

# **BOROUGH OF SHIPPENSBURG**

CUMBERLAND AND FRANKLIN COUNTIES

PENNSYLVANIA

**SPECIFICATIONS FOR INSTALLATION OF  
CURBS, SIDEWALKS, DRIVEWAY APPROACHES AND SIMILAR  
APPURTENANCES IN THE BOROUGH OF SHIPPENSBURG**

**EFFECTIVE MAY 2010**

SECTION A.            SCOPE

Scope of coverage of work by these Specifications will include new curbs, sidewalks, driveway approaches and/or any similar appurtenances or the repair or replacement of curbs, sidewalks, driveway approaches and/or any similar appurtenances placed or caused to be placed on public streets of the Borough of Shippensburg by an owner of the property adjacent thereto.

Application for permit to execute work as listed above will be made at the office of the Borough Secretary by the property owner or contractor before any stage of the work is begun.

Upon completion of work, the Borough will make a final inspection to verify compliance with the construction specifications.

The Contractor should familiarize himself with Ordinance No. 513 of the Borough of Shippensburg and Pennsylvania Department of Transportation curb and sidewalk specifications.

All paving, repaving, curbing or recurbing of sidewalks and curbs shall be of plain cement concrete as described herein. No other material shall be approved for use until and unless a special exception to these Specifications is formally issued by Borough Council.

SECTION B.            SIDEWALKS

1.            GRADING

Sidewalk reservation shall be the area between the curb and the street right-of-way line, unless otherwise provided for and agreed to by Borough Council.

Rough grading shall be done by the property owner or contractor in the ordained sidewalk reservation to the approximate subgrade elevation. Grading, if in cut, will terminate at the rear of the sidewalk reservation and it will be the responsibility of the property owner, at his expense, to construct terrace slopes or provide support such as a retaining wall. If grading is in fill, the property owner or contractor shall provide compacted fill to the back of the sidewalk and the slope from that point shall be the natural repose of the soil. It will be the contractor's responsibility to maintain a subgrade elevation 8" below the finished surface for sidewalks and 12" below the finished surface for driveway approaches.

Unsuitable material shall be removed and replaced with acceptable material. The foundation shall be thoroughly packed and finished to a firm even surface.

All sidewalks shall be at least 5' wide from back of curb to back of sidewalk. Sidewalks may be 5' wide with a 2' - 6" grass or concrete strip where approved by the Borough. Whether fully paved or with grass strip, the back edge of all sidewalks in each block shall

form a straight line, or otherwise be circumferentially parallel to the centerline of the street.

2. SUBBASE

Subbase shall be of no less than 4" of Pennsylvania No. 2B stone well tamped or rolled and thoroughly soaked with water immediately prior to pouring concrete.

Driveway approaches shall have no less than 6" of Pennsylvania No. 2B stone well tamped, or rolled, and thoroughly soaked with water immediately prior to pouring concrete.

3. FORMS

The forms shall be of metal or of 2" nominal thickness wood, surfaced on the inside and top. Thinner wood forms may be used on curves. Forms shall be straight, free from warp and of sufficient strength when stalked to resist pressure of the concrete without springing. All form material and forms shall be approved by the Borough before use and he shall inspect the forms for alignment, grade and rigidity before the concrete is poured, the forms shall have a depth equal to the depth of the concrete.

4. REINFORCING

Reinforcing steel mesh shall be placed in sidewalks at driveway approaches 3" below the finished surface of same. Mesh shall be 6 x 6 x 8 gage or as approved by the Borough.

5. JOINTS

Sidewalks shall be constructed of separate slabs 25' in length except for closures. These slabs shall be separated by transverse premolded expansion joint filler, 1/4" in thickness, for the full depth of the concrete. Transverse premolded expansion joint filler shall also be placed adjacent to existing structures where directed. The slabs between expansion joints shall be divided into blocks 5' in length, by scoring transversely. Where the slabs are more than 5' in width they shall be scored longitudinally in the center. Transverse and longitudinal scoring shall extend for a depth of at least 1/4 the thickness of the concrete slab.

Premolded expansion joint filler, 1/4" in thickness for the full depth of the concrete, shall be placed longitudinally where the sidewalk slab is to be constructed in contact with curbs previously constructed.

