

MOUNT JOY BOROUGH CURB & SIDEWALK PERMIT

Mount Joy Borough
21 East Main Street
Mount Joy, PA 17552
717-653-2300
Fax: 717-653-6680



Parcel No. _____ Permit No. _____
(To be completed by the Borough)

Site Location _____

Applicant _____ Telephone No. () _____

Street Address _____

Owner _____ Telephone No. () _____

Address (if different from above) _____

Contractor _____ Telephone No. () _____

Address _____

Person In Charge of the Project _____

Telephone No. () _____

Project Description – Attach copy of proposal and/or estimate.

(Check One) New _____ Repair _____ Curb (If) _____ Sidewalk (length/width) _____

Beauty (brick)/Grass Strip _____
Yes/No

Downspout/Rain Gutter through curb _____
Yes/No

All downspouts/rain gutters shall be removed from curb and redirected to infiltrate on property unless otherwise exempted by Council.

Tree Boxes _____
Yes/No # of boxes

State Road HOP _____
Yes/ No Permit #

Inspections

- All inspections are performed by **COMMONWEALTH CODE INSPECTION SERVICE, INC.**
Please contact the inspector at (717)-278-0968
 - 24-hour notice is required for all inspections
- Concrete delivery tickets verifying the concrete mixture shall be made available to the inspector upon request.

INSPECTION FEE: \$60.00 per inspection OR reinspection. (Resolution 7-15)

Type	Required	Not Required	Cost
Form- Curb			
Form- Sidewalk			
Trench Restoration			
Final			
TOTAL INSPECTION FEES			

If street restoration is required, the property owner/contractor is responsible to complete the street restoration work in accordance to Borough specifications. Please contact the Borough Public Works Department for assessment of street restoration requirements. (717) 653-8226.

- All curb and sidewalk work within the public right of way shall be constructed in compliance with the latest Mount Joy Borough regulations/specifications, and the current Americans with Disabilities Act (ADA).
- All inspection fees are to be made payable to Commonwealth Code Inspection Service, Inc., and submitted to the Borough Office.
- All inspection fees are to be paid when permit is issued.

I attest to the best of my knowledge, the information contained in this submittal is true and accurate.

Applicant's Signature

Date

Print or Type Name

Permit Approved: _____ Yes _____ No

Permit Issued By: _____

Date: _____

Total Fees: _____ Paid _____

ARTICLE IV
Sidewalk and Curb Installation; Maintenance
[Adopted 4-10-1989 by Ord. No. 470 (Ch. 21, Part 3, of the
1992 Code of Ordinances)]

§ 232-58. Responsibility of property owners. [Amended 2-7-2000 by Ord. No. 556; 9-9-2019 by Ord. No. 4-19]

The owner or owners of all lots fronting or abutting upon any public street or alley shall construct, lay, set and maintain in good repair and condition, satisfactory to Borough Council or its designee, the respective sidewalks and curbs in front of or alongside their respective lots according to the elevations, grade, width, height and slope which are now or hereafter established by the Borough and of the materials and specifications hereinafter prescribed.

- A. Partial exemption from requirement to install curb and sidewalk. Notwithstanding the foregoing, owners of all lots fronting or abutting upon the streets or segments of streets listed below shall be exempt from the requirement to install sidewalks and curb:

Street	Side	Location
Any alley meeting the definition of alley in Chapter 240, Subdivision and Land Development	Both	Entire length
Bruce Avenue	Both	Entire length
Cedar Lane	Both	Entire length
Colony Lane	Both	Between South Angle Street and South Market Street
David Street	Both	From New Haven Street to Comfort Alley
David Street	North and east	Lumber Street to Donegal Springs Road
Delta Street	Both	Columbia Avenue to dead end
East Main Street	South	Cornerstone Drive to Eby Chiques Road
Eby Chiques Road	Both	Entire length

Street	Side	Location
Florin Avenue	Both	Donegal Springs Road north to dead end
Frederick Street	Both	High Street to dead end
Hemp Street	Both	Entire length
Henry Street	Both	Entire length
Hopewell Street	Both	Entire length
Ice Street	Both	Entire length
Lauver Lane	Both	Entire length
Lefever Road	West	From Staufer Court to Borough line
Longenecker Road	Both	Entire length
Lumber Street	Both	From West Donegal Street to railroad tracks
Lumber Street	East	David Street to Marietta Avenue
Manheim Street	Both	Market Street to Barbara Street
Midway Road	Both	Entire length
New Haven Street	Both	Marietta Avenue to Oak Alley
Newcomer Road	West	Main Street to Penn Court Drive
Newcomer Road	Both	Penn Court Drive to dead end
North Angle Street	Both	Bruce Avenue to Terrace Avenue
North High Street	Both	North Alley to Park Avenue
North Jacob Street	Both	Mount Joy Street to North Alley
Old Market Street	East	Manheim Street to Borough line
Orange Street	East	Entire length
Orchard Road	Both	Bruce Avenue to Hill Street

Street	Side	Location
Park Avenue	Both	Entire length
Pine Street	Both	Entire length
Richland Lane	Both	Entire length
South Jacob Street	East	New Street to Borough line
South Market Avenue	Both	Wood Street to railroad tracks
South Market Street	Both	School Lane to Borough line
South Plum Street	Both	Wood Street to railroad tracks
School Lane	South	Pinkerton Road to South Market Street
School Lane	Both	South Market Street to Delta Street
Second Street	Both	Entire length
Seller Lane	Both	Entire length
Springville Road	Both	Entire length
Square Street	South	Apple Alley to South Market Avenue
Square Street	Both	South Market Avenue to Orange Street
Walnut Street	Both	Entire length
Water Street	Both	Angle Street to Green Alley
West Donegal Street	South	Donegal Springs Road westward to 347 West Donegal Street
West Donegal Street	Both	347 West Donegal Street west and south to Donegal Springs Road
Wood Street	Both	Chocolate Avenue to Florin Avenue
Ziegler Street	Both	Entire length

- B. Partial exemption from requirement to install sidewalk. Notwithstanding the foregoing, owners of all lots fronting or abutting upon the streets or segments of streets listed below shall be exempt from the requirement to install sidewalks:

