

**SIDEWALK CONSTRUCTION/RECONSTRUCTION/REPAIR  
RESOLUTION  
2018-23  
BOROUGH OF MARIETTA  
LANCASTER COUNTY, PENNSYLVANIA**

WHEREAS, the Borough of Marietta as per the Code of the Borough of Marietta, Pennsylvania, Chapter 80, Streets and Sidewalks, Article IA, codified as Chapter 300, Article 2; and

WHEREAS, it shall be the responsibility of every property owner within the Borough, as and when so required by resolution of Council, to construct, maintain and repair all sidewalks, curbs and gutters located on, adjacent to, or benefiting the owner's property.

WHEREAS, as and when Council shall deem it necessary for the safety or convenience of the public or the protection of streets and property that a sidewalk, curb and/or gutter be constructed, reconstructed or repaired; and

WHEREAS, all sidewalks, curbs and/or gutters hereafter constructed or reconstructed on any street or alley of the Borough, whether constructed voluntarily or upon direction of Council pursuant to the provisions of this Article, shall conform to specifications as may be adopted from time to time by resolution of Council; and

WHEREAS, no person or group of persons, partnership, corporation or other entity shall commence the construction or reconstruction or repair of any sidewalk, curb and/or gutter in the Borough without first making application for and securing a permit therefore from the Borough.

WHEREAS, any property owner who constructs, reconstructs or repairs any curb or sidewalk not in conformity with the specifications provided shall be deemed to be in violation of this Article; and

WHEREAS, the Borough may then prosecute said property owner and/or order that the construction be removed and reconstructed according to the specifications; and

WHEREAS, if any property owner shall fail to construct, reconstruct or repair a sidewalk in accordance with notice given, the Borough, after ten (10) days notice to the owner of intention so to do, may cause the work to be done at the expense of the owner, and the Borough may collect the cost thereof plus ten percent (10%) and all charges, costs, and expenses from the owner by such remedy or remedies as may be available; and

NOW THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Marietta hereby recognizes the need for construction and/or repairs to specific sidewalks in the Borough of Marietta (see attached) and authorizes that construction and/or those repairs to be completed as per specifications provided to each violator and that all construction and/or repairs are to be completed within a sixty (60) day time period which shall start the day following official notice given to said property owner. If the 60 days conclude after November 15, then said repairs shall be made on or before April 30 of the year following said notice.

Duly presented and adopted by the governing body of the Borough of Marietta, in a public meeting held this **14<sup>th</sup>** day of **August 2018**.

Attest:

Marietta Borough Council

\_\_\_\_\_  
Borough Secretary/Treasurer

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Glen Mazis, President

SEAL

Council members: Robert Shambaugh, Vice-President  
Frederick States  
Wayne Angelo  
William Dalzell  
Louis McKinney  
Jeffery Marsh  
Harold Kulman, Mayor