

CHAPTER XXVI

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Part 1

Naming of Streets

Section 101. Definitions. The words "streets", "roads" and "highways" shall mean the whole or any part of any public right-of-way for travel whether or not in a subdivision or built-up community. (Ordinance 20, October 5, 1963, Section 1)

Section 102. Street Naming. All streets, roads and highways within the Township of Amity, Berks County, Pennsylvania, are hereby named in accordance with the names set forth on the official road map of the Township of Amity, Berks County, Pennsylvania, a copy of which is on file at the municipal offices of the Township. (Ordinance 20, October 5, 1963, Section 2)

Section 103. Erection of Signs. Prior approval of the Board of Supervisors shall be obtained before the erection of any sign identifying a street. (Ordinance 20, October 5, 1963, Section 3)

Section 104. Severability. If any section, part of any section of this Ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect any other part of this Ordinance; it is hereby declared to be the legislative intent that this Ordinance would have been enacted had such invalid section, or portion of a section, not been included herein. (Ordinance 20, October 5, 1963, Section 4)

Part 2

Street Paving

Section 201. General Requirements.

(a) The construction of streets in the Township of Amity shall be done in conformity with the specifications, regulations and provisions set forth in this Part, together with the "Minimum Street Construction Standards" set forth in Section 208 of this Chapter.

(b) In the case of new roads within subdivisions and land developments, all roads and streets shall be constructed in accordance with the provisions of the Amity Township Subdivision and Land Development Ordinance as may from time to time be in effect and the further requirements of this Part.

(c) All work done pursuant to the provisions of this Part shall be inspected by the Township Engineer.

(d) The design of all streets constructed shall be in accordance with the guidelines and requirements, for Design of Local Roads and Streets contained in PennDOT Design Manual, Part 2, Highway Design, latest revision.

(e) Lines and grades shall be as approved on recorded plans of subdivisions, or other plans as may be approved by the Township Engineer.

(f) All components of the pavement structure and methods of application shall be in accordance with PennDOT specifications, Publication 408, latest revision.

(g) All adjacent structures and areas disturbed or damaged during street or road construction shall be properly repaired by the party causing said damage.

(h) In the case where the Township Engineer finds that the ground condition and/or rock condition beneath a street provides sufficient stability so that part or all of the subbase requirements may be waived, modified or changed and still complies with generally recognized, sound engineering principles after appropriate tests have been taken, subbase requirements may be so waived, modified or changed as recommended by the Township Engineer and approved by the Board of Supervisors.

(i) Clearing and Grubbing. All trees, roots, stumps, brush, down timber, wood, rubbish and any other objectionable material shall be removed from the site and shall include the removal of any obstruction interfering with the proposed road construction for the full right-of-way width, or as approved by the Township Engineer.

(Ordinance 112, October 3, 1988, Section 1)

Section 202. Subgrade.

(a) Subgrade shall be prepared to accommodate the placement of the pavement structure and shoulders or gutters in accordance with PennDOT specifications and within reasonably close conformity to the lines, grades and widths shown on the drawings and cross-sections or otherwise directed.

(b) Subgrade shall be graded to the elevation and cross-section required with suitable soil or granular material, compacted to the required density.

(c) In cases where the required density or stability cannot be obtained, the material in the area shall be excavated to a depth that when replaced and recompactd at a moisture content not exceeding optimum, the subgrade will have the required stability.

(d) The subgrade shall be properly prepared to receive the subbase.

(e) Where the surface of an existing non-skid roadway conforms approximately to the proposed subgrade elevation, or where an embankment less than nine inches (9") in depth is to be made over such roadway, the surface of the old roadway shall be scarified to a depth of not less than four inches (4") to permit satisfactory reshaping, binding and compaction of the subgrade.

(Ordinance 112, October 3, 1988, Section 2)

Section 203. Subbase.

(a) This work shall consist of constructing a layer or layers of aggregate on a prepared area in accordance with PennDOT Publication 408, Section 350, latest revision.

(b) The aggregate shall be stone, gravel or slag meeting the requirements of PennDOT Type C or better, No. 2A material or approved equal.

(c) If at the time of construction local unstable subgrade conditions are encountered, the Township Engineer may require that all areas of unstable subgrade be excavated to sufficient depth, replaced with approved material and compacted to a density and stability equal to or greater than the surrounding subgrade.

(Ordinance 112, October 3, 1988, Section 3)

Section 204. Base Courses.

(a) Base courses shall consist of one or more layers of materials conforming to the requirements of one or more of the following sections of PennDOT Publication 408, latest revision:

(1) Section 305 - Bituminous concrete base course.

(2) Section 310 (Seldom Used Specifications) - Crushed aggregate base course.

(3) Section 312 (Seldom Used specifications) - Crushed aggregate base course, Type DG.

(4) Section 320 Aggregate - bituminous base course

Notwithstanding any provisions of this Part, a special base course design may be approved by the Township Engineer, provided the design provides a structural number equal to or greater than the appropriate base course listed in the Minimum Street Construction Standards set forth in Section 208 of this Chapter.

