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PART 1

STREET PLANS

§21-101. Approval of Street Plans.

It shall not be lawful hereafter to lay out, open or relocate any street or alley within the Borough of Ambler without first submitting to the Borough Council a survey or plan thereof and securing the approval of the said Borough Council thereto. Upon such plan being approved the said street or alley shall be recorded upon the Borough Plan of Highways.

(Ord. 210, 7/2/1928, §1; as amended by Ord. 991, 8/15/2005)

§21-102. Street Plans to be Approved Before Sale or Conveyance of Lots.

1. It shall not be lawful hereafter to offer for sale, sell or convey any lot or tract of land with or without improvements thereon, situate within the Borough of Ambler, fronting upon or contiguous to any street or alley hereafter laid out or relocated for public use or travel until the plan of said street shall have been submitted to Borough Council. Said plan shall show the following information:
 - A. The location of the said property street, the beginning thereof and the terminus thereof to be fixed by reference to existing ordained streets.
 - B. The bed of said proposed streets by metes and bounds, the profile of said proposed street indicating topography and the contours of adjoining lands; the location of any topography or any water courses traversing the proposed street, and the method or drainage proposed for any adjacent or contiguous territory, the terminus thereof to be connected with the Borough's existing storm sewerage system.
2. Upon the tentative approval by Borough Council of the proposed plan, the owner then may, at his sole expense, proceed with the contemplated improvement under the supervision and at the direction of the officers of the Borough. New streets shall be completely constructed, according to Borough specification and at the sole expense of the owner. The applicant shall pay the entire cost for water extensions and connections. Curbs and sidewalks are to be constructed in accordance with existing ordinances and to grades to be furnished by the Borough Engineer. Upon completion thereof and before opening for public use or travel, the said plan shall be resubmitted to Borough Council for final approval and for the placing of said plan of record. Upon final approval thereof, there shall be tendered to the Borough a deed of dedication.

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3. No street, alley or drainage facility in connection therewith shall be opened, constructed or dedicated for public use or travel, except in strict compliance with plans approved by the Borough Council.

(Ord. 219, 7/2/1928, §2; as amended by Ord. 340, 7/11/1949, §1; and by Ord. 363, 3/9/1954, §1)

PART 2

STREET EXCAVATIONS

§21-201. Short Title.

This Part shall be known and may be cited as the “Borough of Ambler Street Excavation Ordinance of 2008.”

(Ord. 509, 4/13/1964, §1; as amended by Ord. 1016, 5/19/2008)

§21-202. Definitions.

The following words, terms and phrases as used in this Part shall have the meanings given herein. When not inconsistent with the context, words used in the singular include the plural and words in the plural include the singular, and words used in the present tense include the future. The word “shall” is always mandatory:

BOROUGH — the Borough Council, Public Safety Committee, the Borough Engineer or his authorized representatives.

EXCAVATION — any break or opening in the surface or subsurface or any public place in any manner whatsoever.

FACILITY — any pipe, sewer, drain, conduit, tunnel, manhole, duct, vault, buried wire, cable, meter, gauge, valve, regulator, junction box, transformer, tower, wire, pole, anchor, phone booth, curb, curb and gutter, sidewalk, driveway or any other object, structure or material of any kind, whether mentioned herein or not, which may be lawfully constructed, left, placed or maintained in, across, under, over, upon or along any public place.

PERMANENTLY PAVED — any newly paved or repaved street when paved or repaved with concrete, Specification “E” or any other bituminous surfaced road on a stone or concrete base, where the overall thickness of road material is six inches or more.

PERSON OR PERSONS — any person or persons, corporation, partnership, individual, association, company or any organization.

PUBLIC PLACE — any Borough street, road, highway, avenue, lane, place, way, alley, footpath, sidewalk, park or any public property owned or controlled by the Borough.

SUPERPAVE BASE COURSE — hot mix asphalt material meeting the requirements of Section 409 of Pennsylvania Department of Transportation Publication

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408, as amended, consisting of 25.0 millimeter graded aggregate, PG 64-22 Asphalt Cement, and 3 to 30 million equivalent single axel loads (ESALs).

SUPERPAVE BINDER COURSE — hot mix asphalt material meeting the requirements of Section 409 of Pennsylvania Department of Transportation Publication 408, as amended, consisting of 19.0 millimeter graded aggregate, PG 64-22 Asphalt Cement, and 3 to 30 million equivalent single axel loads (ESALs).

SUPERPAVE WEARING COURSE — hot mix asphalt material meeting the requirements of Section 409 of Pennsylvania Department of Transportation Publication 408, as amended, consisting of 9.5 millimeter graded aggregate, PG 64-22 Asphalt Cement, 3 to 30 million equivalent single axel loads (ESALs), and minimum skid resistance level (SRL) H.

(Ord. 289, 8/14/199, §3; as amended by Ord. 509, 4/13/1964, §2; by Ord. 785, 11/21/1983; and by Ord. 1016, 5/19/2008)

§21-203. Permits.

