

ORDINANCE NO. 101

An Ordinance authorizing the grading, paving and draining of Morris Street between Twolick Creek to an alley west of Seventh Street, Third Street from Franklin to Morris Street, Fourth Street from Franklin to Morris Street, Fifth Street from Franklin to Morris Street and Seventh Street from Franklin to Morris Street; providing for the collection from owners of abutting real estate their share of the costs; declaring certain obstacles to be nuisances; and empowering the Borough Engineer to assess costs on property owners.

WHEREAS, notices were given according to law, June 21, 1948, by more than ten hand bills posted on the lines of the proposed improvement that an ordinance authorizing said improvement would be presented to Council, June 30, 1948.

THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of Clymer, and it is hereby ordained and enacted by the authority of the same:

Section 1. That Morris Street between Twolick Creek to an alley west of Seventh Street, Third Street from Franklin to Morris Street, Fourth Street from Franklin to Morris Street, Fifth Street from Franklin to Morris Street and Seventh Street from Franklin to Morris Street, be paved to a maximum width of twenty (20) feet with a heavy surface treatment of oil and limestone chips, according to plans and specifications promulgated by the Borough Engineer.

Section 2. That the proper officials be and they are hereby authorized to enter into contracts in the name of the Borough of Clymer for the necessary material and equipment to be used in the said improvement, after receiving best bids on material, etc; and the Borough Engineer is hereby designated as the person in charge of said work with full power to act for the Borough and contracts thereunder, and also to estimate assessments, costs and expenses of said improvement.

Section 3. That any trees, pipes, poles or other things interfering with the free and full construction of said work and the making of said improvement are hereby declared nuisances and may be removed or changed by the Borough in case the owners or companies having such trees, pipes, poles, etc. fail to remove same, and the expense thereof charged to such owners.

Section 4. That the said grading, paving and draining, the cost and expense of same be, done, paid for, assessed and collected in accordance with the Act of Assembly of the Commonwealth of Pennsylvania, approved May 4, 1927, P. L. 519, known as "The General Borough Act", amendments thereof and supplements thereto, said Act empowering the Boroughs of this Commonwealth, without petition of property owners to grade, pave and drain and otherwise improve public streets or parts thereof and assess a portion of the cost thereof on the owners of property abutting thereon, and providing for collection of the same.

Ordained and enacted by Council at a special meeting held the 30 day of June, 1948.

Attest:

John E. Steele
Secretary

Gordon Gibson
President

Approved June 30, 1948.

John W. Penroy

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