Special complete roadway design may also be submitted for approval by the Township Engineer, provided the design provides a structural number equal to or greater than the Minimum Structural Number listed in the Minimum Street Construction Standards set forth in Section 208 of this Chapter.

(b) Base course(s) will be placed in layers as is more fully described in Publication 408, latest revision, for each specific design.

(c) All subbase(s) shall be properly prepared and primed as may be required for base course placement according to Publication 408, latest revision.

(d) Base course(s) shall be properly prepared and primed as may be required to receive subsequent courses.

(Ordinance 112, October 3, 1988, Section 4)

Section 205. Bituminous Pavements.

(a) Bituminous pavements shall consist of one or more courses of bituminous mixture constructed on the prepared foundation in accordance with Publication 408, Section 400, latest revision, and the specific requirements of the type of pavement as may be prepared by the Township Engineer.

(b) Bituminous surface course asphaltic materials shall conform to the requirements specified in the PennDOT Specifications for Bituminous Materials, Bulletin #25, latest revision.

(c) Aggregates, coarse and fine, for binder coarse shall be made from stone, gravel or slag unless otherwise approved and shall meet the quality requirements for Type A stone, Type A slag and Type A gravel. Fine aggregate shall be natural or manufactured sand composed of clean, hard, durable, uncoated particles free from lumps of clay and organic material. The fine aggregates used may be natural sand, stone sand, gravel and slag sand or any combination thereto, meeting gradation requirements in Table A, Section 703, PennDot Publication 408, latest revision. The course aggregate shall also meet the grading requirements indicated above.

(d) Surface Courses. The fine aggregate for surface courses shall be natural sand, snuff sand, slag sand, manufactured sand or sand of other approved rock of igneous origin prepared from Type A stone, composed of clean, hard, durable, uncoated inert particles reasonably free from lumps of clay, silt, vegetation or other deleterious substances, meeting gradation requirements of Table B, Section 703, PennDOT, Publication 408, latest revision.

(e) Filler for surface course shall consist of Portland cement, fly ash or dust reasonably free of clay prepared from crushed stone and shall meet the gradation for filler requirements as required in Table B, Section 703, PennDOT, Publication 408, latest revision.

(f) For Class ID-2 Bituminous Surface Course, the asphaltic materials shall conform to the requirements specified in PennDOT Bulletin #25, latest revision.

(g) The fine aggregate, coarse aggregate and filler shall meet the requirements specified in Section 703.1, 703.2 and 703.1(c)(1), respectively, latest revision.

(h) Surface and binder courses shall be compacted by use of approved type power rollers which shall be three (3) wheel rollers or two (2) wheel rollers, in either case having a metal weight of not less than ten (10) tons. Pneumatic-tired rollers may be used with the approval of the Township Engineer provided they have an operating weight of not less than one thousand (1,000) pounds per tire. Locations inaccessible to rollers shall be compacted by hot iron tampers or other compaction equipment approved by the Township Engineer.

(i) Joints formed by binder or surface course laid adjacent to concrete curbs or other rigid structures shall be sealed with an asphalt cement Class AC-20 as directed by the Township Engineer.

(Ordinance 112, October 3, 1988, Section 5)

Section 206. Shoulders.

(a) This works shall consist of constructing supporting shoulders on the sides of all roads and streets within the Township where curbing shall not otherwise be required.

(b) Shoulders shall be constructed as required and shall be PennDOT Type 3 paved shoulders as in Publication 408, Section 653, latest revision. Additional shoulder designs may be approved by the Township Engineer where deemed necessary.

(Ordinance 112, October 3, 1988, Section 6)

Section 207. Conflicts. Notwithstanding anything hereinabove set forth in this Part, whenever the provisions of this Part shall be inconsistent with the provisions of the Amity Township Subdivision and Land Development Ordinance as from time to time are in effect and the provisions of said latter Ordinance are more restrictive or contain more stringent requirements than are set forth in this Part, then in such event the provisions of said Subdivision and Land Development Ordinance shall prevail and be applicable. (Ordinance 112, October 3, 1988, Section 7)

Section 208. Table - Minimum Street Construction Standards.
Ordinance 112, October 3, 1988, Table 1)

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TABLE 1 - MINIMUM STREET CONSTRUCTION STANDARDS

	<u>Minor Street</u>			<u>Collector Street</u>			<u>Major Street</u>		
	<u>Standard</u>	<u>Alternate</u>	<u>Alternate</u>	<u>Standard</u>	<u>Alternate</u>	<u>Alternate</u>	<u>Standard</u>	<u>Alternate</u>	<u>Alternate</u>
ID-2 Surface Course	1½"	1"	1½"	1"	1½"	1½"	1½"	1½"	1½"
ID-2 Binder Course	--	2"	--	2"	2"	2"	2"	2"	2"
Bituminous Concrete Base Course	4½"	--	--	4"	--	--	4"	--	--
Crushed Aggregate Base Course or Crushed Aggregate Course, DG	--	6"	--	--	8"	--	--	8"	--
Aggregate-Bituminous Base Course	--	--	5"	--	--	4"	--	--	5"
PennDOT No. 2A Coarse Aggregate Subbase	4"	4"	6"	4"	4"	6"	4"	6"	6"
Minimum Structural Number	2.8 +/-			3.4 +/-			3.6 +/-		

NOTES:

- (1) All thickness specifications are for compacted materials.
- (2) Optional design cross-sections may be approved by the Township Engineer, provided the design has a Structural Number equal to or greater than that shown in the above chart.
- (3) Permanent Cul-de-sac Street, Marginal Access Street, Service Street and Off Street Parking construction shall conform to standards for Minor Streets.