It shall be unlawful for any person to make, cause or permit to be made or caused, any excavation or opening in or under the surface of the ground or paved areas, within the boundaries of any public place, for the purpose of installing, repairing, erecting, replacing or making connections thereto, of any facility without first obtaining from the Borough a permit therefor before such work is begun and complying with such other requirements herein specified.

(Ord. 509, 4/13/1964, §3)

§21-204. Application.

Before such permit is issued, a written application on a form to be furnished for that purpose by the Borough must be filed with the Borough Secretary. The written application shall state the name, address and principal place of business of the applicant, setting forth the purpose for which the said public place is to be excavated, the location and dimensions of said excavation and the purpose of the facility. The applicant shall agree to assume all liability for all or any damage to person or property accruing to the public or to the said Borough which may be or might result from the opening, excavating or occupying of said public place.

(Ord. 509, 4/13/1964, §4)

§21-205. Liability and Insurance.

The filing of an application and the issuance of a permit shall constitute an agreement on the part of the applicant to comply with the terms of this Part and all rules, regula-

tions, resolution and requirements of the Borough now in force, or hereafter adopted, and shall constitute an agreement to indemnify and save the Borough harmless from and against all claims, demands and actions for damages either to person or property, that may be sustained by reason of or arising out of any work done or action taken under the application and permit. Prior to the issuance of a permit, the applicant shall file with the Borough a certificate showing the hereinafter mentioned insurance is carried in the specified amounts, obtained from a reputable company, satisfactory to the Borough or file a self insurance certificate as issued by the Pennsylvania Department of Revenue and the Pennsylvania Department of Labor and Industry. Such certificate shall specify that the contractual liability require under this Part is covered and shall specify that the coverage will not be canceled or changed without 10 days prior notice to the Borough.

- A. Workmen's Compensation insurance shall be maintained for all employees at the site of the project and in case any work is sublet, the applicant shall require the subcontractor to provide Workmen's Compensation insurance for all the latter's employees, unless such employees are covered by the protection afforded by the applicant. In case any class of employees engaged in hazardous work at the site of the project is not protected under the Workmen's Compensation statute, the applicant shall provide and cause each subcontractor to provide adequate insurance for the protection of his employees not otherwise protected.
- B. Comprehensive general liability insurance for bodily injury and property damage shall be taken out and maintained as shall protect the Borough of Ambler, himself and any subcontractor performing work covered by the application from claims for damages for personal injury including accidental death, as well as from claims for property damage which may arise from operations under the application, whether such operations be by himself or by any subcontractor and the amounts of such insurance shall be as follows:
 - (1) Bodily injury insurance \$1,000,000.
 - (2) Property damage insurance \$1,000,000.
- C. The above policies of comprehensive general liability insurance for bodily injury and property damage must be so written as to include contingent bodily injury and contingent property damage insurance to protect the applicant against claims arising from the operations of subcontractors.
- D. The following special hazards shall be covered by rider or riders to the public liability and/or property damage insurance policy or policies herein elsewhere required to be furnished by the applicant or by separate policies of insurance in the same amounts required under public liability and property damage as hereinbefore specified.

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- (1) For all automobile and automobile trucks owned, used and hired by contractors used in connection with the work covered by the application.
- (2) For blasting, if blasting is necessary on the project.

(Ord. 509, 4/13/1964, §5; as amended by Ord. 1016, 5/19/2008)

§21-206. Fees and Costs.

At the time of filing of the application, the applicant shall pay, in addition to the permit fee established by resolution of Council, the estimated costs and fees for construction, permanent restoration, inspection and engineering herewith mentioned. The fee shall be paid to the Borough of Ambler and based on the estimated work involved, is covered by the application. Upon completion of the work and/or restoration, final measurements will be made by the Borough Engineer or his representative to determine the final fee. If the amount paid in advance of the issuance of the permit is insufficient to cover the final fee, a bill will be rendered by the Borough, or if the amount on deposit is in excess of the final fee, a refund shall be made to the permittee.

(Ord. 509, 4/13/1964, §6; as amended by Ord. 662, 4/18/1977; by Ord. 742, 7/20/1981; and by Ord. 785, 11/21/1983)

§21-207. Performance of Work.

All restoration of trenches and excavations shall conform to the regulations of the Department of Labor and Industry, Commonwealth of Pennsylvania, 1959 Edition, or any amendments thereto. Any work where the permittee has the approval of the Borough to make restoration as provided herein in an area where there is no improved surface, shall be restored by the applicant to a condition equal to that existing before the work was performed.

- A. Tunneling. Any public place, that is to be tunneled in connection with any work covered by this Part, shall be referred to in the application and specified approval obtained from the Borough and endorsed on the permit. The backfilling shall be done in the presence of a Borough inspector. It shall be made with 1:3:5 damp concrete mix, thoroughly tamped in six inch layers or according to a method satisfactory to the Borough Engineer.
- B. Breaking Through Pavement.
 - (1) Heavy-duty pavement breakers may be prohibited by the Borough when their use endangers existing facilities.