Street	Side	Location
Bernhard Avenue	Both	Entire length
Concord Street	Both	Entire length
Creekside Lane	Both	Entire length
East Donegal Street	North	Barbara Street to Jacob Street
East Donegal Street	South	Jacob Street to Longenecker Road
East Main Street	South	Elmcrest Boulevard to Cornerstone Drive
Frank Street	South	Market Street to Concord Street
Grandview Circle	Both	Entire length
Hill Street	South	North Plum Street to a point 90 feet east of Green Alley
Hill Street	North	Orchard Road to a point 280 feet east of Green Alley
Lefever Road	West	Creekside Lane to Staufer Court
North Angle Street	Both	Terrace Avenue to Hill Street
North High Street	West	Mount Joy Street to North Alley
New Street	North	Barbara Street to Walnut Street
Old Market Street	West	Manheim Street to entrance to Rotary Park
South Angle Street	East	Clay Alley to Bridge Boulevard
South Melhorn Drive	Both	Entire length

Street	Side	Location
School Lane	Both	Marietta Avenue to Pinkerton Road
School Lane	North	Pinkerton Road to South Market Street
Stauffer Court	Both	Entire length
Terrace Avenue	Both	Entire length

- C. Partial exemption from requirement to install curbs. Notwithstanding the foregoing, owners of all lots fronting or abutting upon the streets or segments of streets listed below shall be exempt from the requirement to install curbs:

Street	Side	Location
Old Market Street	West	Entrance to Rotary Park to the Borough line

- D. Curb and/or sidewalk which is existing or is subsequently installed on any street or alley identified in Subsection A, B, or C above shall be maintained in accordance with the requirements of this article. The subsequent installation of curbs and/or sidewalks on any street identified in Subsection A, B, or C above shall be done in strict accordance with this article.

§ 232-59. General regulations. [Amended 2-7-2000 by Ord. No. 556]

- A. Notification and permits. Prior to the laying, construction, reconstruction or alteration of either curbs or sidewalks by property owners, a property owner shall apply for a permit from the Borough Manager to do so according to the regulations set forth herein and pay all permit and inspection fees established by resolution of Borough Council. The Borough Manager shall issue the permit if the application conforms to the ordinances of the Borough. No person, whether a property owner or a contractor, shall lay, construct, reconstruct, or alter either curbs or sidewalks prior to obtaining a permit. The property owner and his contractor are responsible for notification of all utilities by using the Pennsylvania One Call System and other means as necessary at least three days prior to the start of work. **[Amended 6-1-2009 by Ord. No. 6-09; 3-2-2015 by Ord. No. 2-15]**
- B. Line and grade. Line and grade will be given by the Borough where applicable upon request. Curbs and sidewalks shall be

constructed in accordance with approved development and/or Borough plans and specifications and to lines and grades established by the Borough. No curb or sidewalk grade shall adversely impact upon any building foundation.

- C. **Safety.** The contractor shall leave the work area clean and neat at the end of each day. The contractor shall place suitable barricades around the work area in such a manner as to protect both pedestrians and vehicular traffic. Such barricades shall be properly lighted during night hours. The contractor shall maintain the work zone in compliance with PennDOT Publication No. 213, Work Zone Traffic Control. **[Amended 6-1-2009 by Ord. No. 6-09]**
- D. **Obstructions.** Where existing structures such as light standards, utility poles and fire hydrants are within the limits of curb or sidewalk construction, premolded rubber expansion joint material (AASHTO M213), premolded fiber expansion joint material (AASHTO M213) or premolded asphalt impregnated expansion joint material (AASHTO M153), not less than 1/2 inch in thickness, shall be placed completely around said obstruction for the full depth of the concrete and brick. (See Appendix A.¹) Expansion joint material shall be placed to form a square, 12 inches from each side of the obstruction. No obstruction other than those listed above shall be permitted to be placed within a sidewalk. No structure shall be constructed within the limits of the curb. When obstructions, including but not limited to railroad ties, concrete gutters and crosswalks are encountered during excavation, such obstructions shall be completely removed by the contractor and the excavated area backfilled in compliance with § 232-61E of this article. Tree stumps and roots shall be completely removed by the contractor in compliance with § 232-59I of this article. **[Amended 6-1-2009 by Ord. No. 6-09]**
- E. **Downspouts and rain gutters.** Downspouts and rain gutters shall not be placed within the sidewalk and/or curb. **[Amended 3-2-2015 by Ord. No. 2-15]**
- F. **Street signs.** The property owner's contractor is responsible for making and knowing the location of existing street signs before construction begins. Where existing street signs are within the limits of sidewalk construction, a four-inch thin-wall polyvinylchloride (PVC) pipe sleeve shall be installed by the property owner's contractor. This pipe sleeve shall extend the

1. Editor's Note: Appendix A is included at the end of this chapter.

entire depth of the concrete. In addition, the sleeve shall be installed so that the edge of the sign being installed will be even with the sidewalk side (back) of the curb. This installation shall not interfere with compliance with the United States Americans With Disabilities Act (P.L. 101-336)² or regulations adopted pursuant thereto for clear area. The contractor shall contact the Borough in the event of questions about the installation of sign sleeves. In the event that a stop sign or other traffic control sign is involved, temporary provisions shall be made to keep such sign erect and visible to motorists. No sign sleeves shall be installed within the limits of the curb.