Where existing light standards, poles, fire hydrants, and similar structures are within the limits of the sidewalk area, a block shall be constructed 8" wider than the maximum dimension of the structure at the sidewalk elevation. Prior to placing the concrete around such structures and block, premolded expansion joint filler, 1/4" in thickness, shall be placed around the structure and block for the full depth of the concrete in the sidewalk.

Where live trees exist within the limits of the paving, a space the size of which shall be 10" from the trunk of the tree on each side shall be left unpaved. This space shall be filled to pavement level with flexible material such as earth, gravel or brick but asphalt will not be permitted. It shall be the responsibility of the property owner to maintain this flexible material at pavement level.

6. MISCELLANEOUS OBSTRUCTIONS

A. All gutters or channels crossing any sidewalk or pavement shall be constructed below the established grade of such sidewalk or pavement in the following manner:

- 1) By installing a water conductor not less than 3" in diameter and having at least a 3" reinforced concrete covering over it, or,
- 2) By installing a trench 4" in depth with a minimum width of 6" and having at least 3" of concrete under the bottom of the gutter. The cover shall be the entire width of the sidewalk with the top of said cover level or flush with the sidewalk or pavement. The top shall be of diamond plate or cast iron with a non-skid finish and shall be inserted in an angle frame which is fastened into the concrete with tie anchor bolts. Frames and covers shall be approved by the Borough.

B. All curb boxes or inserts in a sidewalk shall be flat and flush with the grade of the sidewalk.

C. Basement well doors or covers on sidewalk openings shall be of non-skid material and shall be set flush with the sidewalk grading.

D. No overhead water conductors or downspouts shall be constructed.

E. No water from downspouts shall be permitted to flow over surface of sidewalk where storm sewers are available.

7. PLACEMENT OF CONCRETE

All concrete shall contain at least 6 bags of plain cement, Type I or II, per cubic yard. All concrete shall be air entrained and contain at least 6% (plus or minus 1%) of air entrainment. The concrete aggregate shall be sound, clean and well graded. The concrete shall have a compressive strength at 28 days of 3,000 lbs. per square inch. A slump of 4" shall be the maximum allowed. The slump test shall be in accordance with A.S.T.M. Specifications C-143 or the latest revised edition. Concrete shall be no less than 4" thick with a fall of 1/4" to the foot from the back of the sidewalk to the curb. Driveway approaches shall have no less than 6" of concrete. Sidewalks shall be divided into blocks of not more than 5' square nor less than 30" x 20". When slabs are over 5' wide, they shall be scored longitudinally.

Whenever the temperature of the surrounding air is between 32 degrees F and 45 degrees F, all concrete placed in the forms shall have a temperature of between 70 degrees F and 80 degrees F. The use of calcium chloride as an additive, is permitted provided the content is not more than 1% by weight of cement. Concrete may not be placed on frozen subbase. Whenever the temperature of the surrounding air is below 32 degrees F, concrete shall not be placed without the approval of the Borough.

8. FINISHING AND CURING

The concrete shall be struck off to a smooth and even surface. All sidewalk forms shall not be removed for at least 48 hours after pouring or as approved by the Borough. Edges shall be rounded with an edging tool with no tool marks left on the exposed edges. Care shall be taken prior to troweling that all bleeding water has evaporated so that excess fines shall not work to the surface. The use of an aluminum or magnesium float is recommended for finishing air entrained concrete. Final finishing shall be accomplished with a steel trowel. The surface texture shall be given all exposed surfaces by light stroking with a bristled broom.

As soon as possible, without marring, the finished sidewalk shall be covered with wet burlap, straw, or sand and kept moist for a period of three (3) days or longer if directed. The use of asphalt impregnated craft paper or polyethylene film may be allowed if all exposed areas are properly covered and the cover is held down sufficiently around the area to prevent air from drying the surface. As an alternate, clear or white pigmented membrane seal coats such as Horncure by W.R. Grace, or approved equal, may be used. During the curing time, all traffic both pedestrian and vehicular shall be kept off.

SECTION C. - CURBS

1. GRADING

Rough grading shall be done by the property owner or contractor to the approximate subgrade elevation. Grading, if in cut, will terminate at the rear of the curb, if sidewalk is not being constructed; and it will be the responsibility of the property owner, at his expense, to construct the terrace slopes or provide support such as a retaining wall. If grading, is in full, the property owner or contractor will provide compacted fill to the back of the curb, if sidewalk is not being constructed and the slope from that point shall be the natural repose of the soil.