- (2) Approved cutting of pavement surface ahead of excavations may be required by the Borough to confine pavement damage to the limits of the trench.
 - (3) Pavement edges shall be trimmed to a vertical face and aligned with the centerline of the trench.
 - (4) Unstable pavement shall be moved over cave-ins and over breaks and the resulting subgrade shall be treated the same as the main trench.
 - (5) Sections of the sidewalk shall be moved to the nearest expansion joint or to the nearest score line.
- C. Backfilling Excavations. The permittee shall be responsible for the backfilling on excavations made as a part of his operation in openings in any public place. All excavated material shall be removed from the site by the permittee. All breaks or openings shall be backfilled by the permittee with No. 2A aggregate (Pennsylvania Department of Transportation Specifications), thoroughly compacted, using appropriate and approved mechanical equipment, in layers not exceeding 12 inches in depth to the subgrade of respective surface opened.
- D. Temporary Paving. The permittee shall place a temporary paving consisting of tamped fill and a three inch thick bituminous paving rolled and compacted. Maintenance of the temporary paving after completion shall be by the permittee.
- E. Permanent Paving.¹
- (1) Altering Drainage Prohibited. Altering drainage shall be prohibited by the following conditions:
 - (a) Unless specifically authorized by the permit, the permittee may not:
 - 1) Alter the existing drainage pattern of the flow of drainage water.
 - 2) Direct additional drainage of surface water toward, onto, or into or in any way affect any public place.
 - (b) The permit does not authorize the permittee to direct, divert or otherwise drain surface waters over the property of another property owner.

¹ Editor's Note: Road Details are included at the end of this Chapter.

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- 1) The permit does not relieve the permittee from acquiring the consent, permission or other authorization from a property owner who may be adversely affected by drainage alterations.
 - 2) The permittee is responsible for damage caused to property owners as a result of work done under the permit.
 - (c) A permit will not be issued to authorize the discharge of water into the right-of-way unless the water is surface drainage.
- (2) Material and Construction Standards. Permanent paving shall be constructed by the Borough or by the permittee as hereinafter provided, after the installation of the temporary paving. Permanent paving shall not be made until the Borough Engineer has approved its installation. When making the permanent repaving construction, the temporary paving shall be removed from the opening. One foot outside the edge of the opening shall be sawed, in a neat straight line, to the top elevation of the aggregate subbase, and the detached material shall be removed and the edges of the opening shall be made neat and square. The permanent repaving shall consist of one of the following cross sections.
- (a) Local and Residential Roads. A four-inch-thick compacted subbase consisting of PennDOT Number 2A aggregate meeting the requirements of Section 350 of Publication 408, 4.5 inches Superpave base course, and 1.5 inches of Superpave wearing course. The materials and workmanship shall be in accordance with PennDOT Specifications, Publication 408, as amended, and as defined in this Part.
 - (b) Arterial and Collector Roads. A four-inch-thick compacted subbase consisting of PennDOT Number 2A aggregate meeting the requirements of Section 350 of Publication 408, four inches Superpave base course, three inches Superpave binder course, and 1.5 inches of Superpave wearing course. The materials and workmanship shall be in accordance with PennDOT Specifications, Publication 408, as amended, and as defined in this Part.
- (3) Additional Restoration. Additional restoration shall be required as follows:
- (a) Disturbed portions of a public place, including, but not limited to, slopes and appurtenances and structures such as guide rails, curbs, signs, markings, drain pipes, driveways and vegetation, shall be restored by the permittee to a condition at least equal to that which existed before the start of work authorized by the permit.

- (b) The permittee shall, in addition to the restoration conditions outlined in the permit and in this Part, overlay the pavement in accordance with the following conditions:
 - 1) When a longitudinal opening longer than 100 linear feet has been made in the pavement, the permittee shall overlay the traffic lanes in which the opening was made, for the entire length that was opened, in a manner authorized by the Public Safety Committee of the Borough or its authorized representative.
 - 2) When two or more traverse openings have been made within 100 linear feet of pavement, the permittee shall overlay the traffic lanes in which the opening was made, for the entire length that was opened, in a manner authorized by the Public Safety Committee of the Borough or its authorized representative.
 - 3) If disturbed lanes adjacent to undisturbed lanes are overlaid, the edge of the disturbed lane shall be saw cut or milled to a depth of 1.5 inches or the depth of the existing surface course, whichever is less, for the length of the opening to insure a smooth joint, with proper elevation and cross section. A full-width overlay may be authorized instead of saw cutting or milling the disturbed lane.
 - 4) If an opening is made in pavement within three feet from the edge of pavement or other longitudinal joint or opening, the surface restoration shall be extended to the edge of pavement or other longitudinal joint or opening.
 - 5) When pavement markings on more than 100 linear feet of street are covered or destroyed by the permitted work, including overlays, they shall be replaced with temporary markings before opening the disturbed pavement to traffic. When the pavement surface is restored, pavement markings that were covered or destroyed shall be replaced in their former location.
- (4) Sealing. Restored openings in the pavement shall be sealed meeting the requirements of Section 401.3(j)(3) of PennDOT Publication 408, as amended.
- (5) Maintenance Guarantee. If, within one year after the permanent paving has been installed, defects appear therein resulting because of defective backfilling by the permittee, the applicant shall reimburse the Borough for the cost of all necessary repairs to the permanent paving.

