

BOROUGH OF ORWIGSBURG

Schuylkill County, Pennsylvania

ORDINANCE NO. 192

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF ORWIGSBURG, REQUIRING PROPERTY OWNERS TO REPAIR AND MAINTAIN CURBS AND CURBING; and PROVIDING FOR MUNICIPAL LIENS FOR CURBS RE-PAIRED, REPLACED AND INSTALLED BY THE BOROUGH

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BE IT ENACTED and ORDAINED by the Borough Council of the Borough of Orwigsburg, in council duly assembled, and it is hereby enacted and ordained by authority of the same, as follows:

Section 1. All property owners of the Borough of Orwigsburg shall keep and maintain all curbs and curb stones along and abutting on all public streets of the borough in a state of good repair. Upon failure to keep said curb and curb stones in good repair the Borough Manager, with the approval of the Borough Council, shall notify said property owner or owners of the condition existing and direct him or them to repair, install or replace the same at the sole expense of the property owner within (30) days of said notice. Upon the failure of said property owner or owners to repair or replace said curb within the period of (30) thirty days, the borough may repair or replace the same and charge the cost of labor and material, with an additional ten (10%) per cent penalty added. If the property owner fails to pay said charges, including the ten (10%) per cent penalty, within thirty (30) days after the receipts of a bill therefor from the borough, then the borough may file a municipal lien which shall include said charges and all legal costs and expenses.

Section 2. The notice herein required to be given to the respective property owners shall be served upon the owner of the premises, by registered mail, at the last known address. If the owner of the premises be unknown, then notice may be served in like manner upon the tenant or occupant of said premises. If said land be unoccupied or untenanted and the address of the owner or owners is unknown, then notice may be given by posting the same on said premises.

Section 3. When any curb or curb stone is in such a state of disrepair that the same cannot be repaired then it shall be replaced by the property owner after due notice by the Borough Manager, in the same manner as is set forth in Section 1 and Section 2 hereof, and if said curb is not replaced by the property owner within the thirty (30) day period, then the borough may replace the same and charge the costs of material and labor, with a ten (10%) per cent penalty added, to the property owner. Upon failure of the property owner to pay said charges, within thirty (30) days after the receipt of a bill therefor from the borough, then the borough may file a municipal lien which shall include all of said charges, as well as for legal costs and expenses.

Section 4. All ordinances or resolutions, or parts of ordinances or resolutions, insofar as they are inconsistent herewith be and the same are hereby repealed.

Section 5. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council and Mayor of the Borough of Orwigsburg, that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.

ENACTED and ORDAINED into an ordinance, this 14th day  
of May, A.D., 1969 by the Council of the Borough of  
Orwigsburg, Schuylkill County, Pennsylvania, in lawful session duly  
assembled.

BOROUGH OF ORWIGSBURG

By:

*David M. Byrne*  
President of Council

ATTEST:

*Jeanette M. Fultz*  
Secretary

EXAMINED and APPROVED: This 14th day of May, A. D. 1969.

*David M. Jones*  
Mayor of the Borough of Orwigsburg,  
Schuylkill County, Pennsylvania