

Ordinance No. 105

An Ordinance authorizing the grading, paving, and draining of Sherman Street from Twolick Creek to Seventh Street, Walcott Street from Sixth to First Streets, Second Street from Hancock to Walcott Streets, Third Street from Hancock to Walcott Streets, Fourth Street from Hancock to Walcott Streets, Seventh Street from Sherman Street to Maple Avenue, Lee Street from Wilson Street in a southerly direction to the right-of-way of the Cherry Tree and Dixonville Railroad, Jefferson Street from the East Corner of Lot No. 50 to Penn 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, March 26th, 1949, 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 April 5th, 1949.

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 Sherman Street from Twolick Creek to Seventh Street, Walcott Street from Sixth to First Streets, Second Street from Hancock to Walcott Streets, Third Street from Hancock to Walcott Streets, Fourth Street from Hancock to Walcott Streets, Lee Street from Wilson Street in a southerly direction to the right-of-way of the Cherry Tree and Dixonville Railroad and Jefferson Street from the East Corner of Lot No. 50 to Penn 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 said 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 regular meeting held the 5th day of April, 1949.

Gordon Gibson
President

Attest;

John E. Steele
Secretary

Approved April 5th, 1949.

John W. Pomroy

ADA607

Relocation, Widening, Change of Grade And Opening New Street

Ordinance 106

An ORDINANCE Approving and Establishing the Widths, Lines, Grades Drainage Structures, and all other Structures Appearing on the plan of the Department of Highways of the Commonwealth of Pennsylvania, showing proposed Improvement on Franklin Street in the Borough of Clymer, Pennsylvania Adopting the Said Plan as the Official Borough Plan for said Street, and approving and opening as Public Highway the Relocation of the said State Highway Route and providing for the removal of Structures.

Whereas the Department of Highways has submitted to the Borough Council of Clymer Borough a plan showing the proposed improvement of a portion of State Route No. 262-R -4 on Franklin Street from station 0 plus 25.00 to Station 4plus05 a distance of ___feet as shown by the said plan prepared and submitted by the Department of Highways approved September 8, 1949 by the Chief Engineer of the Department of Highways.

Section 1 BE IT ORDAINED by the Town Council of The Borough of Clymer and it is hereby enacted and ordained ~~and~~ by authority of the same that the widths, lines, grades, courses, distances, drainage structures and all other structures shown on the plans prepared and submitted by the Department of Highways as aforesaid, be, and the same are hereby enacted and ordained as for the condemnation of an easement for highway purposes, the true and proper widths, lines, grades, courses, distances, drainage structures, and other structures, of and for Franklin Street, as shown on the said plan which is hereby adopted as the official Borough Plan for the said Street.

Section 2. The President of the Borough Council and the Burgess are hereby authorized to express the approval of the Borough to the relocation of the aforesaid State Highway Route, by affixing their signatures and the Borough Seal to the said relocation plan.

Section 3. Any portion of the said Street included in the aforesaid plan but not heretofore lawfully opened, is hereby ordered and declared open as a public highway with an easement for highway purposes condemned therefor and the Borough hereby assumes all responsibility for the removal of all structures where necessary for the opening or improvement in accordance with the aforesaid plan.

Section 4. All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

Section 5. This ordinance shall be effective immediately upon its as provided by law.

Enacted into an ordinance and passed in a session of Council of The Borough of Clymer held this 4th, day of October, 1949

Gordon Gibson
President

Attest John E. Steele
Secretary

Approved this 4th day of Ocyober 1949 Ben F. Wilkins
Burgess

I John E. Steele, Secretary of the Borough of Clymer do hereby certify that the foregoing is a true and correct copy of the ordinance duly passed and adopted at a regular meeting of the Borough Council of the said Borough, held October 4, 1949, and that the same has been approved and recorded in the Borough Ordinance Book and has been advertised and posted as required by law.

John E. Steele
Secretary