- G. Handicapped ramps. Where conditions permit, two ramps shall be provided on each corner of the intersection. One ramp will be permitted at corners where sight conditions prohibit the installation of two ramps. Curb ramps shall have a minimum width of four feet at the street surface unless otherwise approved by the Borough Manager. All ramps shall comply with the United States Americans with Disabilities Act³ and all regulations adopted pursuant thereto and shall comply with the construction details in PennDOT Publication 72M, Standards for Roadway Construction, latest edition. Detectable/tactile warning surface tiles shall match the color of existing warning surfaces in the Borough and shall be manufactured from vitrified polymer composite or stainless steel better than or equal to Armor-Tile Detectable/Tactile Warning Surface Tiles manufactured by Engineered Plastics, Inc., as approved by the Borough Manager. Where such handicapped ramps are proposed to be installed by an approved subdivision or land development plan, the developer shall pay all costs associated with the installation of the handicapped ramps. Where the Borough has undertaken a project to improve an existing, accepted Borough street, the Borough shall pay the costs of installing handicapped ramps. Where a repair of handicapped ramps is required as a result of damage caused by an abutting property owner or contractors, delivery vehicles, or other vehicles providing service to a property, the property owner shall bear the cost of repairs to meet the requirements of this section. **[Amended 6-1-2009 by Ord. No. 6-09; 11-4-2019 by Ord. No. 5-19]**

- H. Monuments. No monuments or property corners shall be covered or disturbed by the construction of a sidewalk or curb.

2. Editor's Note: See 42 U.S.C. § 12101 et seq.

3. Editor's Note: See 42 U.S.C. § 12101 et seq.

- I. Tree stumps and roots. When tree stumps and/or roots are encountered in excavation for curbs or sidewalks, they shall be removed by a stump grinder and/or excavation. Grindings shall be completely removed. Spaces adjacent to the sidewalk shall be filled with acceptable material placed in six-inch layers, and each layer shall be thoroughly compacted before the next layer is placed. The final layer of backfill shall consist of previously stripped or new topsoil placed to meet the final grade. On the streetside of the curb, the contractor shall comply with all requirements of § 232-61E of this article.

§ 232-60. Construction, repair and replacement methods and specifications. [Amended 2-7-2000 by Ord. No. 556]

A. Sidewalks.

- (1) Where existing sidewalks extend from the building line to the curb or are of a greater width than provided below, any repair or construction shall be completed in accordance with this article, unless waived by Council.
- (2) The entire width of the sidewalk area shall be graded according to the established grade.
- (3) All concrete sidewalks shall have a minimum thickness of four inches of concrete, except across driveway aprons, where the concrete shall have a minimum thickness of six inches and have reinforcing mesh placed within the driveway area.
- (4) Excavations for sidewalks shall be made to the required depth, and a layer of 2B (AASHTO No. 57) crushed stone not less than four inches thick shall be placed and thoroughly compacted prior to the laying of the sidewalk. **[Amended 6-1-2009 by Ord. No. 6-09]**
- (5) Where a sidewalk is placed adjacent to the curb, there shall be an expansion joint placed between them for the entire length.
- (6) On a fifty-foot-wide right-of-way, where sidewalks are being built for the first time, eight feet shall be set apart on either side of the thirty-four-foot-wide cartway, of which four feet shall be sidewalk, three feet, five inches shall be a strip containing pervious materials allowed by § 232-60A(7) between the sidewalk and curb, and seven inches shall be curb, unless there is an existing partial sidewalk and curb in

which case the requirements of §232-60A(9) shall be followed. **[Amended 3-2-2020 by Ord. No. 2-20]**

- (7) Where a pervious material strip is provided, if planted with grass it shall at all times be kept closely trimmed. Planting of trees in this grass strip area shall be in accordance with the approved tree species as listed and provided in the Borough office. Planting of shrubs or hedges is prohibited. The pervious material strip may, if laid with nonwoven fabric, consist of a mulch or decorative stone (#1 or #2 grade) and shall be kept well maintained. Placement of any other matter shall require prior Borough approval. **[Amended 3-2-2020 by Ord. No. 2-20]**
- (8) Planting of specified tree species shall be permitted within sidewalks without pervious material strip areas only if provisions are made for an adequate tree opening. The size of this area shall be determined by the Borough Manager. Clearance to the rear of the tree opening shall comply with the ADA. **[Amended 6-1-2009 by Ord. No. 6-09; 3-2-2020 by Ord. No. 2-20]**
- (9) Wherever possible, property owners shall maintain a uniform design for curb and sidewalk replacement within the block. If a pervious material strip exists between the curb and sidewalk, the pervious material strip shall be preserved or updated in accordance with § 232-60A(7) when the sidewalk is replaced, particularly when the majority of sidewalks within a block contain pervious material strips. If a sidewalk without a pervious material strip is replaced and a majority of sidewalks within the block have a pervious material strip, a pervious material strip shall be provided in accordance with § 232-60A(7). **[Amended 3-2-2020 by Ord. No. 2-20]**
- (10) Sidewalks shall have a uniform fall of 1/4 inch to the foot from the back edge of the sidewalk toward the curb. The pervious material strip between the sidewalk and the curb shall conform to the same slope. **[Amended 3-2-2020 by Ord. No. 2-20]**
- (11) Premolded rubber expansion joint material (AASHTO M213), premolded fiber expansion joint material (AASHTO M213) or premolded asphalt impregnated expansion joint material (AASHTO M153), not less than 1/2 inch in thickness, extending the full width and depth of the concrete slab shall be placed no more than every 20 lineal feet, at the beginning

and end of a radius, and at a change in horizontal alignment of property lines. Utility boxes, including but not limited to water shutoff, sanitary sewer vent, natural gas shutoff, and electric meter, shall be within a section of concrete measuring five lineal feet between expansion joints. Construction joints shall be placed at a maximum distance of five lineal feet. Construction joints may be hand-tooled or saw cut to a depth of 1/2 inch. **[Amended 6-1-2009 by Ord. No. 6-09]**

- (12) Sidewalks across driveways shall be constructed without any step or break in grade from the abutting sidewalk or, at a minimum, shall conform to the requirements of the ADA. The sidewalk across the driveway and driveway apron shall be six-inch-thick concrete and on a four-inch-thick layer of 2B (AASHTO No. 57) crushed stone with reinforcing mesh. **[Amended 6-1-2009 by Ord. No. 6-09]**

