

Borough of Downingtown

4 W. Lancaster Avenue
Downingtown, PA 19335
610-269-0344

SIDEWALK AND CURB CONSTRUCTION APPLICATION

Applicant Information

PROPERTY ADDRESS:

Applicant Name:

Address:

Home Phone: ()

Email

Property Owner:

Describe in detail the work to be done: _____

PA ONE CALL INFORMATION (Dial 8-1-1)

SERIAL #

LAWFUL DIG DATES:

IS THIS A NEW CONSTRUCTION?

YES

NO

Work to be performed by:

Homeowner

Contractor

Contractor Name and License #

ARE THE FOLLOWING OBJECTS IN THE WORK AREA?

FIRE HYDRANT

GAS METER

UTILITY POLE

WATER METER

HANDICAP RAMP

START DATE: _____ END DATE: _____

I CERTIFY THAT A COPY OF THE CURBING AND SIDEWALK SPECIFICATIONS HAVE BEEN RECEIVED UPON THE FILING OF THIS APPLICATION:

Applicant Signature

Date

For Borough Use Only

APPROVED BY: _____
Code Enforcement Officer

Date

Article II. Sidewalk, Curb Construction and Maintenance

[Adopted 11-9-1925, Amended 11-2-2016 by Ord. No 2016-06]

§ 249-7. Responsibility of property owners.

The grading, paving, repaving, maintenance and repairing of all sidewalks on the streets of said Borough and the construction and repairing of curbs at the edge of the sidewalks shall be done by the owner or owners of the lot or lots of grounds fronting or abutting thereon at such time or times as the Council shall direct in and in compliance with the specifications and materials referred to in Penn DOT publication 408 and 72M (RC standards).

§ 249-8. Curb specifications.

[Amended 3-13-1991 by Ord. No. 91-4; 11-2-2016 by Ord. No. 2016-06]

All curbs laid, relaid or constructed after the passage of this article shall be of concrete or such other material as the Borough Council, upon application thereto, shall approve and shall be in accordance with the following specifications:

- A. Where built together with a sidewalk, curbing shall be seven inches in thickness and 16 inches in depth.
- B. Independent curbing, or where the curb is built separate from the sidewalk, shall be seven inches in thickness on top, 8 inches thick at the gutter and 18 inches in depth.
- C. The curb reveal shall be six inches above the street line or as directed by the Borough.
- D. Curbing shall be constructed with contraction joints in ten-foot lengths with 1/2" premolded expansion joint filler material at 100 foot intervals, at structures, and at end of each work day. Finished joints between curbs and roadways shall be sealed with bituminous joint sealer material.
- E. All concrete shall be properly cured and have a twenty-eight-day compressive strength of 3,500 pounds per square inch with a broom finish.
- F. The top surface of the curb shall be finished true to line and grade in a smooth, neat and even manner. Edges of the face shall be rounded to a radius of 3/4 inch and edges of the back shall be rounded to a radius of 1/4 inch with the top of curb sloping towards the gutter.
- G. The top of the depressed curb for a driveway shall be a maximum of 1 1/2 inches above the roadway.
- H. Curb cuts for handicap accessibility shall be in accordance with federal regulations and Penn DOT RC standards.
- I. The finished construction site shall be graded, raked and seeded, and the area shall be left clean of all debris. The property owner shall continue to maintain the work including removal of weeds from all joints and gutter.
- J. Any road surface disturbed by the removal of old curbing shall be repaired with 25mm base to full depth and 2 inch thick 9.5mm top course asphalt and any milling shall allow for two inches of 9.5mm asphalt material.

§ 249-9. Sidewalk specifications.

[Amended 4-11-1966 by Ord. No. 633; 3-13-1991 by Ord. No. 91-4; 11-2-2016 by Ord. No. 2016-06]

All sidewalks laid, relaid or constructed after the passage of this article shall be concrete, brick pavers, or such other material as the Borough Council, upon application thereto, shall approve and shall be in accordance with the following specifications:

- A. Sidewalks shall have a base supported by a layer of 2A crushed stone or 2B stone not less than four inches in thickness, thoroughly tamped, upon which shall be placed six-by-six-inch 6 gage wire (6x6-W2.9xW2.9) and not less than four inches of concrete wearing surface.

