

ORDINANCE NUMBER 1957-1

AN ORDINANCE DEFINING CERTAIN WORDS AND PHRASES; PROVIDING FOR AND REGULATING THE LAYING OUT AND DEDICATION OF STREETS, LANES AND ALLEYS WITHIN THE LIMITS OF THE BOROUGH OF WEST NEWTON; PROVIDING FOR THE GRADING AND PAVING OF THE SAME; PROVIDING FOR THE NECESSARY DRAINAGE THEREOF; PROVIDING FOR THE CONSTRUCTION OF SEWERS THEREIN; PROVIDING THE METHOD OF IMPROVEMENT THEREOF AND THE PAYMENT THEREFOR; AND PROVIDING FOR THE ACCEPTANCE OF THE SAME AS PART OF THE PUBLIC STREETS, LANES AND ALLEYS OF THE BOROUGH OF WEST NEWTON.

WHEREAS, in the opinion of the Borough Council to assure suitable sites for building purposes and human habitation, and to provide for the harmonious development of the Borough and for the co-ordination of existing streets with proposed streets thereby creating conditions favorable to the health, safety, morals, and general welfare of the citizens, it is necessary that the Borough regulate and provide a uniform method for the laying out, dedication and acceptance of streets and all public ways in the Borough and to further provide specifications and requirements for street improvements and sewers in said streets and public ways.

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the Borough of West Newton, and it is hereby ORDAINED and ENACTED by the authority of the same:

ARTICLE I
Definitions

SECTION 100. The following words and phrases when used in this ordinance shall, for the purpose of this ordinance, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning.

100.01 "DEVELOPER" shall include any person, persons, firm or corporation owning or otherwise having control over any tract or parcel of land situated in the Borough and who or which is laying out the same for the sale or improvement thereof, in whole or in part, and which contains any proposed public streets, lanes, alleys and/or highways or sewers not heretofore dedicated to public use accepted by the Borough Council as a part of the public highway system of the Borough.

100.02 "PLAN OF LOTS" shall be defined as any sub-division of any tract of land in the said Borough which has been prepared for and is in proper form under all conditions for approval by the Borough Council.

100.03 "PRELIMINARY PLAN" shall be defined as any sketch, drawing, tracing or print thereof prepared for ultimate adoption as a Plan of Lots and prepared and drawn in the form and manner hereinafter provided for.

100.04 "FINAL PLAN" shall be defined the same as a Plan of Lots.

100.05 "IMPROVEMENT" shall be defined as including the grading, curbing, paving of all streets, lanes or highways shown on any Plan of Lots or Preliminary Plan and providing for the necessary drainage therefor, and for the construction of sanitary sewers therein, and for the removal and disposal of storm water therefrom.

ARTICLE II
Restriction and Prohibition

SECTION 200. That from and after the passage of this ordinance it shall be unlawful for any person, persons, firm, firms, partnership, corporation or officer thereof, or Developer to lay out any Plan of Lots within the corporate limits of the Borough of West Newton unless he, she, they or it comply with all of the provisions of this ordinance.

ARTICLE III
Procedure
Preliminary Plan

SECTION 300. A Preliminary Plan drawn, in accordance with the regulations herein described, shall be submitted in duplicate, at least sixty (60) days before submitting the final tracings for approval and signatures of the proper officers of the said Borough.

SECTION 301. These plans must be of a scale sufficient to clearly show all dimensions of figures marked thereon; and the scale of Preliminary Plans shall be not more than one hundred (100) feet to one (1) inch.

SECTION 302. The Preliminary Plan, after being submitted to the Borough Council, shall be approved before the grading and paving of streets, or any other type of construction or improvements in same shall have commenced.

SECTION 303. These plans must show the following:

303.01 The proposed layout of the entire property.

303.02 The location of property lines, buildings, water courses and other existing physical features.

303.03 The proposed location of and width of streets and minimum size of lots.

303.04 The title under which the proposed subdivision is to be recorded with the name of the allotter.

303.05 The names of all adjoining properties showing the location of streets (if any) in the adjoining properties; and sewers, both storm and sanitary, if any.

303.06 An arrow indicating the direction of North.

303.07 All existing sewer and water lines and a preliminary layout of necessary extensions and additional sewer and water lines.

303.08 Contours of the entire plan, proposed to be sub-divided, at five (5) foot intervals. Contours shall be based on the Sandy Hook Datum. A topographic plan will be required in all cases of the property being sub-divided, and if necessary for the design of proper drainage, a topographic plan of the entire property must be furnished.

303.09 Profiles of proposed streets with scales not smaller than the following:--Horizontal scale fifty (50) feet equals one (1) inch; vertical scale ten (10) feet equals one (1) inch on tracing cloth.