It will be the contractor's responsibility to maintain a stable subgrade elevation eighteen (18) inches below the finished surface of curb. Unsuitable material shall be removed and replaced with acceptable material. The foundation shall be thoroughly packed and finished to a firm even surface.

All curbs shall be at least eighteen (18) inches deep, 6" wide at the top and not less than 8" wide at the bottom.

If necessary to remove existing street base and paving to place forms for the curb face, the property owner will replace the street base and paving surface.

2. CURB CUTS, DRIVE ENTRANCES AND RADII

No curb cuts shall be made on driveway entrances constructed on existing sidewalks in the Borough without prior written approval of the Borough.

Where a curb cut or driveway construction has been authorized that crosses a public sidewalk area, such driveway shall not exceed 20' in width for a single drive entrance or 25' in width for a double drive entrance to a residence and shall be constructed with a depressed curb. Drive entrances to commercial and industrial properties shall not exceed 35' in width and shall have a 5' radius on either side. Where multiple approaches are used, they must be separated by 10' pedestrian safety island. All curb cuts for driveways shall be at least 4-1/2 " deep from top of curb unless written permission otherwise is given by the Borough.

All private cross drives abutting any property shall in the absence of contrary specific written instructions from the Borough be so constructed across, and shall conform to the grade of said sidewalk to within 3' 6" of the outside edge of curb, and from which point it may incline to the flow line of gutter in such manner that the sides of incline will taper down without risk of injury to pedestrians; and further, it will not be lawful to place any pipe, drain, culvert or any other obstruction above and along the flow line of any gutter for the purpose of a permanent passageway across any sidewalk. Any such obstruction existing in gutters shall be removed. Authorized curb cuts in construction of driveways shall be made only with the approval of the Borough. All new driveways and curb cuts will be constructed according to the preceding specifications and the standard entrance plans provided by the Borough and shall be constructed of materials provided for in these specifications.

To avoid interference with both pedestrian and vehicular traffic on a cross street, driveways shall be located at least thirty (30') feet from the intersection of streets unless specifically authorized by action of the Borough Council.

Where possible, all curbs at intersections of streets shall be laid on a curve having a minimum radius of ten (10') feet. The radius of curvature of the inside edge of sidewalk shall be such that the width of the walk will at no place be less than five feet (5') in width unless a narrower width is specifically authorized by action of the Borough Council.

Curbs shall be constructed and backfilled prior to construction of sidewalk at driveway approaches.

At driveway approaches the curb, ramp and sidewalk for the driveway width shall be constructed of concrete and at the time curb is installed.

3. FORMS

The forms shall be of metal or 2" nominal thickness wood, surfaced on the inside and top. Thinner wood forms may be used on curves. Forms shall be straight, free from warp and of sufficient strength when staked to resist pressure of the concrete without springing. All form material and forms shall be approved by the Borough before use and he shall inspect the forms for alignment, grade and rigidity before the concrete is poured, the forms shall have a minimum depth of 18" down the front face of the eighteen (18") inch curb. Any outside face of a concrete curb exhibiting variations in alignment or curvature as a result of construction utilizing forms of insufficient rigidity shall be sufficient cause for the Borough to reject the curb and require its removal and replacement at the cost of the property owner or constructor.

4. REINFORCING

Where curved curb joins with tangent curbs at curb returns and on sharp curves where directed, two (2) # 4 dowel bars 24" long shall be embedded in the concrete. These bars shall be placed 3" and 12", respectively, below the top of curb and on center of its width and shall extend 12" into the curb on each side of the joint. Portions of the bars extending into the tangent curb shall be rendered bondless and enclosed in approved tubes or caps which will provide a positive clearance pocket of 1/2".

5. JOINTS

Curbs shall be constructed in separate sections 25' in length except for closures. These sections shall be separated by transverse premolded bituminous or composition material expansion joints 1/4" in thickness for the full depth and cross section of the concrete and coinciding with sidewalk expansion joint where possible, and at end of sections of curbed curb. This same expansion joint material shall, also, be placed adjacent to existing structures such as light standards, utility poles, fire hydrants, sidewalks and similar structures.