- B. Sidewalks shall be constructed in slabs with premolded expansion joint filler material construction joints not more than 20 feet in length with a contraction joint every five feet. All sidewalks shall be broom finished with broom strokes perpendicular to the direction of pedestrian travel along the walkway.
- C. Sidewalks shall be in accordance with federal regulations and Penn DOT RC standards for handicap accessibility. Depressed curbs at intersections shall utilize Detectable Warning Surfaces. Sidewalks shall have a maximum of slope of 2% (one-fourth-inch-per-foot) toward the street. Minimum slope shall be such that water will not pond on walk.
- D. Sidewalk width shall be six feet, including the curb, except as otherwise prescribed by the Borough Council.
- E. All concrete shall be properly cured and have a twenty-eight-day compression strength of 3,500 pounds per square inch with a broom finish. Brick pavers shall be replaced or repaired with brick pavers that are compatible with those of the borough street improvement projects (i.e. – 4” by 8” by 2.25’ thick, brick color to be approved, and 10,000 psi clay or concrete brick strength). Paver joints shall be filled with polymeric sand installed in accordance with the manufacturer’s recommendations.
- F. Handicap-accessible ramps shall be in accordance with federal regulations and Penn DOT RC standards for handicap accessibility. Intersections shall utilize Detectable Warning Surfaces.
- G. The finished construction site shall be graded, raked and seeded, and the area shall be left clean of all debris. The property owner shall have a continuing obligation to maintain the sidewalk including removal of weeds from all joints and gutter.

§ 249-10. Permit required.

[Amended 10-10-1990 by Ord. No. 90-16]

The owner or owners desiring to lay, relay or construct any curb or pavement shall first obtain a permit from the Code Enforcement Officer.

§ 249-11. Repair and maintenance.

[Amended 10-10-1990 by Ord. No. 90-16; 11-2-2016 by Ord. No. 2016-06]

The owner or owners shall keep in repair the curb and pavement in front of or abutting upon their respective premises. Repairs shall include any brick pavers that were installed as a Borough streetscape improvement project. The property owner shall continue to maintain the work including removal of weeds from all joints and gutter. If the same shall not be kept in repair, the Code Enforcement Officer shall give such owner or owners notice, in the manner prescribed in § 249-12 of this article, to repair the same, and if the repairs are not made within 90 days after such notice is served, the Borough may cause said repairs to be made and collect the costs of the same from such owner or owners, either by suit or by filing a municipal lien therefor against such premises.

§ 249-12. Notice to property owners.

Whenever the Council shall determine that grading, paving, repaving, curbing or recurbing is necessary, the Code Enforcement Officer shall notify the owner or owners or agent or agents, in writing of such determination. Within 30 days of receiving such written notice, the property owner shall submit a written proposal of the work to be done, along with a schedule for the completion of such work. The property owner shall have 90 days from the receipt of the original notice to complete the work.

§ 249-13. Appeals.

Should the property owner determine that such construction or repair of curbing and/or sidewalk is unnecessary or unreasonable or should present a hardship to the property owner, the owner may, within 45 days of the original notice, appeal the terms and conditions of said notice before the Borough Council.

§ 249-14. Violations and penalties.

[Amended 11-2-2016 by Ord. No 2016-06]

Any person, firm or corporation violating or permitting the violation of any provision of this chapter or who fails to carry out an order made pursuant to this chapter, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine not less than \$300 nor more than \$1,000 plus court costs and in default of payment of said fines and cost a term of imprisonment not to exceed 90 days. Each day that a violation of this chapter continues shall constitute a separate offense.

In addition, the Borough may, through its Solicitor, institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this chapter. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other legal or equitable forms of remedy or relief. Such relief may include costs, fees and charges, including reasonable attorney's fees and costs, as may be permitted by law. Notwithstanding any other provision of this chapter, the Borough shall have the right at any or all times deemed necessary by the Borough to inspect and, upon determination of a violation of this chapter, to correct the violation, with all expenses associated with correcting the violation to be charged to the property owner responsible for the violation. Failure by the property owner to compensate the Borough for all expenses associated with correcting the violation may result in the Borough's filing of a municipal lien against the property in violation.