B. Curbs.

- (1) Curbs to be installed shall be constructed of concrete with a seven-inch dressed surface on top and an eight-inch exposed surface or reveal along the streetside, which shall likewise be dressed and extend a minimum of 10 inches below the street surface and have an eight-inch base. The exposed surface or reveal on the streetside shall include a one-inch batter from the street surface to the top of the curb. Portions of the curb which are replaced between two satisfactory sections shall have the same exposed surface or reveal as the existing curb. (See Appendix C.⁴)
- (2) Construction joints shall be placed at a maximum of 15 lineal feet. The construction joints may be hand-tooled or saw cut to a minimum depth of 1 1/2 inches. The construction joint shall traverse the top of the curb and continue down the face of the curb at a minimum of 10 inches on the streetside. Expansion joint material may be substituted for construction joints.
- (3) Expansion joint material shall be placed in curbs at the end of each workday, at the beginning and end of a radius, at a change in horizontal alignment or property line.
- (4) Excavation shall be made to the required depth, and the material upon which the curb is to be constructed shall have a layer of 2B (AASHTO No. 57) crushed stone not less than four inches thick, which shall be placed and thoroughly compacted

4. Editor's Note: Appendix C is included at the end of this chapter.

prior to the laying of the curb. **[Amended 6-1-2009 by Ord. No. 6-09]**

- (5) Initial preparation for street excavation for curb installation shall consist of a parallel, straightline saw cut not less than 12 inches from the face of the curb. Upon completion of curb installation, contractor shall contact the Borough Public Works Department. The Borough Public Works Department will assess trench restoration needs and mark for restoration. Contractor shall sawcut as marked. All material between sawcut and curb shall be removed to a depth of 12 1/2 inches. Excavated area will be filled with six inches compacted depth PennDOT approved 2A stone; five inches compacted depth 25 mm base asphalt 0<.3 ESALs; and 1 1/2 inches compacted depth 9.5 mm wearing asphalt 0<.3 ESALs. **[Amended 6-1-2009 by Ord. No. 6-09; 3-2-2015 by Ord. No. 2-15]**
- (6) A depressed curb shall be constructed across every private driveway by the owner or owners. The curb shall remain at least 1 1/2 inches above the finished street surface.

C. Brick sidewalks.

- (1) Property owners may install brick paving in place of concrete sidewalks in accordance with all requirements of this § 232-60C. Brick pavers shall be of traditional brick size, shape and brick red color and conform to ASTM C-902, Class SX, Application PX. The Borough Manager may approve an alternate shape, size and/or color which will achieve an equal or better result. **[Amended 6-1-2009 by Ord. No. 6-09]**
- (2) Construction of brick sidewalks shall consist of a six-inch layer of PennDOT-approved 2A stone, thoroughly compacted in two three-inch lifts, a two-inch layer of stone dust thoroughly compacted and no spacing or joints between the bricks. Bricks shall be approved by the Borough Manager. **[Amended 6-1-2009 by Ord. No. 6-09]**
- (3) Where the brick paving abuts a curb, expansion joints should be provided and installed in accordance with § 232-60A(11) herein.⁵
- (4) Replacement of a portion or all of an existing sidewalk shall be done using the construction methods and material specifications contained throughout this article.

5. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

- (5) Handicap ramps which are adjacent to or an extension of brick sidewalks shall be constructed of concrete as required by this article.
 - (6) A design that combines both brick and concrete shall be approved by the Borough Council.
 - (7) The transition between brick paving and concrete sidewalk shall be smooth.
- D. Bituminous concrete (asphalt) sidewalks. Property owners may install bituminous concrete (asphalt) paving in place of concrete sidewalks in accordance with all requirements of this § 232-60D. The construction standards in this § 232-60D shall not be allowed to be used for sidewalks being installed as part of an approved subdivision or land development plan or for sidewalks abutting properties on Main Street (SR 0230). **[Added 11-4-2019 by Ord. No. 5-19]**
- (1) Property owners may use this method for sidewalks only if all property owners on the block agree to install bituminous concrete (asphalt) sidewalks. A "block" shall be considered a block as defined in Chapter 240, Subdivision and Land Development.
 - (2) Excavation. Any existing sidewalk shall be removed to the required depth below finished grade. All soft yielding material shall be removed and replaced with suitable material. Any new sidewalk being installed shall be graded to the required depth below grade.
 - (3) Gravel bases of six-inch depth, after compaction, shall be placed between wooden forms on line and grade, allowing three inches for the placing of bituminous concrete (asphalt).
 - (4) A bituminous concrete (asphalt) surface shall meet PennDOT specifications. It shall be rolled with a roller weighing not less than 500 pounds. Sidewalks shall have a compacted wearing course of 9.5 mm asphalt three inches in thickness placed over four inches of compacted depth PennDOT-approved 2A stone. Mixtures shall be placed only when the underlying surface is dry, frost-free and the surface temperature and air temperature is above 40° F.
 - (5) Sides of the sidewalk shall be backfilled with suitable material thoroughly compacted and finished flush with the top of the sidewalk.

- (6) A driveway sidewalk apron ramp may be replaced with bituminous concrete (asphalt). Excavated area will be filled with six inches compacted depth PennDOT-approved 2A stone; five inches compacted depth 25 mm base asphalt 0<.3 ESALs; and 1 1/2 inches compacted depth 9.5 mm wearing asphalt 0<.3 ESALs. All ADA regulations must be adhered to when replacing the sidewalk.

- E. Permits shall be required for the installation of sidewalks.
[Added 11-4-2019 by Ord. No. 5-19]

§ 232-61. Supplemental regulations. [Amended 2-7-2000 by Ord. No. 556; 6-1-2009 by Ord. No. 6-09]