6. MISCELLANEOUS OBSTRUCTIONS

All gutters or channels crossing any curb shall be constructed below the established grade of such curb by following the specifications for sidewalk crossings SECTION B, Item 6.

7. PLACEMENT OF CONCRETE

All concrete shall contain at least 6 bags of plain cement, Type I or II, per cubic yard. All concrete shall be air entrained and contain at least 6% (plus or minus 1%) of air

entrainment. The concrete aggregate shall be sound, clean, and well graded. The concrete shall have a compressive strength at 28 days of 3,000 lbs. per square inch. A slump of 4" shall be the maximum allowed. The slump test shall be in accordance with A.S.T.M. Specifications C-143 or the latest revised edition.

Whenever the temperature of the surrounding air is between 32 degrees F and 45 degrees F, all concrete placed in the forms shall have a temperature of between 70 degrees F and 80 degrees F. The use of calcium chloride, as an additive, is permitted provided the content is not more than 1% by weight of cement. Concrete may not be placed on frozen subbase. Whenever the temperature of the surrounding air is below 32 degrees F, concrete shall not be placed without the approval of the Borough.

8. FINISHING AND CURING

The concrete shall be struck off to a smooth and even surface. All curb forms shall not be removed for at least 24 hours after pouring or as approved by the Borough. After removal of forms honeycombed areas shall be filled with mortar composed of 1 part cement and 2 parts fine aggregate. Major honeycombed areas shall be considered defective work and shall be removed and replaced at contractor's expense. Edges shall be rounded with an edging tool with no tool marks left on the exposed edges. Care shall be taken prior to troweling that all bleeding water has evaporated so that excess fines shall not work to the surface. The use of an aluminum or magnesium float is recommended for finishing air entrained concrete. Final finishing shall be accomplished with a steel trowel. The surface texture shall be given all exposed surfaces by light stroking with a bristled broom or brush.

As soon as possible, without marring, the finished curb shall be covered with wet burlap, straw, or sand and kept moist for a period of 3 days or longer, if directed. The use of asphalt impregnated craft or polyethylene film may be allowed if all exposed areas are covered and the cover is held down sufficiently around the area to prevent air from drying the surface. As an alternate, clear or white pigmented membrane seal coat such as Horncure by W.R. Grace, or approved equal, may be used. During the curing time, all traffic both pedestrian and vehicular shall be kept off.

SECTION D. MONOLITHIC CURB AND SIDEWALKS

The construction of a monolithic curb and sidewalk may not be utilized except when approved by the Borough of Shippensburg to meet unique ADA ramp requirements.

SECTION E.            MISCELLANEOUS

1.        TREES, STUMPS, AND TRIMMINGS

All tree stumps in the sidewalk and curb areas are declared to be a nuisance and may be removed at least to subgrade by the property owner.

Tree trunks and/or limbs protruding beyond curbs and into street areas may be declared to be a nuisance and may be removed by the property owner.

All trees, shrubs, hedges, and other growing vegetation overhanging sidewalks shall be trimmed by the property owner to a height of not less than 8' to avoid interference with pedestrian traffic.

Curbs may be cut where tree trunks are flush with the curb and the property owner shall install a metal plate not less than 1/4" thick in true alignment with the face of the curb and extending to the full curb depth.

SECTION F.            COMPLIANCE WITH COMMONWEALTH OF PENNSYLVANIA  
ACT 56 OF THE SESSION OF 1976, APPROVED MAY 20, 1976

All curbs and sidewalks within the Borough of Shippensburg shall be constructed in compliance with the requirements of Act No. 56 (referenced above) and in accordance with the specifications prepared by the Pennsylvania Department of Transportation, a copy of which is attached hereto and made a part hereof.

SECTION G.            USE OF MATERIALS OTHER THAN CEMENT CONCRETE

1.        SPECIAL EXCEPTION REQUIRED

The use of materials other than cement concrete shall be prohibited unless a special exception is formally issued by Borough Council. The property owner desiring the special exception shall by written request to Borough Council, request the consideration of the use of a different material. The request shall contain sufficient detail in the form of plans, cross sections, and specifications to enable evaluation of the request by the Borough Engineer and Borough Council.

2.        LIABILITY

The issuance by Borough Council of a special exception for the use of materials other than cement concrete shall not be construed to hold the Borough of Shippensburg liable for any failure due to faulty construction, failure of the materials used in the construction, or any other act in connection with the construction of the curb and/or sidewalk.