Part 3

Street Excavations

Section 301. Definitions. The following words, as used in this Part, shall have the meanings ascribed thereto:

(a) Engineer. The Township Engineer or other person duly authorized and appointed by the governing body to perform the duties of Engineer.

(b) Governing Body. The Board of Supervisors of the Township.

(c) Permit. A document in an approved form issued by the person, designated by the governing body, regulating the opening and closing of excavations in dedicated streets.

(d) Person. Any natural person, partnership, association, firm, corporation or other entity.

(e) Street. The right-of-way of any dedicated public street, avenue, boulevard, highway or alley in the Township, excepting any state or county highways.

(f) Township. The Township of Amity, Berks County, Pennsylvania.

The singular shall include the plural and the plural shall include the singular, and the masculine shall include the feminine and neuter. (Ordinance 136, August 2, 1993, Section 1)

Section 302. Permit Requirements.

(a) It shall be unlawful for any person to drill any hole or make any opening or excavation in any street in the Township without first having obtained from the Township a permit.

(b) All work authorized by permit shall be done in strict conformity with said permit and in strict conformity with the provisions of this Part.

(c) No permit shall be issued until the applicant therefor shall have complied with the following conditions:

(1) Payment of permit fee, per street opening, which sum shall be for the use of the Township at such rate as may be adopted by the Board of Supervisors by Resolution and as may be amended from time to time by further Resolution of the Board of Supervisors.

(2) Applicant shall deposit with the Township a security deposit, the amount of which shall be determined by the Township based upon the cost of all restoration requirements. Such deposit may, in the event of failure of the applicant to complete the closure in accordance with the terms of this Part, be applied by the Township toward the cost of restoration of the street opened or excavated. Any balance remaining on said security deposit may be returned by the Township to the permit holder, or the Township, in its discretion, may retain any balance as liquidated damages. In the event that said security deposit is not sufficient to cover all

costs of restoration, then and in that event the permit holder shall pay to the Township the amount of such deficiency within ten (10) days of written notification by the Township to the permit holder of the amount of the deficiency.

(3) Any person, in lieu of depositing the security as hereinabove provided, may submit a performance bond with corporate surety in such amount as may be determined by the Township and shall include such conditions as the Township may require and approve. In the event said bond is approved by the Township and thereafter any person having submitted such bond violates the provisions of this Part, the Township, in its sole and absolute discretion, may require said person to deposit a cash security deposit as hereinabove stated and may cancel and return the bond to said person.

(d) In the case of any emergency involving a threat of injury to person or damage to property, a person may, upon notice to the Township Police Department, open or excavate any street without first having obtained a permit pursuant to this Part. In that event said person shall, within twenty-four (24) hours of the commencement of work, apply for a permit pursuant to this Part. In the event that said work for said emergency occurs during a holiday or such other day when the Township office is closed and a permit cannot be obtained, the required permit under the terms of this Part shall be obtained on the first working day thereafter.

(Ordinance 136, August 2, 1993, Section 2)

Section 303. Application for Permit. Each person requesting a permit under this Part shall file an application with the Township, which application shall state the following:

- (a) The purpose for which such opening or excavation is to be made.
- (b) The location and approximate dimensions of such opening or excavation.
- (c) An estimate of the length of time required for the work to be done under said permit.
- (d) Applicant's name, address and telephone number.
- (e) The names and addresses of all persons, firms, associations or corporations interested in and participating in the work to be done.

(Ordinance 136, August 2, 1993, Section 3)

Section 304. Conditions of Permit. Any permit granted pursuant to this Part shall be granted for a designated purpose at a specific location and for a specific period of time. The permit may contain any further conditions that may be required by the Township. All work performed pursuant to a permit shall be done strictly in accordance with the terms and conditions set forth in the permit. (Ordinance 136, August 2, 1993, Section 4)

Section 305. Safety Measures to be Taken by Permit Holder; Sewer Inlets and Drains Kept Open; Limitation on Size of Opening. During the progress of the work, the holder of the permit shall provide and maintain such fences, barriers, "street closed" and warning signs, red lights and other danger signals and watchmen as may be necessary to prevent accidents to the public, pursuant to and

in compliance with the standards established by the Pennsylvania Department of Transportation as set forth in Title 67, Pennsylvania Code, Chapter 131, as may be amended or supplemented from time to time, a copy of which is available for review in the Township office. The traveling public, during the progress of the work, shall at all times be provided for and shall be inconvenienced as little as possible. Drainage gutters and inlets to storm sewers shall be kept clean and unobstructed. The amount of trench opened and also the amount unfilled at the conclusion of the work day, if any, shall at all times be subject to the decision of the Township Engineer. (Ordinance 136, August 2, 1993, Section 5)