- A. Material specifications, Except as authorized in § 232-60D, construction of all curb and sidewalk shall meet the requirements of this § 232-60A. All materials shall conform to PennDOT Publication 408, latest edition. All sidewalks and curbs shall be constructed of 4,000 PSI concrete with 4% to 6% air entrainment and a maximum slump of seven inches. An alternative slump may be approved and/or recommended by the Borough Manager. All sidewalks and curbs shall be constructed level on stone backfill with a minimum thickness of four inches. The use of calcium chloride is prohibited. Where slip forms are used, a maximum slump of 1 1/2 inches shall be permitted. No concrete shall be placed when the air temperature is below 40° F. Curing compound may be applied to retain moisture to allow for the complete hydration of the concrete. No material such as asphalt, macadam or blacktop shall be substituted for these specifications.
[Amended 11-4-2019 by Ord. No. 5-19]
- B. Forms. Forms shall be wood or metal, straight, free from warp, and of sufficient strength to resist the pressure of the concrete without springing. If of wood, they shall be surfaced on the inside and the top. Forms shall be of a depth equal to the depth of the concrete. A front and back form shall be used for curbs, except where a good concrete sidewalk, which is not to be removed, abuts the new curb. Forms shall be accurately set to line and grade in such a manner as to prevent settlement or displacement.
- C. Finishing. All forms shall be removed within 24 hours after the concrete has been placed, and minor defects shall be filled with a mix composed of one part portland cement and two parts of fine aggregate or one part portland cement and two parts sand. The top and face of the curb from the top of 10 inches below or to the top of the street surface, when in place, shall be finished while the

concrete is still green by rubbing the surface with a carborundum stone, soft brick, or wood blocks and water until a smooth, even surface is produced. All joints in the curb shall be promptly opened from top to bottom, and edges adjacent to the joints shall be sharp and clean cut. Sidewalks shall be finished after pouring before the concrete sets.

- D. Curing. Concrete curbs and sidewalks shall be protected from rainstorms with paper, burlap, canvas, or similar materials. Curing compound may be applied to retain moisture in concrete to allow complete hydration of the cement. Plastic, burlap, straw or other types of moisture barrier shall be used to maintain concrete moisture during the drying process for at least seven days after pouring if curing compound is not used. No concrete shall be placed when the temperature is below 40° F. To help prevent spalling and deterioration of concrete surface from winter damage, a concrete hardener may be applied 28 days after concrete is poured.
- E. Backfilling. After the concrete has cured sufficiently, spaces adjacent to the curb and sidewalk on the nonroadway side of the project shall be backfilled with acceptable material in layers of not more than four inches in depth. Each layer shall be thoroughly compacted to the required elevation. Driveways shall be restored to same condition and specification as existed prior to work being done. Grass areas shall be finished with a minimum six inches of topsoil and be seeded with a high quality grass seed mix or hydroseeded with a high quality grass seed mix. On the roadway side of all curbs, upon completion of curb installation, contractor shall contact the Borough Public Works Department. Borough Public Works Department will assess trench restoration needs and mark for restoration. Contractor shall sawcut as marked. All material between sawcut and curb shall be removed to a depth of 12 1/2 inches. Excavated area will be filled with six inches compacted depth PennDOT approved 2A stone; five inches compacted depth 25 mm base asphalt 0<.3 ESALs; and 1 1/2 inches compacted depth 9.5 mm wearing asphalt 0<.3 ESALs.
[Amended 3-2-2015 by Ord. No. 2-15]
- F. Expansion joints. Premolded rubber expansion joint material (AASHTO M213), premolded fiber expansion joint material (AASHTO M213) or premolded asphalt impregnated expansion joint material (AASHTO M153), not less than 1/2 inch in thickness, shall be placed where a sidewalk abuts the curb, a building, wall or other permanent structure. The expansion joint material shall extend the full length of such permanent structure

and extend the full depth of the sidewalk slab. The slabs shall be constructed in twenty-foot maximum lengths with premolded rubber expansion joint material (AASHTO M213), premolded fiber expansion joint material (AASHTO M213) or premolded asphalt impregnated expansion joint material (AASHTO M153) not less than 1/2 inch in thickness and extending the full width and depth of the concrete slab.

- G. Scoring. For sidewalks, scoring shall be done transversely at evenly spaced intervals of not more than five feet. The depth shall be 1/5 the thickness of concrete, and in no case less than 1/2 inch deep. For curbs, scoring shall be done at no greater than fifteen-foot intervals. The scoring shall be done transversely and extend continuously down the face of the curb 10 inches. The score shall be 1 1/2 inches deep. Expansion joints may be substituted for scoring.
- H. Concrete color. Coloring of concrete for curbs and/or sidewalks shall be of an earth tone and shall be thoroughly and uniformly mixed throughout the concrete. Colored concrete shall not be mixed or splattered onto noncolored areas. If colored concrete becomes mixed or splattered onto colored areas, it shall be cleaned so that no change in color is noticeable.
- I. Stamped decorative patterned concrete. Where sidewalk areas are to be constructed of stamped decorative patterned concrete, they shall be constructed of 4,000 psi concrete with one-half-inch stone, 4% to 6% air entrained, and a maximum slump of seven inches with no additives. An alternative slump may be approved and/or recommended by the Borough Manager. Beauty strips using stamped patterned concrete shall be 16 inches in width. All stamped decorative patterned concrete shall be of a texture that will not cause a tripping or slipping hazard in dry or wet conditions. Coloring shall conform to § 232-61H of this article.
- J. Inspections. After all forms and stone have been set and prior to pouring of any concrete, the property owner or his contractor shall contact the Inspector for an inspection. The property owner or contractor shall provide the Inspector with a minimum twenty-four-hour notice prior to the expected concrete delivery time. The property owner and/or his contractor shall complete all corrective actions outlined by the Inspector and shall notify the Inspector that the site is ready for reinspection as above. Reinspection shall be completed prior to the pouring of concrete. Concrete delivery tickets verifying the concrete mixture shall be made available to the Inspector upon request. The property owner or contractor

shall provide the Inspector with a minimum twenty-four-hour notice prior to placing any asphalt in the street side curb trench restoration process. A final inspection shall be completed after concrete has set, street roadway and nonroadway side trench restoration has been completed and clean-up has been completed. Any additional required work will be completed within 15 days unless approved by the Borough. **[Amended 3-2-2015 by Ord. No. 2-15]**

§ 232-62. Variances. [Amended 3-2-2020 by Ord. No. 2-20]

- A. Borough Council may, by resolution or by motion, authorize the construction of curbs and sidewalks other than specified herein upon written request from a property owner required to or who desires to install and/or repair curb and/or sidewalk under this article.
- B. When the Borough has prepared a plan to improve an existing street, Borough Council may, by resolution or motion, authorize or defer the construction of curbs and/or sidewalks upon written request from one or more abutting property owners who propose alternate design or materials for the proposed sidewalk within 90 days after Borough Council has approved the preliminary engineer-designed plans for the Borough's project. Borough staff, Borough Council Public Works Committee or Borough Council may offer a plan that is an alternative to the original plan as designed in accordance with this article or to the plan proposed by the property owner(s) at any time after the preliminary plan has been presented.