3. CONSIDERATIONS FOR ISSUANCE OF SPECIAL EXCEPTION

In evaluating a request for the issuance of a special exception for use of materials other than cement concrete, the Borough Engineer and Borough Council shall consider, but not be limited to the following factors:

- A. Safety to the general public.
- B. Durability with regard to foot traffic wear, and exposure to the elements.
- C. Surface and subsurface drainage.
- D. Appearance with regard to appearance and compatibility with adjacent properties and structures.
- E. Intensity of use (bituminous concrete with very little use will deteriorate rapidly).
- F. Useful life.
- G. Any other pertinent or special feature of the material(s) proposed.

The Borough of Shippensburg specifications for installation of cement concrete curbs, sidewalks, driveway approaches and similar appurtenances in the Borough of Shippensburg shall comply with Commonwealth of Pennsylvania Act 56 of the Session of 1976, approved May 20, 1976, and with the design specifications prepared by the Department of Transportation thereunder.

ACT 56          SESSION OF 1976

CROSSWALKS-INSTALLATION OF RAMPS

ACT NO. 56

H.B. NO. 501

An Act requiring the installation of ramps at crosswalks under certain conditions.

*The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:*

SECTION 1.

The Department of Transportation and Municipalities shall install ramps, where feasible, at crosswalks, in both business and residential areas, when making new installations of sidewalks and curbs or gutters, or improving or replacing existing sidewalks and curbs or gutters, so as to make the transition from street to sidewalk easily negotiable for handicapped persons in wheelchairs and for other persons who may have difficulty in making the required step up or down from curb level to street level.

SECTION 2.

All such ramps shall be constructed or installed in accordance with design specifications therefor prepared by the Department of Transportation. The Department of Transportation shall make available to such municipalities design standards for such ramps.

Approved the 20<sup>th</sup> day of May, A.D., 1976.

ORDINANCE NO. 513

AN ORDINANCE REGULATING SIDEWALKS AND CURBS: PROVIDING FOR THE PAVING, REPAVING, REPAIRING, CURBING AND RECURBING OF THE SAME; PROVIDING FOR LINES, GRADES, ROUGH GRADING, MATERIALS AND SPECIFICATIONS: REQUIRING MAINTENANCE IN A SAFE CONDITION; REGULATING CURB BOXES, BASEMENT WELL DOORS, CROSS GUTTERS OR CHANNELS, OVERHEAD WATER CONDUCTORS, CURB CUTS, DRIVE ENTRANCES AND INTERSECTION RADII, PROVIDING FOR NOTICE TO PAVE, REPAIR, CURB OR RECURB AND FOR WORK TO BE DONE BY BOROUGH AT EXPENSE OF PROPERTY OWNER, AUTHORIZING ISSUANCE OF STOP ORDERS; AND PROVIDING PENALTIES AND REPEALER.

Be it enacted and ordained by the Mayor and Borough Council of the Borough of Shippensburg, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. DEFINITIONS

Whenever used in this Ordinance unless a different meaning appears in the context:

- A. The Borough Engineer is the Borough Engineer of the Borough of Shippensburg or his duly authorized representative.
- B. Property owner means any natural individual or individuals, firm or firms, company or companies, or corporation or corporations owning real estate in the Borough of Shippensburg, Pennsylvania.
- C. The Borough Secretary is the Borough Secretary of the Borough of Shippensburg or his duly authorized representative.

SECTION 2. PROPERTY OWNERS TO PAVE, CURB AND REPAIR SIDEWALKS

Abutting property owners shall be responsible for paving and curbing sidewalks and for keeping sidewalks and curbs in good repair and in safe condition, and shall not permit hazards to either pedestrian or vehicular traffic to exist.

SECTION 3. CONSTRUCTION

All sidewalks and curbs shall be constructed, reconstructed and repaired in the manner and with the materials set forth in specifications determined from time to time by the Borough and in compliance with Commonwealth of Pennsylvania Act No. 56 of the Session of 1976, approved May 20, 1976, and with design specifications prepared by the Pennsylvania Department of Transportation.