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Upon application, and approval by the Public Safety Committee of the Borough or its authorized representative, a permittee may install the permanent paving as required herein. The application for such permission shall be made before each calendar year to the Borough upon forms which shall be obtained from the Borough Secretary, together with the following:

- (a) A performance bond in an amount equal to the estimated cost of the permanent paving or in an amount equal to the estimated cost of permanent paving where there is to be one or more installations. Such performance bond shall have a surety approval by the Borough Solicitor.
 - (b) A maintenance bond for one year in an amount sufficient for the maintenance of the permanent restoration, with surety as approved by the Borough Solicitor. The sufficiency of such bond shall be determined by the Public Safety Committee of the Borough or its authorized representative.
 - (c) Such other information, as the Public Safety Committee of the Borough or its authorized representative may request of the applicant.
- F. Curbs, Sidewalks and Gutters. Where the surface of any improved curb, sidewalk, or gutter is broken for any purpose, the permittee shall restore the surface of the curb, sidewalk or gutter in accordance with the existing Borough ordinance and specifications providing the same.
- G. Daily Stoppage of Work Requirements. Daily stoppage of work requirements includes the following:
 - (1) Except for emergency repairs of utility facilities, work within a public place shall be stopped prior to peak traffic hours or as specified in the permit.
 - (2) At the end of each workday, an opening in a public place shall be one of the following:
 - (a) Covered with steel plates or bridging over openings which are less than six feet in either length or width. The plates or bridging shall be extended a minimum of 18 inches from each edge of the opening and shall be secured in a safe manner.
 - (b) Backfilled under Subsection C to the elevation of the subgrade of the respective surface opened and protected under an approved traffic control plan until the surface is restored to its former condition.

- (3) The permittee shall protect its openings to provide for the safety of the traveling public, including motorists, bicyclists and pedestrians.

(Ord. 509, 4/13/1964, §7; as amended by Ord. 580, 10/11/1971; by Ord. 677, 9/11/1977; and by Ord. 1016, 5/19/2008)

§21-208. Protection of Existing Facilities.

The permittee shall determine the existence and location of existing facilities and avoid conflict with them. No facility owned by the Borough shall be moved to accommodate the permittee, unless permission is granted by the Borough and the cost be borne by the permittee. The permittee shall support by the latest approved methods all facilities affected by the excavation work, and do everything necessary to support, sustain and protect them, under, over, along or across the work. In case any existing facility is damaged, they shall be repaired by the person owning them and all expenses of such repair shall be charged to the permittee. The permittee shall be responsible for any damage done to any public or private property by reason of the breaking of any existing facility.

(Ord. 509, 4/13/1964, §8)

§21-209. Openings in Permanently Paved Streets Prohibited Within Five Years of Paving.

It shall be unlawful for any person, firm or corporation to dig, excavate or construct in, on or under any newly permanently paved streets for a period of five years next following the date of the Borough Engineer's certification of the completion of the paving or repaving of the surface of any street in the Borough of Ambler.

(Ord. 509, 4/13/1964, §9)

§21-210. Emergency Openings Within Five Years of Permanent Paving; Fee.

In case of any emergency, the Borough Council may grant permission to dig, open, or excavate in or under any such street within the period of five years upon application therefor accompanied by a fee established by resolution of Council and payable to the Borough of Ambler, which fee shall be in addition to any charge now made for a permit to dig, excavate or open a street.

(Ord. 289, 8/14/1939, §2; as amended by Ord. 785, 11/21/1983)

§21-211. Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in

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default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 289, 8/14/1939, §4; as amended by Ord. 403, 3/11/1957, §1; by Ord. 509, 4/13/1964, §9; by Ord. 785, 11/21/1983; and by Ord. 991, 8/15/2005)

PART 3

CONSTRUCTION AND REPAIR OF CURBS AND SIDEWALKS

§21-301. Construction of New Curb and Sidewalk.

1. Curb.
 - A. Curbs shall be constructed in conformance with materials and construction procedures of Pennsylvania Department of Transportation Specification Publication 408/2003 (Change No. 4, effective October 2, 2005), Section 630, Plain Cement Concrete Curb, not including any subsequent changes, amendments or revisions as prepared by the Pennsylvania Department of Transportation, except as noted below.
 - B. Curb shall be 18 inches in depth, eight inches wide, tapered to seven inches at the top in eight inches. The upper edges of the face and back of the curb shall be finished to a radius of 3/4 inch.
 - C. Curb shall be formed front and back the full depth.
 - D. Curb sections shall be 10 feet in length except where shorter sections are required, but no section may be shorter than four feet.
 - E. All curb shall be poured separate of the sidewalk.
 - F. All curb, when poured, shall have an expansion joint between the curb and sidewalk.
 - G. All roadways shall be replaced to specifications.
 - H. Where it is deemed advisable by Borough Council or its authorized representative, due to grades or ground conditions, an additional depth of six inches shall be excavated and course stone shall be laid in the trench and well tamped before constructing the curb.
 - I. All curbs shall be constructed under the supervision of Borough Council or its authorized representative and shall be made to conform strictly with this Part unless otherwise directed by Borough Council or its authorized representative.
2. Sidewalk.
 - A. Sidewalks shall be constructed in conformance with materials and construction procedures of Pennsylvania Department of Transportation Specification Publication 408/2003 (Change No. 4, effective October 2, 2005), Section 676, Cement Concrete Sidewalks, not including any subsequent changes,