§ 232-63. Nonconforming curbs and sidewalks. [Amended 2-7-2000 by Ord. No. 556; 6-1-2009 by Ord. No. 6-09]

- A. Curb and sidewalk replacement along state highways. Prior to the bituminous concrete overlay or reconstruction on any state highway route within the Borough, the Borough shall require, upon 120 days' written notification to the property owner, that a curb and/or sidewalk that does not have a normal life expectancy of more than five years or that does not meet current ADA and/or Borough specifications be replaced or installed. In addition, if the curb does not have a minimum exposed surface as required by PennDOT, it must be replaced.
- B. Curb and sidewalk replacement not along state highways. Prior to street improvements, the Borough shall require, upon 24 months' written notification to the property owner, that a curb and/or

sidewalk be replaced that does not have a normal life expectancy of more than five years or that does not meet current Americans with Disabilities Act⁶ and/or Borough specifications. In addition, if the curb does not have a minimum exposed surface or reveal of 5 1/2 inches, it shall be replaced. If, however, in the opinion of the Borough Manager, milling of the existing street surface can be satisfactorily achieved, the minimum reveal may be reduced to the extent of the proposed milling depth. **[Amended 11-4-2019 by Ord. No. 5-19]**

- C. The Borough Manager shall determine which curbs and sidewalks meet the specifications required above and shall notify the respective owner of necessary action.

§ 232-64. Main Street Revitalization Area. [Amended 1-7-2008 by Ord. No. 1-08]

For the purposes of this section, the Main Street Revitalization Area shall be considered both sides of Main Street from High Street to Manheim Street. The requirements of this section shall apply to all properties abutting Main Street within the Main Street Revitalization Area and shall be in addition to all other requirements of this article.

- A. The owner of each property shall install and maintain a sixteen-inch-wide stamped decorative pattern concrete beauty strip. The beauty strip shall be constructed between the curb and the sidewalk. The beauty strip shall be constructed of wide running bond brick patterned textured concrete, terra cotta brick color, with charcoal joints. The concrete shall be constructed of 4,000 psi concrete with one-half-inch stone, 4% to 6% air entrained, and four-inch slump with no additives. The color shall be mixed at the concrete point of origin so that color is thoroughly and uniformly mixed throughout the concrete. Expansion joint material shall be placed between the beauty strip and the curb and sidewalk. Sealer with ultraviolet inhibitor shall be applied after cleanup. All stamped areas shall remain covered for a period of not less than 24 hours immediately after imprinting. Colored concrete shall not be mixed or splattered onto noncolored areas, and any areas which have been splattered shall be thoroughly cleaned of any concrete and/or color.
- B. The owner of each property shall permit the Borough to install deciduous street trees in accordance with the requirements of this subsection. Each street tree shall be planted within a

6. Editor's Note: See 42 U.S.C. § 12101 et seq.

planting box, the size and configuration (i.e., oval) of which shall be determined the Borough and which the Borough shall install. A minimum average of one such tree shall be planted for each 40 feet of length of street. Along street segments where existing healthy street trees will be preserved and protected, new street trees shall not be installed. Council may grant exceptions from the requirement for street trees if a person demonstrates that there exists unique physical conditions to the satisfaction of Council.

- C. No person may remove a street tree without prior authorization from the Borough. The Borough shall maintain street trees; provided, however, a property owner may request that the Borough delegate such maintenance responsibility to the property owner.
- D. No person shall, without prior authorization from the Borough, cut, break, climb with spurs, injure in any manner or interfere in any way with the main roots of any street tree or spray any street tree with any chemicals or insecticide or place any rope, guide wire, cable, sign, poster, or any other fixture on any street tree or tree guard or injure, misuse, or remove any device placed to protect any street tree, except in the case of an immediate necessity for the protection of life or property.
- E. No person shall, without prior authorization from the Borough, place any stone, cement or other substance which shall impede the passage of water or air to or from the roots of a street tree. No person shall pour saltwater, oil, or any other material at a street tree in such a manner that injury might result to a street tree.
- F. The section of Main Street from High Street to Jacob Street is subject to this § 232-64 for the provisions governing maintenance and replacement of street trees only. The section of Main Street from High Street to Jacob Street shall be exempt from the requirements of § 232-64A and the portion of § 232-64B which requires that a tree be planted for each 40 lineal feet of street length. [Added 5-4-2020 by Ord. No. 3-20]

§ 232-65. Failure to comply.

Whenever the owner or owners of any property in the Borough shall fail to comply with any of the above requirements, the Borough Council may cause notices to be served upon such owner or owners, their agent or tenant, in the manner prescribed by law, setting forth specifically in what respect such owner or owners have failed to

comply with any of the above requirements and what work such owner or owners are required to do in order to effect such compliance. In the event of the failure or neglect of any such owner or owners to comply with the terms and conditions of such notice within 20 days from the date of service of such notice in the case of new work, or within 10 days from the date of service thereof in the case of repair work, the Council shall cause such work to be done at the cost of the owner or owners of such property, and the cost thereof, and 10% additional, together with all charges and expenses, shall be collected from such owner or owners by the Borough, which may file a municipal claim therefor or collect the same by action in assumpsit, as Council may direct.

§ 232-66. Abatement of nuisance constituting danger.

Where a nuisance results from the condition of a sidewalk, curb, or gutter to such an extent that, in the judgment of Borough Council or the Borough Manager, it constitutes a danger of injury to persons or property, the Borough shall have the authority to repair such dangerous condition after 48 hours' notice to make such repairs has been served upon the property owner; provided, however, that the cost of such repairs shall not exceed \$500. The cost of such work shall be recoverable through a civil action, or the Borough may file a municipal claim. This section is intended to provide an additional remedy for the Borough in connection with emergency repairs and shall not limit any other remedy the Borough may have under this article or under applicable law.