303.10 The plan shall include easements for sanitary or storm sewers and public utilities and in connection with either storm sewers or sanitary sewers easements shall be shown both within and without the plan. All necessary easements shall be procured at the cost of the Developer.

303.11 Plans shall show the location of proposed storm sewers and catch basins, and the capacity of the same.

303.12 The sanitary and storm sewers shall clearly show the method of disposal, which method must be legal, and in case of storm sewers the plan must also show where this water is conducted i. e. existing Borough storm sewers, natural water courses, creeks, streams, etc.

303.13 In connection with sanitary and storm water, the construction of drains or culverts must be in accordance with size and location as approved by the Borough Engineer.

ARTICLE IV Plan of Lots Final Plans

SECTION 400. The final plans shall contain and include all the provisions set forth in the foregoing for Preliminary Plans, shall be on tracing cloth, in ink, and include one duplicate tracing of the original; and shall be of a scale not more than one hundred (100) feet to one (1) inch. In addition, the Final Plans must show, viz:

400.01 The boundaries of the property which shall have been determined by an accurate survey in the field and which must be balanced and closed, and certified to be correct by a registered engineer, with his seal impressed thereon.

400.02 The traverse of the calculated boundaries shall be submitted with the finished tracings and will be returned after final approval of the plan.

400.03 Lots shall be at least fifty (50) feet wide and at least one hundred (100) feet deep, except where topographic conditions or conflict with existing zoning laws make a change desirable or expedient.

400.04 A minimum building line of twenty (20) feet will be required on all lots in a sub-division, said building line to be established from the required minimum right of way (or side line) of all present or proposed streets, roads or ways.

400.05 The location of all required permanent monuments shall be shown, and shall be set at street corners, at street intersections, and at other such points as may be necessary to make the retracing of the line reasonably convenient, as shown on the final plan.

SECTION 401. For all such monuments, which have not been set at the time the final plan is submitted for signatures, there shall be deposited with the Borough Secretary, a certified check, in an amount determined by the Borough Engineer, sufficient to cover the cost of setting the required monuments. The amount of such check will be returned as soon as the monuments have been set by the sub-dividers in accordance with these regulations, and provided such work shall have been completed within six (6) months after the approval of the final plan; otherwise, the Borough Council will cause the monuments to be set and pay for same out of the proceeds of the aforesaid certified check.

ARTICLE V

Streets and Alleys

SECTION 500. All streets shall be of a width of not less than forty (40) feet, exclusive of requirements for necessary slopes, cuts or fills.

500.01 All street intersections shall be rounded with a curve having a minimum radius of twenty (20) feet, and all measurements of lots affected thereby shall be calculated to the points of curve of said arc. The radius and length of arc shall be so designated on any plan showing them.

500.02 Dead end streets shall be permitted when it is clear that through traffic at such a street end is not essential to the street system in that district, and under the said conditions, a dead end must have adequate turning space for vehicles.

SECTION 501. In the case of lanes or alleys, the same shall not be less than twenty (20) feet in width, provided that the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills when the limits of the road and the extra width required for such slopes, exceed the limits of width herein specified.

SECTION 502. Said streets, lanes or alleys must be put to an established grade, which grade must be approved by the Borough Council; and the grading of same must be to the full width exclusive of slopes for cuts and fills. All slopes shall be at least one and one-half (1 1/2) to one (1) grade.

502.01 Grades shall be not less than one-half of one (1/2) per cent nor more than ten (10) percent; except that grades in excess of ten (10) percent may be approved by the Borough Council where it is clear that no traffic hazard is, or will be, created thereby.

SECTION 503. All streets shall be improved in accordance with the plans and specifications prescribed by the Borough Engineer.

SECTION 504. For a "TEMPORARY IMPROVEMENT", the Borough Council will approve a street constructed as follows and under certain conditions of terrain, viz:

504.01 All streets shall have a minimum improved width of eighteen (18) feet.

504.02 Where grades are not over five (5) percent, burnt mine slate (red-dog), crushed slag or broken stone will be accepted. This material shall be applied so as to produce a compacted finished depth or thickness of eight (8) inches.

504.03 Where grades are over five (5) percent, construction shall be the same as required in a "PERMANENT IMPROVEMENT."

504.04 Where a "TEMPORARY IMPROVEMENT" is made, the properties abutting thereon will be subject to a street improvement assessment when and if a "PERMANENT IMPROVEMENT" is made at a future time.

