken concrete and excess material shall be removed and disposed of.

**B. Construction of Curbs.** Straight curb shall be 6 inches thick at the top, 8 inches thick at the bottom, battered on the outside (steel) face, and 22 inches in depth. When specifically approved by Borough Council, a concrete rolled curb may be constructed measuring 8 inches thick on the street face, 12 inches thick on the rear face, and 24 inches in width, with a rise of 4 inches from top of concrete at street edge to top of curb at rear, containing a gutter line or depression 1 inch below street edge at a point 6 to 12 inches from street edge. Concrete shall be placed in the forms in horizontal layers not to exceed 5 inches and spaded or vibrated sufficiently to eliminate all voids. Where necessary, drainage openings may be made through the curb at the elevation and of the size required. The top surface of the curb shall be finished true to line and grade in a smooth, neat and even manner by means of wood floats, and the edges of the face and back shall be rounded to a radius of not more than  $\frac{3}{4}$  of an inch and  $\frac{1}{4}$  of an inch, respectively, while the concrete is still plastic. The curb shall be constructed in continuous lengths not to exceed 60 feet, with contraction joints scored at the 10 foot laterals, and templates shall be pulled while the concrete is still plastic so that there shall not be a complete separation between sections. Premolded expansion joints  $\frac{1}{4}$  inch in thickness shall be placed at the end of each pour, but in no case at intervals exceeding 60 feet. In lieu of the above, the curb may be constructed in uniform lengths or sections of 10 feet, with complete separation between sections, in which event two #4 deformed reinforcing bar dowels 24 inches long shall be imbedded in the concrete. Dowels shall be on the vertical center line of straight curb, 6 inches from top and bottom, and on the horizontal center line of rolled curb, 6 inches from the front and back faces. Bar dowels shall be provided at all expansion joints, and one end shall be rendered bondless with a coating or approved material, and enclosed, in part, in approved tubes or caps which will

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provide a positive clearance pocket of at least 1/2 of an inch. Expansion joints  
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shall be provided at the beginning and end of all curb radii, 1/4 inch premolded expansion joint material shall separate all curb from sidewalk poured directly back of curb, and shall separate all curb and/or sidewalk from utility poles, fire hydrants, walls, steps and other permanent structures abutting the work.

C. Construction of Sidewalks. Sidewalks shall be not less than 4 inches in thickness, excepting across driveway areas sidewalks shall be not less than 6 inches in thickness. Sidewalks shall be laid on a grade sloping upward from the top of the curb at the rate of 1/4 inch per foot. The subgrade shall be earth, cinders, crushed stone, or other acceptable foundation approved by the Borough Engineer, carefully graded to provide proper concrete thickness, and tamped to provide even solid support. Sidewalks shall be constructed in separate slabs 30 feet in length, separated by premolded expansion joints 1/4 inch thick in thickness for the full depth of the concrete. Between expansion joints, the slabs shall be scored every 5 feet. Premolded expansion joint material shall separate the sidewalk from the curb, and from any building, stairs, other pavement, utility poles, fire hydrants or other permanent structures. After being struck-off to the required grade, the surface shall be worked with a wooden float, until thoroughly compacted free from irregularities of any kind, and brought to an even granular finish. Dry cement, or dry cement and sand, shall not be placed on the surface to hasten hardening. An edger having a 1/4 inch radius shall be used for edging all joints.

D. Removal of Forms. The forms shall not be removed within 12 hours after the concrete has been placed. No rubbing to correct irregularities will be permitted until the full curing period has elapsed. Any irregular surface shall be corrected by rubbing with a carborundum stone. Brush finishing or plastering will not be permitted and all rejected curb shall be promptly removed and replaced. All joints in the curb shall be opened from top to bottom immediately after the forms are removed, and the edges adjacent to the joints shall be sharp and clean-cut. After the forms are removed, minor defects shall be filled with mortar composed of one part of cement and two parts of fine aggregate.

E. Curing and Backfilling. All concrete work shall be kept moist for at least 72 hours after placement. Concrete placed during cold weather shall be protected against freezing for not less than 72 hours by suitable means approved by the Borough Engineer. After curing, the spaces adjacent to the concrete shall be backfilled as follows:

- (1) Areas along the curb face or the gutter, between the new clean earth, tamped to street subgrade, 8 inches below the top of curb.
- (2) Areas to the rear of curbs, between curbs and sidewalks, and the rear of sidewalks, shall be backfilled with topsoil previously removed in the

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excavation. This topsoil will be raked and graded to blend into the surrounding grass areas, eliminating water pockets.  
(Ord. 257, 12/6/1971, §12)

**§213. EXCEPTIONS.**

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**STREETS AND SIDEWALKS**

Where in the opinion of the Council, strict enforcement of the provisions of this Part would result in undue hardship to a property owner in relation to the benefit to the property and the benefit to the Borough, an exception may be granted by the Council.