Section 306. Notice of Completion; Supervision of Restoration. Before initiation of the work, the permit holder shall notify the Township Road Superintendent to allow for the supervision and inspection of the backfill and restoration. (Ordinance 136, August 2, 1993, Section 6)

Section 307. Limitation of Opening of Newly Paved Streets. No street opening or excavation shall be permitted and no permit shall be granted for any street opening or excavation of any newly paved street for any purpose whatsoever within three (3) years from the date of completion of the paving, except for emergency repairs or for services to an entirely new building to be erected, and then only with prior special permission having been granted by the Board of Supervisors upon written recommendation by the Township Engineer. In the event that any opening or excavation shall take place for any purpose whatsoever, including emergency, within the first year from the date of completion of the paving of any street, then in that event the person performing such work shall pay to the Township the sum of One Thousand Dollars (\$1,000.00) for the use of the Township, which amount shall be in addition to all costs of said person for the refilling and restoration of said street opening or excavation, which shall be the sole responsibility of the person making such street opening or excavation. (Ordinance 136, August 2, 1993, Section 7)

Section 308. Manner of Operation.

(a) All openings or excavations of streets, excepting drill holes, shall, before completion, be cut with a power saw and not with an air jackhammer or similar device.

(b) Any person opening or excavating any street shall, upon completion of the project and after notification to the Township, immediately and completely backfill such openings or excavations, mechanically tamping the same so as to prevent any settling thereof, and shall restore the surface to the same condition as it was prior to the making of such opening or excavation, and prior to the expiration of the permit, shall remove from the site of work all debris, tools and equipment.

(c) All backfilling and restoration shall be done in strict conformance with the detailed sketches for backfilling and restoration which are set forth in Sections 313 and 314 of this Chapter.

(d) Where test holes have been drilled, they shall be filled and sealed with hot tar.

(e) Permanent restoration, backfilling of any opening and/or excavations shall be as follows:

(1) A bed of screening two inches (2") in depth shall be placed under the utility conduit.

(2) From the bottom of conduit to a level eight inches (8") below the surface of the trench shall be backfilled with 2A modified stone aggregate, mechanically tamped in six inch (6") intervals.

(3) Before completing backfilling of a trench, a saw cut shall extend a minimum of twelve inches (12") beyond the trench opening on all sides of the excavation and excavated to a depth of eight inches (8").

(4) The next six inches (6") above the stone backfill shall be backfilled with bituminous concrete base course (BCBC) and shall extend a minimum of twelve inches (12") on each side of the trench.

(5) The next two inches (2") shall be an application of bituminous wearing course properly graded to the surface of the street and sealed at the saw cut with an approved asphalt sealing material. The contractor shall be held responsible for any settlement within one (1) year of the final restoration.

(6) All lateral street cuts shall be backfilled with 2A modified stone aggregate as described in Subsections (1) and (2) above.

(7) In parallel street cuts, the material excavated from the trench may be used for backfilling with written permission from the Board of Supervisors or their agent. Under no circumstances shall the trench be backfilled higher than two feet (2') from the road surface with the excavated material. The last two feet (2') shall be backfilled with 2A modified aggregate and bituminous concrete base course as outlined above in subsections (2), (3), (4), and (5).

(f) Temporary Restoration. During winter construction periods the trench shall be backfilled as in the first three (3) subsections of the specifications for permanent restoration in Subsection (e) above. The final step shall be temporary application of bituminous stockpile mix to bring the trench to street grade. Periodically inspection shall be made to maintain the trench in condition satisfactory to the Township. On or before May 31st following the date the street cut was first made, the permittee shall permanently restore the cut as in Subsections (e)(4) and (e)(5) above.

(g) Where major street openings or excavations are done on a newly constructed street or a street repaved within three (3) years prior to the date of issuance of said permit, the entire street covered by the permit issued at the location where the work is to be done, in the discretion of the governing body, shall be retopped with paving materials prescribed by the Township. The work of resurfacing shall be examined and inspected by the Township. Upon satisfactory completion of said resurfacing, the Township shall return to the permit holder any deposit and/or bond as provided for in this Part excluding the One Thousand Dollar (\$1,000.00) deposit provided for the Township's benefit when opening a street repaved within one (1) year of said opening. In the event said person shall fail to restore or resurface said street in a satisfactory manner, the Township may perform said work and apply any amount of the security and/or bond against the costs incurred by the Township for said restoration. In addition, in the event that the costs of said work exceed the amount of the deposit and/or bond, the permit holder shall pay to the Township the deficiency within ten (10) days of the date of written notification by the Township to the permit holder. No further permit shall be issued to any

person unless and until all deficiencies so billed by the Township to said person shall have been paid in full.