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amendments or revisions as prepared by the Pennsylvania Department of Transportation, except as noted below.

- B. Sidewalks shall be constructed to conform to the lines and grades as furnished by Borough Council or its authorized representative and shall have a width of at least four feet and shall have a slope to the curb of 1/4 inch to the foot. The walks shall be constructed so that at least two feet shall be on each side of the center line of the sidewalk area which lies between the curb and the property line.
 - C. Sidewalks that are part of driveway aprons shall be six inches minimum in thickness. Wire or reinforcement rods shall be required.
 - D. All sidewalks shall be constructed under the supervision of Borough Council or its authorized representative and shall be made to conform strictly with this Part unless otherwise directed by Borough Council or its authorized representative.
3. Driveway Apron.
- A. Driveway aprons shall be constructed in conformance with materials and construction procedures of Pennsylvania Department of Transportation Specification Publication 408/2003 (Change No. 4, effective October 2, 2005), Section 676, Cement Concrete Sidewalks, not including any subsequent changes, amendments or revisions as prepared by the Pennsylvania Department of Transportation, except as noted below.
 - B. All driveway aprons that have sidewalks shall be concrete from rear of curb to back edge of sidewalk. Bituminous paving or macadam are not acceptable materials for use where driveways cross sidewalks.
 - C. All driveway aprons shall be six inches minimum in thickness and meet the sidewalk and grade at curb depressions. Wire or reinforcement rods shall be required.
 - D. Driveway grade shall meet the sidewalk grade.
 - E. No driveway shall exceed 18 feet total width between tangent points of street curb at residential installations without approval of Borough Council or its authorized representative.
 - F. No driveway shall exceed 35 feet total width between tangent points of street curb at nonresidential installations without approval of Borough Council or its authorized representative.
 - G. No driveway shall be cut beyond tangent points of radius or extend beyond curb.

- H. There shall be a foundation of six inches of compacted crushed aggregate (PennDOT Modified 2A) under all driveway aprons.
- I. All driveway aprons shall be constructed under the supervision of Borough Council or its authorized representative and shall be made to conform strictly with this Part unless otherwise directed by Borough Council or its authorized representative.

(Ord. 995, 12/19/2005)

§21-302. Maintenance, Repair, Reconstruction, Replacement or Resetting of Existing Curb and Sidewalk.

1. Where existing curb, sidewalk and/or driveway apron are in need of repair, replacement, reconstruction or resetting, as determined by Borough Council or its authorized representative, said existing curb, sidewalk and/or driveway apron may be replaced to meet or match existing surrounding grades and conditions at the direction and oversight of Borough Council or its authorized representative. Borough Council or its authorized representative may, based on existing conditions, allow for repair, replacement, reconstruction or resetting of existing curb, sidewalk and/or driveway apron that is not fully compliant with §21-301 above. The determination that curb, sidewalk and/or driveway apron is to be repaired, replaced, reconstructed or reset to standards other than those provided in §21-301 will be made by Borough Council or its authorized representative on a case-by-case basis. The standard to which curb, sidewalk and/or driveway apron are to be repaired, replaced, reconstructed or reset will be provided by Borough Council or its authorized representative.
2. Where flagstone curb currently exists and is in need of repair, replacement, reconstruction or resetting, said existing flagstone curb may be replaced to meet or match existing materials, surrounding grades and conditions at the direction and oversight of Borough Council or its authorized representative. Borough Council or its authorized representative may, based on existing conditions, allow for repair, replacement, reconstruction or resetting of existing flagstone curb that is not fully compliant with §21-301 above. The determination that flagstone curb is to be repaired, replaced, reconstructed or reset to standards other than those provided in §21-301 will be made by Borough Council or its authorized representative on a case-by-case basis. The standard to which flagstone curb is to be repaired, replaced, reconstructed or reset will be provided by Borough Council or its authorized representative. Flagstone curb shall only be permitted to repair, replace, reconstruct, reset or preserve existing flagstone curb. Flagstone curb shall neither be installed as new curb nor shall flagstone curb be installed to repair, replace, reconstruct or reset existing concrete curb or any other type of curb.

(Ord. 995, 12/19/2005)

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§21-303. Notice to Repair.

