

BOROUGH OF MOUNT JOY

Lancaster County, Pennsylvania

ORDINANCE NO. 4-19

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF MOUNT JOY, CHAPTER 232, STREETS AND SIDEWALKS, TO REVISE REGULATIONS GOVERNING INSTALLATION OF SIDEWALK AND CURB.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Mount Joy, Lancaster County, Pennsylvania, as follows:

Section 1. The Code of Ordinances of the Borough of Mount Joy, Chapter 232, Streets and Sidewalks, Article IV, Sidewalk and Curb Installation; Maintenance, Section 232-58, Responsibility of Property Owners, shall be amended to provide as follows:

232-58. Responsibility of Property Owners

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:

<u>Street</u>	<u>Side</u>	<u>Location</u>
Any alley meeting the definition of alley in Chapter 240, Sub-division 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

<u>Street</u>	<u>Side</u>	<u>Location</u>
David Street	Both	From New Haven Street to Comfort Alley
David Street	North and East sides	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
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 Stauffer 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

<u>Street</u>	<u>Side</u>	<u>Location</u>
Old Market Street	East	Manheim Street to Borough line
Orange Street	East	Entire Length
Orchard Road	Both	Bruce Avenue to Hill Street
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:

<u>Street</u>	<u>Side</u>	<u>Location</u>
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
School Lane	Both	Marietta Avenue to Pinkerton Road
School Lane	North	Pinkerton Road to South Market Street
Staufer 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:

<u>Street</u>	<u>Side</u>	<u>Location</u>
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 Subsections 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 Subsections A, B, or C above shall be done in strict accordance with this Article.

Section 2. All other sections, parts and provisions of the Code of Ordinances of the Borough of Mount Joy shall remain in full force and effect as previously enacted and amended.

Section 3. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

Section 4. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this 9 day of SEPTEMBER 2019, by Borough Council of the Borough of Mount Joy, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF MOUNT JOY
Lancaster County, Pennsylvania

Attest: Samuel Belkowsky
(Assistant) Secretary

By: William A. Hill
(Vice)-President
Borough Council

[BOROUGH SEAL]

Examined and approved as an Ordinance this 9 day of September, 2019.

By: [Signature]
Mayor

CERTIFICATE

I, the undersigned, (Assistant) Secretary of the Borough of Mount Joy, Lancaster County, Pennsylvania ("Borough") certify that: The foregoing is a true and correct copy of an Ordinance of Borough Council of the Borough which duly was enacted by affirmative vote of a majority of the members of Borough Council of the Borough of Mount Joy at a meeting duly held on the _____ day of _____, _____; and was examined and approved by the Mayor; such Ordinance has been duly recorded in the Ordinance Book of the Borough; such Ordinance has been duly published as required by law; and such Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that Borough Council of the Borough of Mount Joy met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. §701 et seq., as amended, by advertising the date of said meeting, by posting prominently a notice of said meeting at the principal office of the Borough of Mount Joy or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting prior to enacting such Ordinance.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the Borough of Mount Joy, this 9 day of September, 2019.



(Assistant) Secretary

[BOROUGH SEAL]