(Ordinance 136, August 2, 1993, Section 8)

Section 309. Liability and Responsibility of Permit Holder; Responsibility of Township. The party or parties to whom or for whom a permit may be issued shall assume all responsibility for the excavations made, shall indemnify and save harmless the Township from all loss, costs and damages by such applicant in the performance of the work, and shall pay the Township costs of every kind incurred in the contesting suits on said account, and, upon notice from the Township, will assume the defense of such suits. The permittee shall submit to the Township a certificate of insurance for public liability and property damage in a form and amount satisfactory to the Township. All work shall be subject to all applicable federal, state and local laws, and ordinances. (Ordinance 136, August 2, 1993, Section 9)

Section 310. Penalty for Violation. Any person or persons, association, firm or corporation violating any of the provisions of this Part shall, upon conviction thereof before any District Justice, be sentenced to pay a fine of not less than One Hundred Dollars (\$100.00) or more than Six Hundred Dollars (\$600.00) and costs of prosecution; provided, however, that no other permit shall be issued to any person, association, firm or corporation nor shall any other permits be allowed to remain in force until all fines and costs thereupon imposed hereunder shall have been paid. (Ordinance 136, August 2, 1993, Section 10)

Section 311. Installation of Underground Facilities by Public Utility Companies. From and after the enactment of this Part, it shall be unlawful for any public service company, firm, person or corporation to install and lay underground conduits for carrying electric light, electric power, telephone, telegraph wires, gas and/or water under any street within the Township of Amity unless such installation and work is done under and subject to the supervision and approval of the Township Road Superintendent and provided that such public service company or party making the installation shall and will obtain a permit and assume and pay any and all costs, expenses, damages and liability of every kind and nature incident to and arising out of such installation, and shall assume all liability as hereinbefore set forth in this Part and shall conduct the work in the manner therein set forth and shall and will, at its or their own proper cost and expense, restore such excavation in accordance with the specifications set forth herein. (Ordinance 136, August 2, 1993, Section 11)

Section 312. Severability. If any sentence, clause, section or part of this Part is for any reason found to be unconstitutional, illegal or invalid, such unconstitutional, illegality or invalidity shall not effect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Part. It is hereby declared as the intent of the Board of Supervisors of Amity Township that this Part would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, or part thereof not been included herein. (Ordinance 136, August 2, 1993, Section 13)

Section 313. Diagram - Permanent Restoration. (Ordinance 136, August 2, 1993, Exhibit A)