SECTION 4. LINE AND GRADE, PERMIT AND DEPOSIT

- A. Before any abutting property owner shall construct, reconstruct or repair the sidewalk or curb in front of or along his property, except when the repair involves an area not exceeding five (5') feet x ten (10') feet or a lineal distance of ten (10') feet of curb and where the line and grade has heretofore been established, he shall obtain the line and grade therefore from the Borough, which will, at the same time, inform him of the materials and specifications hereinbefore referred to.
- B. Before commencing such construction he shall obtain a permit from the Borough Secretary, for which he shall pay the sum of five (\$5.00) dollars to the Borough of Shippensburg, which payment shall cover the expense of the Borough in first fixing the

SECTION 4. cont'd:

line and grade and in the event, through no fault on the part of the Borough of Shippensburg, the property owner requires a subsequent trip, or trips, to the site for refixing the line and grade, then the property owner shall pay fifteen (\$15,00) dollars to the Borough of Shippensburg for each subsequent trip. A property owner shall begin installation of any curbs and sidewalk, for which a permit was applied for, within sixty (60) days of the line and grade being provided him by the Borough of Shippensburg. If said construction is not started within sixty (60) days, then said property owner shall be billed for all costs related to the determination of line and grade. A time extension may be granted by Borough Council due to extenuating circumstances on the part of the property owner, as determined by Borough Council.

- C. Upon the completion of the construction, the Borough shall make a final inspection and issue, to the property owner, a certificate of compliance.

SECTION 5. OBSTRUCTIONS

All property owners shall be responsible to trim or remove trees and stumps which may create a hazardous condition in the sidewalk or curb along such property owner's property and shall construct or install gutters, channels, boxes or inserts in the sidewalk in accordance with specifications determined from time to time by the Borough.

SECTION 6. NOTICE TO PROPERTY OWNERS TO PAVE, REPAVE, REPAIR, CURB OR RECURB OR TO REMOVE OBSTRUCTIONS; FAILURE TO COMPLY WITH NOTICE.

- A. Upon the neglect of any property owner to comply with any of the requirements provided in the preceding sections, the Borough may, after 120 days notice, cause the grading, paving, repairing, curbing, removal of obstruction, and/or guttering to be done at the cost of such owner, and may collect the cost thereof and ten (10%) percent additional, together with all charges and expenses, from such owner, and may file a municipal claim therefore to collect the same by action in assumpsit.

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 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.

- B. Any property owner receiving a notice, as aforesaid, shall notify the Borough Secretary of any contract entered into for such work within the 120 day period, and upon failure to do so, shall be responsible for any expense incurred by the Borough by reason of advertising for bids for the letting of any contract.

SECTION 7. CURB CUTS AND DRIVE ENTRANCES

No curb cuts shall be made or driveway entrances constructed on existing sidewalks in the Borough of Shippensburg without approval of the Borough and such work shall be done in accordance with specifications furnished from time to time by the Borough.

#### SECTION 8. STOP ORDERS

If any property owner shall commence, or permit others to commence, the paving, repaving, repairing, curbing or recurbing of any sidewalk not in compliance with this Ordinance or not in compliance with lines and grades and specifications provided by the Borough, the Borough Secretary is authorized to issue a stop order directed to the property owner and serve it upon the property owner in the same manner as set forth in Section 6. Upon service of such stop order, all paving, repaving, repairing, curbing or recurbing shall immediately cease.

#### SECTION 9. DUTIES OF THE BOROUGH SECRETARY

The Borough Secretary shall maintain records of all reports received of defective sidewalks and curbs and of all notices to replace or repave issued. He shall submit to Borough Council, from time to time, a listing of all reports of defective sidewalks and curbs, action taken on each report received, notices given to replace or repave and action taken by property owners in response to said notices.

#### SECTION 10. CONTRACTOR'S REGISTRATION

From and after the approval of this Ordinance, any and all persons engaged in the business of constructing for another person, who is an abutting property owner, a curb, gutter or sidewalk in front of, or along said property located in the Borough of Shippensburg, shall first register in the office of the Borough Secretary as a curb and sidewalk contractor, which registration shall continue until revoked by the Borough Secretary for cause based upon unsatisfactory work or practices in such construction. No fee shall be charged for such registration.

Provided, however, that nothing herein contained shall be construed as to prevent owners of property from personally, with or without the assistance of their own employees or helpers, constructing a sidewalk, or curb and gutter, in front of, or along their own property, without such registration, provided they shall first obtain a permit from the Borough Secretary.