When, in the opinion of Borough Council or its authorized representative, the condition of curbs, sidewalks and/or driveway aprons require repair, the property owner or owners shall be given written notice of the required repairs and shall, within 60 days of the receipt of such notice, commence construction, reconstruction, replacement, repair or resetting of said concrete curbs, sidewalks and/or driveway aprons in conformity with §§21-301 and 21-302 of this Part. Upon neglect of the property owner to comply with the requirements as to the construction, reconstruction, replacement, repair or resetting of said curbs, sidewalks and/or driveway aprons, Borough Council or its authorized representative may, after notice as hereinafter set forth, have the work done at the cost of the property owner and collect costs and an additional 10%, together with all charges and expenses, from the property owner and may file a municipal claim therefor or collect the same by action in assumpsit. Notice shall be served upon the owner of the premises to which the notice refers if the owner is a resident of the Borough. If the owner is not a resident, the notice shall be served upon his agent or tenant or upon the occupant of the subject premises. If none of these latter conditions can be met, service shall be by notice posted on the premises.

(Ord. 995, 12/19/2005)

§21-304. Permit Required.

Before any construction, reconstruction, replacement, repair or resetting of any curb, sidewalk or driveway apron shall begin, a permit must be obtained by the property owner or his agent from Borough Council or its authorized representative, and said permit shall be issued upon the application stating the following:

- A. Actual owner of real estate.
- B. Number of feet to be constructed, reconstructed, repaired, replaced or reset.
- C. Name of contractor.
- D. Location of pavement relative to curb and property line.

(Ord. 995, 12/19/2005)

§21-305. Authority of Borough to Remove.

Borough Council or its authorized representative shall have the authority to direct to have removed, reconstructed, replaced, repaired or reset any curb, sidewalk and/or driveway apron that has been constructed, reconstructed, replaced, repaired or reset without issuance of a permit or not in accordance with standards provided in this Part. Notification and cost of removal, reconstruction, replacement, repair or resetting of curb, sidewalk and/or driveway apron shall be according to §21-303.

(Ord. 995, 12/19/2005)

§21-306. Penalties.

Any person or persons, firm or corporation, violating any of the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300 and cost of prosecution, and in default of payment of such fine to be caused to be imprisoned for not more than 10 days.

(Ord. 995, 12/19/2005)

PART 4

OBSTRUCTION AND ENCROACHMENTS ON SIDEWALKS

§21-401. Definitions and Interpretation.

The word “person” as used in this Part, shall mean any natural person, partnership, association, firm or corporation. The singular shall include the plural and the masculine shall include the feminine and neuter.

(Ord. 417, 3/11/1957, §1; as amended by Ord 418, 3/11/1957, §1; and by Ord. 785, 11/21/1983)

§21-402. Minimum Clearance of Awnings Over Sidewalks.

No person shall install, erect or maintain any awning any portion of which shall overhang any sidewalk in the Borough of Ambler, unless the lowest portion of such awning, when in lowered position, shall be not less than seven feet above the level of such sidewalk.

(Ord. 417, 3/11/1957, §2)

§21-403. Restrictions Upon Placement of Obstructions on Sidewalk.

1. No person shall place or maintain any display, sign, advertising device, box, barrel or any goods, wares or merchandise upon any of the sidewalks in the Borough of Ambler, except temporarily and for the purpose of loading or unloading, in which case the same shall not be allowed to remain upon the sidewalk for more than six hours, and in any case not after sunset or before sunrise, or to occupy more than 1/3 the width of such sidewalk.
2. No person shall deposit or permit to fall or to be deposited upon any of the sidewalks in the Borough of Ambler, anything that constitutes or might become an impediment or obstruction to travel, or that might damage the roadway or sidewalk, or that might interfere with the safe, free and full use thereof by the public.
3. No person shall permit structures such as a wall, fence, sign or other structure or hedge, tree, shrub or other growth to be maintained in or upon or near the sidewalk or right-of-way which shall interfere with the ordinary use of the sidewalk or right-of-way and no such person shall permit branches of trees, hedges or other natural growth to protrude or exist less than eight feet above the sidewalk, except that trunks of growing trees shall not be a violation of this subsection.
4. Trees obstructing vision at corners shall be removed on order of Borough Council.

STREETS AND SIDEWALKS

5. Obstructions to the sight of municipal signs shall be removed by owner or the Borough, and trees, or other growing things shall be so trimmed that such objects shall not be within 10 feet of a street light.
6. Borough approved poles and facilities of a public utility shall be exempt from the provision of this Section.

(Ord. 418, 3/11/1957, §2; as amended by Ord. 785, 11/21/1983; by Ord. 809, 8/19/1985, §1; and by Ord. 825, -/-/1986, §1)

§21-404. Penalties.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 417, 3/11/1957, §3; as amended by Ord. 418, 3/11/1957, §3; by Ord. 785, 11/21/1983; and by Ord. 991, 8/15/2005)

PART 5

SNOW AND ICE REMOVAL FROM SIDEWALKS

§21-501. Definitions.

As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

BUSINESS DAY — any day not a Sunday or a national holiday.