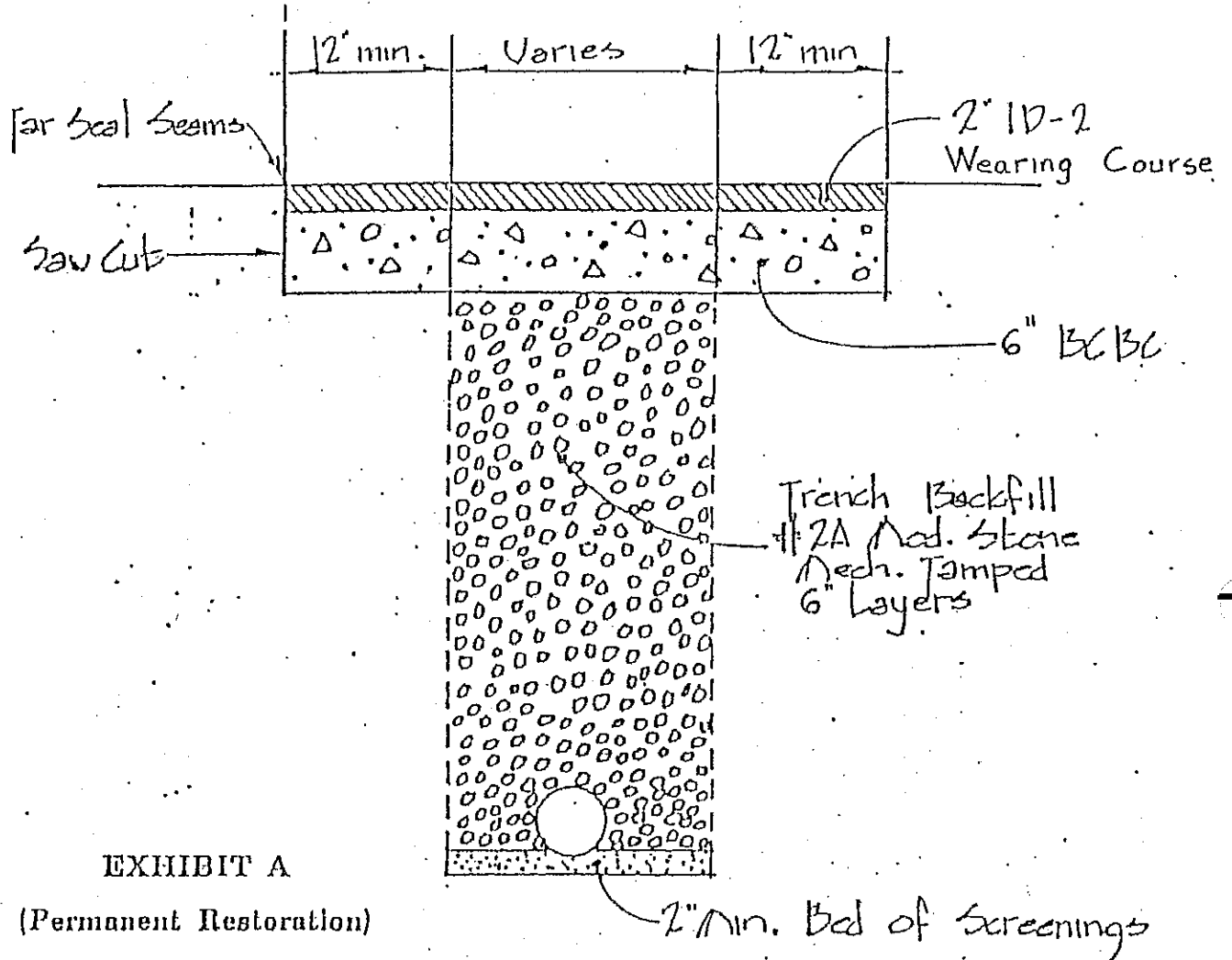


EXHIBIT A
(Permanent Restoration)

Section 314. Diagram-Temporary Restoration. (Ordinance 136, August 2, 1993, Exhibit B)

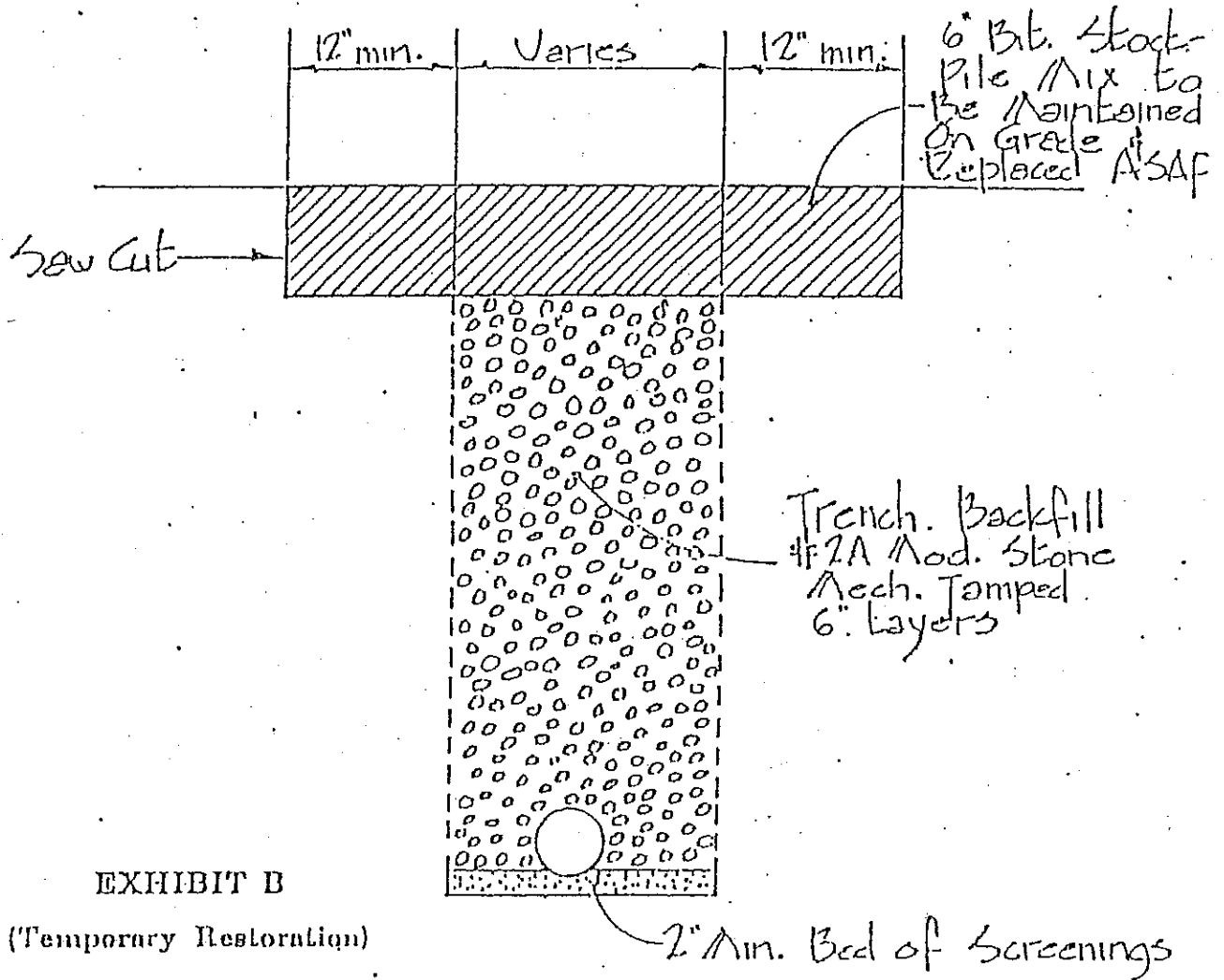


EXHIBIT B
(Temporary Restoration)