#### SECTION 11. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such a portion shall be deemed a separate and distinct and independent provision and such holdings shall not affect the validity of the remaining portions hereof.

#### SECTION 12. LIABILITY

Nothing in this Ordinance, including the issuing of a permit or a compliance certificate, shall be construed to hold the Borough of Shippensburg liable for any failure due to faulty construction or any other act in connection with curb and sidewalk construction.

#### SECTION 13. INTERPRETATION

This Ordinance is intended to exercise all powers granted to the Borough under applicable Laws of the Commonwealth of Pennsylvania.

#### SECTION 14. PENALTY

Any person, partnership, firm or corporation, who shall violate any provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars and costs

SECTION 14. cont'd:

of prosecution, and in default of payment of fine and costs, to undergo imprisonment of not more than five (5) days, which shall be in addition to other remedies available to the Borough, which shall include, but not be limited to, those provided for in Section 6 of this Ordinance.

SECTION 15. REPEALER

All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed.

PASSED by the Borough Council this 21st day of September, 1982.

Edward M. Wille  
Vice President of Borough Council

ATTEST:

Frederick A. Reddy  
Secretary of Borough Council

APPROVED this 21st day of September, 1982..

James A. Weighs  
Mayor

ORDINANCE NO. 91- 600

AN ORDINANCE OF THE BOROUGH OF SHIPPENSBURG,  
CUMBERLAND AND FRANKLIN COUNTIES PENNSYLVANIA,  
AMENDING THE CODE OF THE BOROUGH OF SHIPPENSBURG  
CHAPTER 135 THEREOF, ENTITLED "STREETS AND SIDEWALKS", ARTICLE III  
THEREOF, ENTITLED "SIDEWALK AND CURB CONSTRUCTION AND MAINTENANCE"  
SECTION 135-12, ENTITLED "DEFINITIONS" BY ADDING A DEFINITION FOR SIDEWALK AND  
CURB DETERIORATION AND SECTION 135-23 THEREOF, ENTITLED "INTERPRETATION"  
TO ADD A SECTION ENTITLED "APPEALS"

BE IT ENACTED AND ORDAINED, by the Borough Council of the Borough of Shippensburg, Cumberland and Franklin Counties, Pennsylvania, and it is hereby enacted and ordained as follows:

SECTION I. The Code of the Borough of Shippensburg, Chapter 135, Article III, Section 135-12, thereof, entitled "Definitions", is hereby amended to add the following:

"Deterioration. When a sidewalk contains a hole one (1) or more inches in depth and four (4) or more square inches in the area of the surface; an abrupt elevation at a crack or joint, or broken sidewalk or joint, where the differential is one (1) or more inches between the sections of the sidewalk or the curb contiguous thereto; when one-half or more of the bricks are missing, in a brick sidewalk, or such sidewalk meets the criteria above; when a concrete sidewalk is crushed and or broken, into more than five pieces in an average square of the sidewalk or eight (8) square feet, whichever shall be smaller; when the surface of the sidewalk is spalled exposing a rough surface or stone and gravel in an area of the smaller of eight (8) square feet, or the average size of a square of that sidewalk; when a concrete curb is cracked or broken such that the curb has portions missing of a width one inch or more in any one (1) section of the curb or a vertical or horizontal misalignment of one (1) or more inches".

SECTION II. The Code of the Borough of Shippensburg, Chapter 135, Article III, Section 135-23, thereof, entitled "Interpretation", is hereby amended to add the following:

A. Powers. This Article is intended to exercise all powers granted to the Borough under applicable laws of the Commonwealth of Pennsylvania.

B. Enforcement. This article shall be enforced by the Borough Manager, or such other person as he shall designate.

C. Appeals. Individuals shall have the right to a hearing following a decision of the Borough Manager, or his designee, by filing a request, in writing, setting forth their objections thereto, within ten (10) days from the date of the decision, with the Code Appeals Board of the borough. The board shall hold a hearing or hearings and render its decision within thirty (30) days of the filing of the appeal."

SECTION III. Repealer. All provisions of Ordinances of the Borough of Shippensburg and the Code of the Borough of Shippensburg, which are inconsistent with this Ordinance are hereby expressly repealed.

SECTION IV. Savings Clause. In all other respects, the Code of the Borough of Shippensburg shall remain as previously enacted and ordained.