(Ord. 257, 12/6/1971, §13)

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(21, Part 3)

**PART 3**

**SNOW AND ICE ON SIDEWALKS**

**§301. RESPONSIBILITY FOR REMOVAL OF SNOW AND ICE.**

The owner, occupant or tenant of every property fronting upon or alongside any street in the Borough of Wrightsville is hereby required to remove or cause to be removed from all sidewalks in front of and/or alongside such property all snow and ice thereon fallen or formed, within 24 hours after the same shall have ceased to fall or to be formed. Provided, the owner of a property shall be responsible for conforming to the requirements of this Section where such property is vacant or unoccupied or is occupied by the owner thereof or is a multiple unit property occupied by more than one tenant or occupier; the tenant or occupier thereof shall be responsible in the case of a single unit property occupied or tenanted by such occupier or tenant only.

(Ord. 258, 12/6/1971, §1)

**§302. AUTHORITY FOR BOROUGH TO REMOVE SNOW AND ICE AND COLLECT EXPENSES PLUS ADDITIONAL AMOUNT.**

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In any case where the owner, occupant or tenant, as aforementioned, shall fail, neglect or refuse to comply with any provision of §301, within the time limit prescribed therein, the Borough authorities may proceed immediately to clear all snow and/or ice from the sidewalk of such delinquent and to collect the expenses of such removal, with any additional amount allowed by law, from such owner, occupant or tenant, as the case may be, which shall be in addition to any fine or penalty imposed under §303.

(Ord. 258, 12/6/1971, §2)

**§303. PENALTY FOR VIOLATION.**

Any person, firm or corporation who shall violate any provision of this Part shall be, upon conviction thereof, sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Such fine and costs may be in addition to any expenses and additional amounts authorized by law, imposed as provided in §302. Each day that a violation of this Part continues, shall constitute a separate offense.

(Ord. 258, 12/6/1971, §3; as amended by Ord. 86-4, 11/17/1986, §1; and by Ord. 98-4, 9/14/1998)

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(21, Part 4)

**PART 4**

**OPENINGS AND EXCAVATIONS IN STREETS AND SIDEWALKS**

**§401. APPLICABILITY OF PROVISIONS.**

It shall be unlawful for any person, firm or corporation to make any cut, opening or excavation in or to make any tunnel or undermining under, or to place any excavated material within the right-of-way limits of any street or road or alley in the Borough of Wrightsville except in accordance with the terms of this Part.

(Ord. 3/16/1961B, §1)

**§402. APPLICATION FOR PERMIT.**

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The applicant for any such work shall file with the Borough Secretary a written application on a form to be furnished by him. Such application shall set forth the name and address of the applicant, the purpose for which the work is to be done, the location of the work with reference to adjoining streets, the length, width and depth of the proposed work and such other information as the Borough Secretary may require.

(Ord. 3/16/1961B, §2)

### **§403. AGREEMENT AND BOND TO ACCOMPANY APPLICATION; EXCEPTIONS; LIABILITY OF PERMIT HOLDER.**

Such application shall also contain the written agreement of the applicant to comply with the terms thereof, and the bond of the applicant, without surety, in an unlimited amount conditioned that the applicant shall comply with all the terms hereof, shall indemnify and save harmless the Borough, its agents, servants and employees of and from all costs, expenses, claims or demands resulting from injury or damages to persons or property in the course of such work, and shall immediately pay to the Borough, upon demand, all costs of labor and material required to repair or replace any damage or deterioration to any street or road by reason of the defective performance of such work, and any subsidence in the surface thereof, plus an additional sum of 15% thereof for administration, for a period of 36 months from the date of completion of such work. If any such damage, deterioration or subsidence shall occur within said period, the Borough shall cause the same to be repaired or replaced and the applicant shall forthwith pay to the Borough, upon demand, such cost and administration charge. Provided, however, that any public utility holding a certificate of operation from the Public Utility Commission may be excused from the necessity of furnishing bond, but nothing in this exception from bond shall in any way relieve said utility from liability for costs, expenses, claims, demands or damages as aforesaid.

(Ord. 3/16/1961B, §3)

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## **STREETS AND SIDEWALKS**

### **§404. LIABILITY INSURANCE BOND.**

At the time of filing such application the applicant shall furnish to the Borough Secretary certificates showing that the applicant is insured, with specific reference to work to be done within public streets or roads, against liability for injury to any person to the extent of \$100,000 for each person and \$300,000 for each accident, and for damage to property to the extent of \$50,000 for each accident.

(Ord. 3/16/1961B, §4)

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**§405. FEE FOR PERMIT.**

At the time of filing such application, the applicant shall pay to the Borough a fee in the amount as established from time to time by resolution of Borough Council.