§ 232-67. Violations and penalties. [Amended 9-14-1992 by Ord. No. 497]

Any person who shall violate any provision of this article shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600 and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this article continues shall constitute a separate offense.

§ 232-68. Rights and remedies cumulative.

The Borough's rights and remedies under this article and as otherwise provided by law shall be cumulative, and the pursuit of one shall not be deemed to preclude the subsequent pursuit of any other right or remedy.

§ 232-69. Definitions; word usage. [Added 6-1-2009 by Ord. No. 6-09]

In this article, the following terms shall have the meanings set forth:

ADA — The Federal Americans With Disabilities Act and the duly adopted regulations to implement the Americans With Disabilities Act.⁷

BOROUGH MANAGER — The person Borough Council appoints as Borough Manager or the person whom the Borough Manager designates to act in the administration of this article.

INSPECTOR — The person or third party agency Borough Council has appointed to perform inspections required by this article.[Added 3-2-2015 by Ord. No. 2-15]

PennDOT — The Pennsylvania Department of Transportation or any agency successor thereto.

§ 232-70. through § 232-79. (Reserved)

7. Editor's Note: See 42 U.S.C. § 12101 et seq.



**Mount Joy Borough Public Works Department
21 East Main Street
Mount Joy, PA 17552**

Mount Joy Borough Policy

Effective: 14 March 2011

Revised:

Reviewed:

WORK ZONE TRAFFIC CONTROL POLICY

1. BACKGROUND:

- Title 75, The Pennsylvania Vehicle Code in Section 6123, Erection of traffic-control devices while working, states: "Any person performing any work on or near the roadway which may create hazards shall erect traffic-control devices in accordance with the rules and regulations of the department for the maintenance and protection of traffic."
- Pennsylvania's "rules and regulations" are found in the Pennsylvania Code, Title 67. Chapter 212 of Title 67, officially adopts the *Manual of Uniform Traffic Control Devices* (MUTCD) as the official set of traffic control devices to use in Pennsylvania. Subchapter E of Chapter 212 supplements the MUTCD by describing Pennsylvania state-specific requirements for work zones. This Subchapter references the Pennsylvania Department of Transportation's (PennDOT's) Publication 213 for guidelines for work zones and emergency situations. Note 10 in Publication 213 states that "All flaggers at a minimum shall have training as per the most current version of Publication 408, Section 901.3 Flagger Training."
- These rules and regulations are the law for all public streets and roadways in the state of Pennsylvania

2. POLICY

- It is the policy of Mount Joy Borough that employees of the Borough will follow these rules and regulations.
- It is the policy of Mount Joy Borough that any person, persons or companies performing work follow these rules and regulations. The person, persons and/or companies are responsible to know, understand and implement the measures as required by the rules and regulations. Failure to comply with these rules and regulations will result in the person, persons, company or companies being required to suspend work until the deficiencies have been corrected. Lack of compliance may also result in prosecution as permitted by the Pennsylvania Vehicle Code.

3. RESPONSIBILITY

- It shall be the responsibility of all Mount Joy Borough Public Works Department Employees and all other persons and companies working within Mount Joy Borough boundaries, to comply with this policy.

4. CANCELLATION

- All orders or parts of orders inconsistent with this order are hereby repealed

5. DISTRIBUTION

- All personnel, persons and companies to whom this policy applies as defined above, working within Mount Joy Borough boundaries.

6. EFFECTIVE DATE

- This policy is effective 14 March 2011

7. BY ORDER OF

- The Mount Joy Borough Council Public Works Committee, 14 March 2011.



**Mount Joy Borough Public Works Department
21 East Main Street
Mount Joy, PA 17552**

Mount Joy Borough Policy

Effective: 14 March 2011

Revised:

Reviewed:

WORK ZONE TRAFFIC CONTROL FLAGGER TRAINING REQUIREMENTS

1. BACKGROUND:

- Title 75, The Pennsylvania Vehicle Code in Section 6123, Erection of traffic-control devices while working, states: "Any person performing any work on or near the roadway which may create hazards shall erect traffic-control devices in accordance with the rules and regulations of the department for the maintenance and protection of traffic."
- Pennsylvania's "rules and regulations" are found in the Pennsylvania Code, Title 67. Chapter 212 of Title 67, officially adopts the *Manual of Uniform Traffic Control Devices* (MUTCD) as the official set of traffic control devices to use in Pennsylvania. Subchapter E of Chapter 212 supplements the MUTCD by describing Pennsylvania state-specific requirements for work zones. This Subchapter references the Pennsylvania Department of Transportation's (PennDOT's) Publication 213 for guidelines for work zones and emergency situations. Note 10 in Publication 213 states that "All flaggers at a minimum shall have training as per the most current version of Publication 408, Section 901.3 Flagger Training."
- These rules and regulations are the law for all public streets and roadways in the state of Pennsylvania

2. POLICY

- It is the policy of Mount Joy Borough that employees whose job responsibilities involve flagging in a work zone will be properly trained by a PennDOT approved Flagger Trainer according to current PennDOT guidelines. The employee will be in possession of a current Flagger Training Card issued by the approved Flagger Trainer.
- It is the policy of Mount Joy Borough that any person or persons performing work requiring flagging in a work zone will be properly trained by a PennDOT approved Flagger Trainer according to current PennDOT guidelines and in possession of a current Flagger Training Card issued by the approved Flagger Trainer. The person, persons and/or companies are responsible to know, understand and implement the measures as required by conditions and the current rules and regulations. Failure to comply with these rules and regulations will result in the person, persons, company or companies being required to suspend work until the deficiencies have been corrected. Lack of compliance may also result in prosecution as permitted by the Pennsylvania Vehicle Code.

3. RESPONSIBILITY

- It shall be the responsibility of all Mount Joy Borough Public Works Department Employees and all other persons and companies working within Mount Joy Borough boundaries, to comply with this policy.