SECTION 505. For a "PERMANENT IMPROVEMENT", the Borough Council will approve a street constructed as follows, viz:

505.01 All streets shall have minimum width of paving of at least twenty-four (24) feet, and be constructed of concrete or bituminous macadam. The specifications and method of the use of concrete shall relate directly to the specifications of the City of Pittsburgh, while the specifications of the bituminous macadam follows as part of this paragraph;

505.02 SUB-GRADE: The sub-grade shall be formed by shaping the graded roadway surface correctly with approved material, and shall be brought to a firm, thoroughly compacted surface for the width of the base or pavement by rolling with a power roller weighing no less than ten (10) tons; and it shall be compulsory to establish the contour of the sub-base with the use of templates laterally with the street and straight edges or string lines longitudinally along the street. All unsuitable material, which will not compact satisfactorily, shall be removed as directed by the engineer. In no case shall vehicles be allowed to travel over the subgrade in a single track. In all instances a two by four (2x4) must be placed along the edges of the paving to establish the alignment.

505.03 BASE: The course material (broken stone or crushed slag--(1" to 4") shall be compacted by rolling with a roller weighing not less than ten (10) tons, to a finished depth or thickness of eight (8) inches, rolled in two (2) layers of finished depth of four (4) inches per layer. The rolling shall begin at the sides and progress to the center, be parallel with the center line of the roadway, uniformly lapping each preceding track and covering the entire surface with the rear wheels, and continuing until the material does not creep or wave ahead of the roller wheels. After the course material has been rolled satisfactorily, material for filling the voids in the course material (1/4" to 3/4") shall be spread with shovels from piles along the side of the roadway. Brooms must be attached to the roller for the spreading to insure even distribution and filling of all voids in the course material.

505.04 SURFACE: The bituminous material for the surface course shall be tar or asphalt, but shall not be applied unless the air temperature is over 50 degrees F. (in the shade). The surface course shall be of approved material compacted after rolling to a minimum thickness of two (2) inches. All surface courses shall comply with the specifications of the Pennsylvania Department of Highways.

505.05 Where a "PERMANENT IMPROVEMENT" is made, the properties abutting thereon will not be subject to any street improvement assessment at any future time.

SECTION 506. Storm sewers must be constructed and provided with catch basins in accordance with the approved Preliminary Plans, at all of the locations shown in the streets and alleys.

SECTION 507. An inspector shall be placed on all construction work; he shall be furnished by the Borough and his services paid by it.

SECTION 508. The method of construction of all work referred to in this ordinance, shall be in accordance with plans of the Borough Engineer.

SECTION 509. Before acting upon any application or upon any plans, the Borough Council may, in its discretion, arrange for a public hearing af-

ter giving such notice as it may deem desirable in each case. The Borough Council is authorized to alter such plans, or order the same to be altered, and to specify any changes or modifications of any kind which, in its discretion, is deemed necessary with respect thereto and may make its approval of such plans and applications, subject to any such alterations, changes or modifications, but shall not approve any such plans or specifications until there is a Solicitor's report as to municipal liens.

SECTION 510. Any such application and the plans for same, when so approved, shall be signed in duplicate on behalf of the Borough by the President of Council, countersigned by the Borough Secretary, with the Borough seal impressed thereon, and an approved duplicate tracing shall be filed in the office of the Borough Engineer. However, before the placing of the aforesaid signatures, a certification must be received by the Borough Secretary from the Borough Engineer to the effect that a plan showing the storm drainage including manholes and catch basins is accepted and signed by the Developer.

SECTION 511. Upon final action by the Borough Council approving any such application or petition for making any streets, lanes or alleys, or drainage facilities of the same, part of the public street system of the Borough, an approved duplicate copy of the plan of said streets, lanes or alleys and drainage facilities therefore shall be recorded by the corporation, person, or persons applying for such approval in the office of the Recorder of Deeds of the County of Westmoreland. Upon proof being offered by the said corporation, person or persons to the Borough Council that the plan for said streets, lanes or alleys and drainage facilities for the same have been duly recorded in the Recorder's Office of Westmoreland County, the said Borough Council shall by Resolution, duly accept the said streets, lanes or alleys and drainage facilities therefor, or any plan of same, as part of the public street system of the Borough.

SECTION 512. Nothing contained in the foregoing shall be held to restrict or limit the State Department of Highways, or the County of Westmoreland, in the exercise of any of its duties, powers and functions under the provisions of any Act of Assembly now in force, or hereafter to be enacted.

SECTION 513. That any ordinance or part of an ordinance conflicting with the provisions of this ordinance be and the same is hereby repealed.

ORDAINED and ENACTED into ordinance this 15th day of March, 1957.

President of Council

ATTEST:

Secretary of Council

APPROVED this 15th day of March, 1957.

ATTEST:

Burgess