(Ord. 3/16/1961B, §5; as amended by Ord. 98-4, 9/14/1998)

**§406. ISSUANCE OF PERMIT; TIME VALID.**

If the Borough Secretary shall be satisfied that all the terms hereof shall have been complied with, he shall issue to the applicant a permit for such work, which permit shall expire 30 days from the date of issuance unless extended by the Borough Secretary for cause shown.

(Ord. 3/16/1961B, §6)

**§407. WORK NOT TO INTERFERE WITH ACCESS TO FIRE HOUSE OR FIRE HYDRANTS OR OBSTRUCT STREET.**

No applicant shall do any such work in such manner or at such location as to interfere with access to any fire house or fire hydrant, nor shall any street or road be closed to vehicular traffic by reason of such work unless and until the applicant shall first have obtained the approval of the Borough Fire and Police Departments of such intended closure. In the absence of such approval, no such work shall be done in any manner so as to leave available for vehicular traffic less than 1/2 the width of the cartway of any street or road. No such work shall be done which blocks or could block the flow of surface water in any gutter, street, ditch, alley or right-of-way.

(Ord. 3/16/1961B, §7)

**§408. WARNING, PROTECTIVE AND SAFETY MEASURES.**

During all periods of such work, the applicant shall place and constantly maintain at the site such barricades, warning signs, lights, railings, temporary passageways, flagmen and other protective and safety devices as may be necessary to prevent injury or damage to persons or

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property and shall take such steps and adopt such measures as may be necessary to protect all adjoining private property from damage by reason of such work.

(Ord. 3/16/1961B, §8)

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**§409. PROTECTION OF UNDERGROUND UTILITY LINES.**

Before beginning any such work in any street or road in which gas, water, sewer or other utility mains, pipes, lines or laterals are or may be located, the applicant shall notify the owners of all such mains, pipes, lines or laterals of such intended work, shall take all steps and adopt all measures which may be necessary to prevent damage to the same and shall promptly repair or replace, or pay the costs of repairing or replacing, any such damage to the same.

(Ord. 3/16/1961B, §9)

**§410. BACKFILLING AND RESURFACING.**

1. All backfilling of any such cut, opening, excavation, tunnel or undermining shall be done in layers of not more than 6 inches, each of which shall be thoroughly tamped and compacted. The surface of all such completed work shall immediately be replaced by the applicant in accordance with the Borough specifications for the construction of new streets and roads.

2. Excavated material shall not be used as backfill. Backfilling shall only be done with material meeting Pennsylvania Department of Transportation specifications for No. 2RC aggregate meeting the requirements of §677, Form 408 (1973). [Ord. 74-2B] (Ord. 3/16/1961B, §10; as amended by Ord. 74-2B, 4/1/1974, §1)

**§411. PROMPT COMPLETION OF WORK; CLEANUP AND REMOVAL OF MATERIAL AND EQUIPMENT.**

All such work shall be proceeded with and completed as promptly as possible, without any unreasonable interruption or cessation of the work. Upon completion of the work, the applicant shall immediately cleanup and remove all excavated material and other equipment and material from the street, road, sidewalk and adjoining private property.

(Ord. 3/16/1961B, §11)

**§412. EXTENT OF OPENING LIMITED.**

No cut, opening or excavation in any street or road in excess of 500 feet in length shall be permitted to be opened at any one time.

(Ord. 3/16/1961B, §12)

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**§413. EMERGENCY OPENINGS.**

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No application, application fee or permit shall be required prior to making any cut, opening, excavation, tunnel or undermining in any existing street or road as the result of any emergency, disaster or catastrophe, but as soon thereafter as possible the person doing such work shall file the application, pay the application fee, obtain the permit and comply with all other provisions hereof.

(Ord. 3/16/1961B, §13)

### §414. PENALTY FOR VIOLATION.

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 \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 3/16/1961B, §14; as amended by Ord. 238, 12/6/1971; by Ord. 86-4, 11/17/1986, §1; and by Ord. 98-4, 9/14/1998)

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(21, Part 5)

## PART 5

### SIDEWALK OBSTRUCTIONS AND USES

#### §501. GASOLINE PUMPS, AIR AND WATER STANDS NOT TO BE INSTALLED ALONG CURB OR SIDEWALK.

No person, firm or corporation shall hereafter set up any gasoline pump or any air or water stand (for dispensing air, water or gasoline to motor vehicles) along the curb or sidewalk of any street or other highway in the Borough of Wrightsville, Pennsylvania.

(Ord. 11/9/1936B, §1)

#### §502. PENALTY FOR VIOLATION.

Any person, firm or corporation violating any provision of this Part shall be, upon conviction thereof, sentenced to pay a fine of not less than \$25 or more than \$600 plus costs and, in default of payment of such fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation continues shall constitute a separate offense.

(Ord. 11/9/1936B, §2, as amended by Ord. 234, 12/6/1971, §1; by Ord. 86-4, 11/17/1986, §1;

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**and by Ord. 98-4, 9/14/1998)**

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