4. CANCELLATION

- All orders or parts of orders inconsistent with this order are hereby repealed

5. DISTRIBUTION

- All personnel, persons and companies to whom this policy applies as defined above, working within Mount Joy Borough boundaries

6. EFFECTIVE DATE

- This policy is effective 14 March 2011

7. BY ORDER OF

- The Mount Joy Borough Council Public Works Committee, 14 March 2011.

W21-102

WORK AREA AHEAD SIGN

The Work Area Ahead Sign (W21-102) shall be authorized for use in advance of obstructions or restrictions that a motorist may encounter at construction, maintenance, or utility work areas. The 48" x 48" size may indicate the actual distance in lieu of the legend "AHEAD".



DIMENSIONS - IN								
SIGN SIZE A x A	B	C	D	E	F	G	MAR- GIN	BOR- DER
36" x 36"	6C	2.8	2.2	9	8.4	10.6	0.6	0.8
48" x 48"	8C	3.8	2.8	12.1	11.2	14	0.8	1.2

COLOR:

LEGEND AND BORDER:
BLACK (NON-REFLECTORIZED)

BACKGROUND:
ORANGE (REFLECTORIZED)

APPROVED FOR THE SECRETARY OF TRANSPORTATION

By : John C. Rowe Date : 02-29-12
Chief, Traffic Engineering and Permits Section
Bureau of Maintenance and Operations

R9-9

SIDEWALK CLOSED SIGN

The Sidewalk Closed Sign (R9-9) may be used to indicate the temporary closure of a sidewalk due to construction or other activities.



DIMENSIONS - IN								
SIGN SIZE A x B	C	D	E	F	G	MAR- GIN	BOR- DER	BLANK STD.
24" x 12"	2.1	3D	1.8	9.4	7.2	0.4	0.6	B5-2412
30" x 18"	3.5	4D	3	12.5	9.6	0.6	0.8	B5-3018

COLOR:

LEGEND AND BORDER:
BLACK (NON-REFLECTORIZED)
BACKGROUND:
WHITE (REFLECTORIZED)

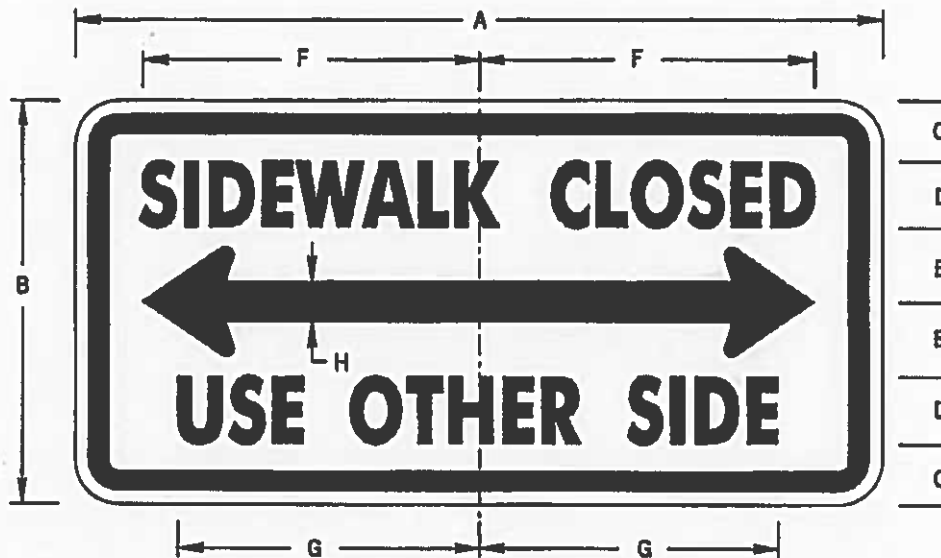
APPROVED FOR THE SECRETARY OF TRANSPORTATION

By : De C Rowe Date : 02-29-12
Chief, Traffic Engineering and Permits Section
Bureau of Maintenance and Operations

R9-10

SIDEWALK CLOSED USE OTHER SIDE SIGN

The Sidewalk Closed Use Other Side Sign (R9-10) may be used as applicable when a sidewalk is temporarily closed due to construction or other activities. A modified single-head arrow may be used as applicable.



NOTE: SEE STANDARD ARROW FOR DIMENSIONS OF ARROWHEAD.

DIMENSIONS - IN									
SIGN SIZE A x B	C	D	E	F	G	H	MAR- GIN	BOR- DER	BLANK STD.
24" x 12"	1.8	2C	2.2	9.9	9	1.2	0.4	0.4	B5-2412
48" x 24"	3.6	4C	4.4	20	17.9	2	0.4	0.6	B5-4824

COLOR:
LEGEND, ARROWS AND BORDER:
BLACK (NON-REFLECTORIZED)

BACKGROUND:
WHITE (REFLECTORIZED)

APPROVED FOR THE SECRETARY OF TRANSPORTATION

By : John C. Rowe Date : 02-29-12
Chief, Traffic Engineering and Permits Section
Bureau of Maintenance and Operations

R9-11A

SIDEWALK CLOSED CROSS HERE SIGN

The Sidewalk Closed Cross Here Sign (R9-11A) may be used to indicate the pedestrian crossing point when a sidewalk has been temporarily closed due to construction or other activities.



NOTE: SEE STANDARD ARROW FOR DIMENSIONS OF ARROWHEAD.

DIMENSIONS - IN										
SIGN SIZE A x B	C	D	E	F	G	H	J	MAR- GIN	BOR- DER	BLANK STD.
24" x 12"	1.8	2C	2.2	9.9	8.8	6.8	1.2	0.4	0.4	B5-2412
48" x 24"	3.5	4C	4.4	20	17.9	13.5	2	0.4	0.6	B5-4824

COLOR:
LEGEND, ARROW AND BORDER:
BLACK (NON-REFLECTORIZED)

BACKGROUND:
WHITE (REFLECTORIZED)

APPROVED FOR THE SECRETARY OF TRANSPORTATION

By : *De C Row* Date : 02-29-12
Chief, Traffic Engineering and Permits Section
Bureau of Maintenance and Operations