

## ORDINANCE NO. 71

An Ordinance vacating an Alley extending from Main Street to Headrick Street between Lots No's. 237 and 301 facing on said Main Street in the Borough of East Conemaugh.

Be it enacted and ordained by the Burgess and Town Council of the Borough of East Conemaugh and it is enacted and ordained by the authority of the same:-

Section I

That an alley situated between Lots No's. 237 and 301 on Main Street beginning at the intersection of said alley with the westerly side of Main Street and extending to the easterly side of Headrick separating and adjoining the above cited lots, be and the same is hereby vacated as a thoroughfare of the Borough of East Conemaugh, provided, that the adjoining property owners shall maintain the driveway over the sidewalk to the specification and grades as established by Borough Ordinance otherwise the said alley to become and remain a thoroughfare in the Borough of East Conemaugh.

Section II

All Ordinances or parts thereof in consistent herewith be and the same are hereby repealed.

Passed finally in Council this 6th day of January A. D. 1920.

W. G. Wright  
President of Council

Attest:

F. W. Campbell  
Secretary

Examined and approved this 8th day of January A. D. 1920.

W. H. Crum  
Burgess

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NOTE: This Ordinance is recorded on Page 153 of original Ordinance Book.

**PART 1**

**STREET OPENINGS AND EXCAVATIONS**

**§101. DEFINITIONS.**

1. As used in this Part, the following words shall have the meanings hereby respectively ascribed thereto:

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

**STREET** - the roadway of any public street, alley, avenue or highway in the Borough, with the exception of State highways.

2. 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. 206, 3/18/1974, §1)

**§102. PERMIT REQUIRED.**

It shall be unlawful for any person to make any opening or excavation in any street in the Borough without first having obtained a permit from the Borough. Such permit shall be issued by the Borough Secretary, upon payment of a fee in an amount as established from time to time by resolution of the Borough Council, which shall be for the use of the Borough, to cover or cover in part the cost of issuing the permit and the supervision and investigations needed under this Part. In addition, the applicant for the permit shall deposit the sum as determined from time to time by resolution of Borough Council, which shall be applied against the cost of resurfacing the street by the Borough after completion and refilling of the excavation by the permit holder.

(Ord. 206, 3/18/1974, §2; as amended by A.O.)

**§103. CONDITIONS FOR PERMIT.**

Every permit issued under this Part shall state, as a condition thereof; the purpose for which the opening or excavation is authorized; the location and approximate surface area of the opening; the date when the work is to be commenced pursuant to the permit; and the number of days for which the permit shall be valid. It shall be the duty of the permit holder to do all work under this Part in conformity with all such conditions, and a failure to comply therewith shall constitute a violation of this Part.

(Ord. 206, 3/18/1974, §3)

**§104. DUTY OF PERMIT HOLDER.**

street as necessary to remedy the condition and to make necessary repairs, without first having applied for and obtained the permit required under this Part, but within 72 hours after the occurrence of the emergency he shall apply for and obtain a proper permit, following the same procedures and adhering to all other requirements that would have applied had he applied for and obtained such permit in advance.

(Ord. 206, 3/18/1974, §6)

**§107. PENALTY.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day on which a violation shall continue shall be deemed a separate offense.

(Ord. 206, 3/18/1974, §7; as amended by A.O.