Part 4

Sidewalks, Curbs and Gutters

Section 401. General Purpose. The construction of any new sidewalks or curbs and the repairing of any existing sidewalks or curbs in the Township of Amity, Berks County, Pennsylvania, shall be done in conformance with the specifications, regulations, and/or provisions contained in this Part. (Ordinance 49, September 7, 1973, Section 1)

Section 402. Grades. The grade to which every curb, gutter or sidewalk shall be hereafter laid, constructed or repaired, other than that established in an approved subdivision plan, shall be that fixed and designated by the Township Engineer representing the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania. (Ordinance 49, September 7, 1973, Section 2)

Section 403. Sidewalk Width and Location. The space between the street side of the curb to the street side of the paved edge of the sidewalk shall be three (3) feet no (0) inches, and the sidewalk paved width shall be four (4) feet and no (0) inches in all new developments or street construction. In existing developed sections of the Township, and where sidewalks have been constructed prior to the date of this Ordinance, existing conditions shall be taken into consideration by the Township of Amity in applying the width and location regulations. (Ordinance 49, September 7, 1973, Section 3)

Section 404. Drainage. Finished sidewalks and curbs shall have a grade from the inner edge of the sidewalk to the outer edge of the curbs of one quarter inch (1/4") to the foot. (Ordinance 49, September 7, 1973, Section 4)

Section 405. Inspection. All work done under this Part shall be inspected by the Township Engineer representing the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania. (Ordinance 49, September 7, 1973, Section 5)

Section 406. Public Safety. It shall be the duty of the owners of the land abutting upon any curbs and/or sidewalks to keep them in such repair and condition that they may not be or become dangerous to the welfare and safety of the traveling public. The Board of Supervisors of the Township of Amity, Berks County, Pennsylvania is hereby empowered to notify property owners when sidewalks and curbs are in need of repair or renewal and the repair or renewal thereof shall be made by the property owners within thirty (30) days after said written notice is given to said property owners. Nothing herein contained shall be construed to place the responsibility of determining when sidewalks may become dangerous to the welfare and safety of the traveling public upon the Township. At all times such responsibility shall be solely upon the property owner whose land abuts the curb or sidewalk. (Ordinance 49, September 7, 1973, Section 6)

Section 407. Certain Trees Prohibited. It shall hereafter be unlawful to plant and maintain any trees between the curb and a corresponding sidewalk. This shall not apply to any trees presently so growing. All new trees shall be planted on the residence side of the sidewalk at a distance which will not interfere with the sidewalk at any time in the future. (Ordinance 49, September 7, 1993, Section 7)

Section 408. Open Gutters; Rain Conductors. No open gutters for conducting rain water or drainage of any kind shall be permitted to run over top of the sidewalk or curbs. All underground rain conductors shall be of pipe material such as cast iron, wrought iron, asbestos cement, clay or approved

plastics, constructed under the sidewalk and through the curb to the gutter. (Ordinance 49, September 7, 1973, Section 8)

Section 409. Permits. No person or persons, firm or corporation shall construct or repair any sidewalk, curb or gutter without first applying for and obtaining from the Building Inspector of the Township of Amity, Berks County, Pennsylvania a permit for the same. The application for such permit shall set forth:

- (a) the full name and address of the owners of the land affected;
- (b) the name and address of the contractor or the person to perform the work;
- (c) the precise location of the property upon which the work is to be done;
- (d) the length of the proposed project; and
- (e) Such other pertinent information as may be considered necessary.

(Ordinance 49, September 7, 1973, Section 9)

Section 410. Fees. The cost of obtaining a permit to repair existing curbs, gutters and sidewalks shall be in accordance with the Fee Schedule of the Township of Amity. (Ordinance 49, September 7, 1973, Section 10; as amended by Ordinance 211, February 15, 2005, Section 1)

Section 411. Specifications.

(a) All curbs, gutters and sidewalks as well as all driveways over sidewalks shall be constructed of monolithic concrete. Said concrete shall have a low slump with a maximum slump of four inches (4"), a compressive strength of four thousand (4,000) pounds per square inch (psi) in twenty-eight (28) days, a low water-cement ratio of forty-five hundredths (0.45) or less, entrained air of five percent (5%) to eight percent (8%) total air content and a minimum cementitious materials content of five hundred sixty-four (564) pounds per cubic yard (lb/cu yd) of concrete. Certification for the concrete mix shall be furnished if required by the Board of Supervisors or the Township of Amity.

