

ORDINANCE NO. 276

AN ORDINANCE OF THE BOROUGH OF CLYMER, COUNTY OF INDIANA AND COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE NO. 232, THE ORDINANCE REQUIRING AND REGULATING THE CONSTRUCTION, RECONSTRUCTION, AND/OR REPAIR OF SIDEWALKS BY EVERY OWNER OF PROPERTY FRONTING ON ANY STREET, STREETS, LANES, ALLEYS OR COURTS WITHIN THE BOROUGH OF CLYMER

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Clymer, county of Indiana and Commonwealth of Pennsylvania, and it is hereby ordained and enacted as follows:

- I) Clymer Borough Ordinance No. 232 is hereby amended in the following respects:
  - a) The following provision shall be added to Ordinance No. 232 and designated as Section 7.1

**SECTION 7.1. INSTALLATION OF HANDICAP RAMPS.** When constructing, reconstructing, and/or repairing a sidewalk at any intersection within the Borough of Clymer, the property owner shall be responsible for installing a handicapped ramp in accordance with specifications to be provided by the Borough Engineer. The Borough of Clymer shall be responsible for removal of the curb so that the handicapped ramp can be installed.

- b) Section 8. Failure of Property Work to Construct, Reconstruct and/or Repair Sidewalks. shall be Amended as follows:

**SECTION 8 (a) AUTHORITY FOR BOROUGH TO DO WORK AND COLLECT COST, PLUS TEN PERCENT (10%) FROM THE DEFAULTING PROPERTY OWNER.** Upon the failure of any property owner to construct, reconstruct, and/or repair any sidewalk in compliance with a notice from the Borough Council to so act, the Borough of Clymer may cause said sidewalk to be so constructed, reconstructed, and/or repaired at the cost of such owner, and may collect the cost thereof and ten percent (10%) additional, together with all charges and expenses from such owner and may file a municipal claim therefor or collect the same by an action in assumpsit.

**(b) PENALTY FOR VIOLATION.** Any property owner who shall violate or fail, neglect, or refuse to comply with any provision of this ordinance shall be guilty of a violation of this ordinance, and for each and every such violation, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) together with the cost of prosecution.

- II) To the extent that the this provision differs from the previous Section 8 of Ordinance No. 232, the former Section 8 of Ordinance 232 is hereby repealed.
    - III) In all other respects, Ordinance No. 232 of the Borough of Clymer shall remain in full force and effect.

ADOPTED this 7th day of February, 1996

BOROUGH OF CLYMER

By John Bracken  
President of Council

Attest:

Connie J. Custer  
Secretary

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 1996

Joseph E. Kuclick  
Mayor