BUSINESS HOURS — hours between 9:00 a.m. and 5:00 p.m. on any business day.

CARTWAY — portion of a street or highway improved, designed or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

CORPORATION — natural person, partnership, corporation, association or any other legal entity.

SIDEWALK — portion of a street between the curb lines or the lateral lines of a cartway and the adjacent property lines, intended for use by pedestrians.

STREET OR HIGHWAY — the entire width between the boundary lines of a way publicly maintained when any part thereof is opened to the use of the public for purposes of vehicular travel.

(Ord. 929, 7/15/1997, §1)

§21-502. Responsibility for Removal of Snow and Ice from Sidewalks.

Every person in charge or control of any building or lot of land fronting or abutting on a paved sidewalk shall remove and clear away or cause to be removed or cleared away snow and/or ice from a path of at least 30 inches in width from so much of said sidewalk as is in front of or abuts on said building or lot of land. The owner of the real property shall be responsible for conforming to the requirements of this Section where such property is occupied by such owner or the property is unoccupied or vacant or is a multiple dwelling property. The tenant or occupier shall be responsible for the requirements herein where the property is occupied by such tenant or occupier only and regardless of any lease terms which provide to the contrary.

- A. Except as provided in Subsection B, all snow and ice shall be removed from sidewalks within 24 hours after the cessation of any fall of snow. Where snow has accumulated on the sidewalk as a result of plowing or clearing the abutting roadway, the accumulation shall be cleared from the sidewalk by the responsible party within 24 hours from its deposit onto the sidewalk.

STREETS AND SIDEWALKS

The “responsible party” is the owner or occupier, as set forth above, even if the snow is deposited or redeposited by the Borough, as a result of plowing or some other third party. To the extent possible, cleared snow shall not be deposited or redeposited onto the roadway.

- B. In the event that snow or ice on a sidewalk has become so hard that it cannot be removed without likelihood of damage to the sidewalk, the person charged with its removal shall, within the time mentioned in Subsection A, cause enough sand or other abrasive material to be put on the sidewalk to make travel reasonable safe and shall, as soon thereafter as weather permits, cause to be cleared a path in the sidewalk of at least 30 inches in width. Snow shall not be deposited on or next to a fire hydrant or loading or unloading area of any public transportation system.
- C. Each person responsible for clearing snow or ice as described above shall, within the same 24 hour period, cause to be removed or cleared away any accumulation of snow or ice on a building or other structure that is liable to fall onto any sidewalk, roadway or other public way.

(Ord. 929, 7/15/1997, §2; as amended by Ord. 955, 5/21/2001, §1)

§21-503. Noncompliance; Penalties.

- 1. In the event that any party responsible for clearing snow as provided herein shall fail or refuse to comply, the Borough may proceed immediately to cause all snow and/or ice to be removed and the Borough may collect the expense thereof from the responsible person and such being in addition to any fine or penalty imposed.
- 2. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$25 for the first offense and not more than \$1,000 for each subsequent offense plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

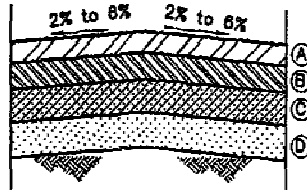
(Ord. 929, 7/15/1997, §3; as amended by Ord. 955, 5/21/2001, §2; and by Ord. 991, 8/15/2005)

STREETS AND SIDEWALKS

21 Attachment 1

Borough of Ambler

Road Details



		LOCAL & RESIDENTIAL	ARTERIALS & COLLECTORS
(A)	9.5mm, PG 64-22, 3 TO 30 MILLION ESALS, MIN SRL H, SUPERPAVE WEARING COURSE	1½"	1½"
(B)	19.0mm, PG 64-22, 3 TO 30 MILLION ESALS, SUPERPAVE BINDER COURSE	—	3"
(C)	25.0mm, PG 64-22, 3 TO 30 MILLION ESALS, SUPERPAVE BASE COURSE	4½"	4"
(D)	COMPACTED SUBBASE PENN. D.O.T. AGGREGATE #2A	4"	4"

NOTES:

AFTER CONTRACTOR HAS PREPARED SUBGRADE IN ACCORDANCE WITH PADOT 408, SECTION 210 (SUBGRADE) A SUBGRADE STABILITY VERIFICATION IS REQUIRED PRIOR TO PLACEMENT OF SUBBASE MATERIAL. A TRIAXLE FULLY LOADED MAXIMUM LOAD (QUARRY SLIP OF LOADED WEIGHT WILL BE REQUIRED IN THE FIELD) IS REQUIRED TO RUN OVER ENTIRE ROADWAY SUBGRADE (INCLUDING CURB LINES), OVER ALL TRENCHES AND ANYWHERE DIRECTED BY BOROUGH REPRESENTATIVE IN THE FIELD. AREAS DISPLAYING PRONOUNCED ELASTICITY, PUMPING, MOVEMENT OR DEFORMATION UNDER THE LOADED TRIAXIAL WILL BE NOTED AND MARKED IN THE FIELD. THE AREAS NOTED AND OR MARKED SHOWING UNSTABLE SUBGRADE MUST BE CORRECTED AND REVERIFIED FOR REQUIRED STABILITY PRIOR TO STARTING SUBBASE CONSTRUCTION. ALL AREA THAT ARE TO BE PAVED AND OR CURBED ARE REQUIRED TO BE PROOF ROLLED BY THIS METHOD.

