

ORDINANCE NO. 1047

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRADING, PAVING AND CURBING OF A SIDEWALK ON THE SOUTHERLY SIDE OF SECOND STREET EXTENSION BEGINNING AT WADDELL AVENUE AND EXTENDING A DISTANCE OF APPROXIMATELY 1400 FEET TO THE ROADWAY LEADING INTO THE ST. PHILIP NERI CHURCH AND SCHOOL; PROVIDING FOR PROPER NOTICE TO THE OWNERS OF LOTS FRONTING ON SAID STREET; AND PROVIDING FOR PAYMENT OF THE CURB AND SIDEWALKS BY THE SAID PROPERTY OWNERS.

BE IT ORDAINED AND ENACTED by the Council of the Borough of Donora, in regular meeting assembled, and it is hereby ordained and enacted by virtue of the authority in them vested, as follows, to wit:

Section 1. That the Southerly side of Second Street Extension beginning at Waddell Avenue and extending approximately 1400 feet to the road leading into the St. Philip Neri Church and School be and the same is hereby directed to be improved by the grading, paving and curbing of a sidewalk.

Section 2. That the Borough Clerk shall give notice to the person, persons, or corporation owning the lots of ground fronting on said portion of Second Street Extension to grade, pave and curb said sidewalk and to begin actual physical and substantial work thereon within thirty (30) days after receiving said notice from the Borough Clerk.

Section 3. That if the person, persons, or corporation owning said lots fronting on said portion of Second Street Extension fail to begin actual physical and substantial work thereon within thirty (30) days after receiving notice from the Borough Clerk to cause such grading, paving and curbing of said sidewalk, the proper officers of the Borough of Donora are hereby authorized and empowered, after the lowest and best bid therefore shall have been accepted by council in pursuance to public advertisement made to execute a contract or contracts with the successful bidder or bidders to complete the improvement authorized and directed by this ordinance at the cost of such owner or owners. Such contract or contracts shall, inter alia, provide for the filing of proper bonds by the contractor or contractors.

Section 4. That this sidewalk shall be constructed according to specifications determined by the Borough Engineer and approved by Borough Council.

Section 5. That the Borough Engineer is designated as the person in charge of said work with full power to act for the Borough in connection therewith and to estimate assessments.

Section 6. That the cost of the sidewalk and curb to be paid totally by the adjacent property owners, all and pursuant to the laws of the Commonwealth of Pennsylvania designated as the Borough Code. Upon the approval of such assessments by the Borough Engineer, the required notice of and demand for payment of such assessment shall be given to each property owner involved by the Borough Secretary. In the event any person, persons, or corporation so assessed shall fail to pay such assessment within the time specified in such notice, it shall be the duty of Council to collect the cost of said work and ten per centum additional, together with all charges and expenses, from such owner or owners, by filing a municipal lien therefor, or otherwise, as is provided for by law.

ORDAINED AND ENACTED into an ordinance this 24<sup>th</sup> day of August, A. D. 1965.

1/ James W. Stewart  
President of Council

ATTEST:

1/ Thomas E. Petrus  
Borough Secretary

EXAMINED AND APPROVED by me this 24<sup>th</sup> day of August, A. D. 1965.

1/ Albert E. DeSantis  
Mayor

ATTEST:

1/ Thomas E. Petrus  
Borough Secretary