(b) Proper finishing practices shall be used. No finishing operation shall be performed while there is excess moisture or bleeding water on the concrete surface. No subsequent finishing operation after bull floating shall be done until the concrete will sustain foot pressure with only about one-quarter inch (1/4") indentation. The final finishing operation shall be to make a light broom finish.

(c) The finished concrete shall be cured for at least seven (7) days after placement. As soon as the concrete is hard it shall be cured by one or combination of:

(1) Moisten the concrete and cover it with waterproof paper or polyethylene film weighted down around the edges to prevent evaporation.

(2) The concrete shall be kept continuously wet with a sprinkler.

(3) The concrete shall be covered with burlap that is kept moist by occasionally spraying with water.

(4) Liquid membrane-forming curing compounds shall be sprayed onto the concrete surface prior to temperatures below forty degrees Fahrenheit (40°F). The curing compound shall be a type that leaves no permanent discoloration on the surface and does not interfere with the application of any subsequent surface treatment.

The concrete shall air dry for at least thirty days prior to application of deicer chemicals. If time does not permit this air drying, the concrete surface shall be sealed with an approved breathable surface treatment.

(d) Cold Weather Precautions. If concrete is placed when the air temperature is or is expected to be less than forty degrees Fahrenheit (40°F), the following procedures shall be followed:

(1) Use heated concrete so that temperature does not fall below fifty degrees Fahrenheit (50°F) during placing, finishing and curing.

(2) Keep the concrete warm when freezing is possible. Use insulating blankets or a thick layer of dry straw. To keep the straw dry and in place, cover it with canvas, waterproof paper or plastic sheeting.

(3) Protect slab edges and corners with extra care, they are most vulnerable to freezing.

During cold weather, high-early-strength concrete may be used to speed setting and strength development. This can reduce the curing period from seven (7) days to three (3) days, but the concrete shall be kept at or above fifty degrees Fahrenheit (50°F) for these three (3) days. The concrete shall then cool gradually to air temperature to prevent thermal shock. Calcium chloride admixture shall not be used.

(e) Hot Weather Precautions. If concrete is placed when the air temperature is or is expected to be above eighty-five degrees Fahrenheit (85°F), the following procedures shall be followed:

(1) Use concrete that has been chilled during batching and mixing.

(2) Dampen the subgrade and forms.

(3) Have enough manpower and equipment on hand to finish the concrete quickly.

(4) Cover the concrete with wet burlap or plastic sheeting, and expose only a small area at a time just ahead of finishers, or use continuous wet curing methods.

(5) Start curing as soon as possible.

(6) Place and finish the concrete in the cooler early morning when possible.

(f) Curbs and gutters shall be made to the following specifications: The curbs shall have a depth of not less than eighteen

inches (18") and shall be eight inches (8") thick at the base and seven inches (7") thick at the top. Curbs shall be constructed with an eight inch (8") reveal.

(g) Sidewalks shall be not less than four inches (4") in thickness and shall rest on a compacted bed of aggregate of a depth of four inches (4"). For width and location of sidewalks, see Section 402 of this Chapter.

(h) Sidewalks shall have clean cut joints every four (4) linear feet and curbs every ten feet (10'). One-half inch (1/2") pre-molded expansion joints shall be placed every thirty (30) linear feet or less on curb and sidewalk.

(i) Driveways over sidewalks shall be at least six inches (6") thick and shall rest on four inches (4") of aggregate and be reinforced with one (1) layer of six inches by six inches (6" x 6") wire mesh.

(j) A depressed curb for driveway entrances is permitted rather than a horizontal radius. The curb shall be depressed by rounding the edge from the top of the curb to the gutter line. The bottom line of the curb shall be maintained. The sloped portion of the driveway on all new construction shall terminate at the closest edge of sidewalk and at the gutter line, and a lip at the gutter line one and three-quarter inches (1-3/4") high shall be constructed. The depressed curb shall be reinforced with two (2) parallel #5 steel rebar rods.

(Ordinance 49, September 7, 1973, Section 11; as amended by Ordinance 211, February 15, 2005, Section 1)

Section 412. Penalties; Violations. Any person or persons, firm or corporation constructing or repairing sidewalks, curbs or gutters or planting trees in violation of any of the provisions of this Part shall, upon conviction thereof, before a District Justice, be subject to a penalty of not less than Ten Dollars (\$10.00) nor more than Six Hundred Dollars (\$600.00) for each and every offense, and costs of prosecution; and upon default in the payment of said fine and costs, shall be imprisoned for a period not exceeding thirty (30) days in the Berks County Prison. (Ordinance 49, September 7, 1973, Section 12)

Section 413. Severability. If any sentence, clause, section or part of this Part 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 Part. It is hereby declared as the intent of the Board of Supervisors of the Township of Amity, Berks County, Pennsylvania that this Part would have been adopted and such unconstitutional, illegal, or invalid sentence, clause, section or part thereof should not be included herein. (Ordinance 49, September 7, 1973, Section 14)