ROAD DETAILS PAVEMENT SECTION SHEET 1 OF 3

AMBLER BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

350 EAST BUTLER AVENUE NEW BRITAIN, PA 18901-6106 • (215) 345-4330 • www.gilmore-assoc.com

JOB NO.:

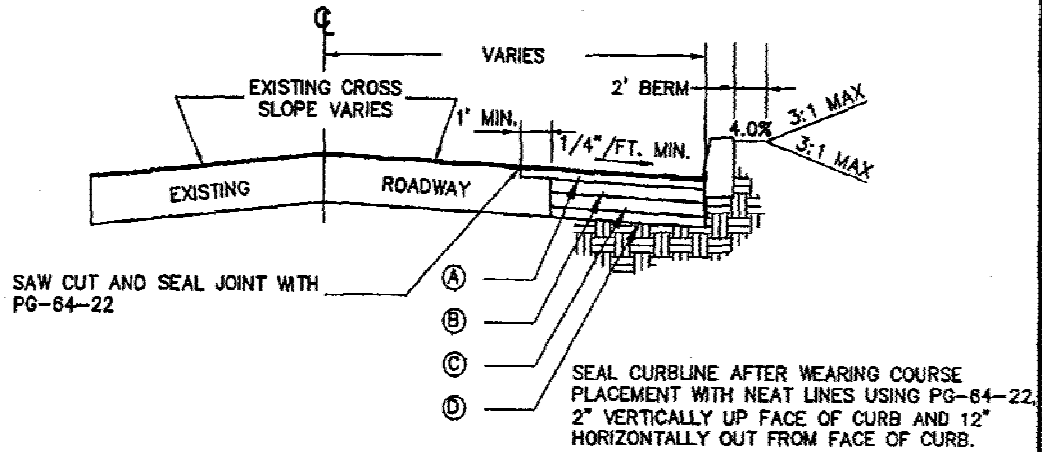
DATE:

03-29-07

SCALE:

NTS

AMBLER CODE



		LOCAL & RESIDENTIAL	ARTERIALS & COLLECTORS
Ⓐ	9.5mm, PG 64-22, 3 TO 30 MILLION ESALs, MIN SRL H, SUPERPAVE WEARING COURSE	1½"	1½"
Ⓑ	19.0mm, PG 64-22, 3 TO 30 MILLION ESALs, SUPERPAVE BINDER COURSE	—	3"
Ⓒ	25.0mm, PG 64-22, 3 TO 30 MILLION ESALs, SUPERPAVE BASE COURSE	4½"	4"
Ⓓ	COMPACTED SUBBASE PENN. D.O.T. AGGREGATE #2A	4"	4"

NOTES:

1. EXISTING SHOULDER SHALL BE REMOVED. EXISTING ROAD SHALL BE CUTBACK FULL DEPTH, ONE FOOT MINIMUM, OR UNTIL SATISFACTORY DEPTH OF PAVING IS FOUND. LIMITS OF CUTBACK SHALL BE AS APPROVED BY BOROUGH REPRESENTATIVE IN THE FIELD.

2. AFTER CONTRACTOR HAS PREPARED SUBGRADE IN ACCORDANCE WITH PADOT 408, SECTION 210 (SUBGRADE) A SUBGRADE STABILITY VERIFICATION IS REQUIRED PRIOR TO PLACEMENT OF SUBBASE MATERIAL. A TRIAXLE FULLY LOADED MAXIMUM LOAD (QUARRY SLIP OF LOADED WEIGHT WILL BE REQUIRED IN THE FIELD) IS REQUIRED TO RUN OVER ENTIRE ROADWAY SUBGRADE (INCLUDING CURB LINES), OVER ALL TRENCHES AND ANYWHERE DIRECTED BY BOROUGH REPRESENTATIVE IN THE FIELD. AREAS DISPLAYING PRONOUNCED ELASTICITY, PUMPING, MOVEMENT OR DEFORMATION UNDER THE LOADED TRIAXIAL WILL BE NOTED AND MARKED IN THE FIELD. THE AREAS NOTED AND OR MARKED SHOWING UNSTABLE SUBGRADE MUST BE CORRECTED AND REVERIFIED FOR REQUIRED STABILITY PRIOR TO STARTING SUBBASE CONSTRUCTION. ALL AREA THAT ARE TO BE PAVED AND OR CURBED ARE REQUIRED TO BE PROOF ROLLED BY THIS METHOD.

ROAD DETAILS

ROAD WIDENING

SHEET 2 OF 3

AMBLER BOROUGH, MONTGOMERY COUNTY, PENNSYLVANIA



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STREETS AND SIDEWALKS