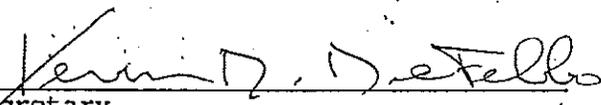
SECTION V. Effective Date. This Ordinance shall take effect immediately upon enactment.

ENACTED AND ORDAINED, this 14th day of May, 1991.

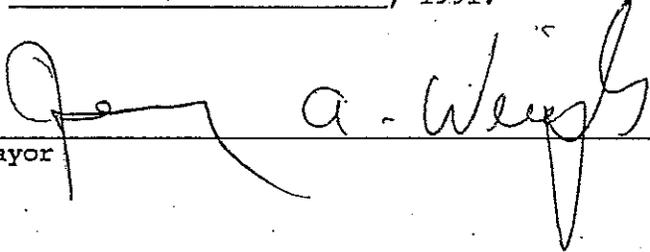
BOROUGH OF SHIPPENSBURG, CUMBERLAND AND FRANKLIN  
COUNTIES, PENNSYLVANIA

BY:   
President, Borough Council

ATTEST:

  
Secretary

APPROVED this 14th day of May, 1991.

  
Mayor

ORDINANCE NO. 10 - 858

AN ORDINANCE OF THE BOROUGH OF SHIPPENSBURG,  
CUMBERLAND AND FRANKLIN COUNTIES, PENNSYLVANIA,  
AMENDING VARIOUS SECTIONS OF CHAPTER 135 OF  
THE CODE OF THE BOROUGH OF SHIPPENSBURG,  
ENTITLED "STREETS AND SIDEWALKS"

WHEREAS, The Borough Council of the Borough of Shippensburg, Cumberland and Franklin Counties, Pennsylvania deems it to be in the best interest and the general welfare of the citizens and residents of the Borough to update and amend various sections of Chapter 135 of the Code of the Borough of Shippensburg, entitled "Streets and Sidewalks";

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

SECTION I: The Code of the Borough of Shippensburg Chapter 135, entitled "Streets and Sidewalks", Article III entitled "Sidewalk and Curb Construction and Maintenance", Section 135-15 entitled "Line and Grade" is hereby amended by replacing Paragraph A with the following:

Before any abutting property owner shall construct, reconstruct, or repair the sidewalk or curb in front of or along their property, the proposed line, grade, forms, and sub-base shall be inspected by the Borough before any concrete is poured.

SECTION II: The Code of the Borough of Shippensburg Chapter 135, entitled "Streets and Sidewalks", Article III entitled "Sidewalk and Curb Construction and Maintenance", Section 135-15 entitled "Line and Grade" is hereby amended by replacing Paragraph B with the following:

Before commencing such construction, reconstruction, or repair, the property owner shall obtain a permit from the Borough. The fees for said permit shall be established by the Borough Council by resolution from time to time. A property owner shall begin installation of any curbs and sidewalk within 60 days of a permit being issued. If said installation is not started within 60 days, then a new permit will be required. A time extension may be granted by Borough Council due to extenuating circumstances on the part of the property owner, as determined by Borough Council.

SECTION III: The Code of the Borough of Shippensburg Chapter 135, entitled "Streets and Sidewalks", Article III entitled "Sidewalk and Curb Construction and Maintenance", Section 135-15 entitled "Line and Grade" is hereby amended by replacing Paragraph C with the following:

Upon completion of the construction, reconstruction, or repair, the Borough shall make a final inspection to verify compliance with the construction specifications.

SECTION IV: Repealer: All provisions of previous Ordinances of the Borough of Shippensburg, which are contrary to this Ordinance, are expressly repealed.

SECTION V: Savings Clause: In all other respects, Chapter 135 of the Code of the Borough of Shippensburg shall remain as previously enacted and ordained.

SECTION VI: Effective Date: This Ordinance shall take effect immediately.

ENACTED, ORDAINED and APPROVED this 15th day of June, 2010.

BOROUGH COUNCIL OF THE BOROUGH  
OF SHIPPENSBURG, CUMBERLAND AND  
FRANKLIN COUNTIES, PENNSYLVANIA

By: Andre S. Hag  
President

ATTEST:  
Earl Bushell  
Secretary

Bruce W. Hooker Smith  
Mayor