

AN ORDINANCE AUTHORIZING AND DIRECTING THE GRADING, PAVING AND DRAINING OF RESIDENTIAL AVENUE IN THE BOROUGH OF WEST KITTANNING, ARMSTRONG COUNTY, PENNSYLVANIA, FROM THE WESTERLY EDGE OF THE PAVING ON NORTH CRESCENT DRIVE TO THE EASTERLY EDGE OF THE PAVING ON ARTHUR STREET, A DISTANCE OF APPROXIMATELY 925 FEET EXCLUDING THE PAVED PORTION OF HARRISON STREET, AND PROVIDING FOR PAYMENT OF THE COST THEREOF.

The Borough of West Kittanning hereby ordains as follows:

§1. Residential Avenue in the Borough of West Kittanning, from the edge of the westerly pavement on North Crescent Drive westwardly to the eastern edge of pavement on Arthur Street, a distance of approximately 925 feet, excluding the paved portion of Harrison Street, as measured along the center line of said street, shall be graded, drained and paved to a width of eighteen (18) feet using a two (2) inch base course of I.D.#2 and a one (1) inch wearing course of I.D.-2, both to meet Pennsylvania Department of Highways specifications.

§2. The president and secretary of the Borough Council are hereby authorized to advertise for bids for said grading, draining and paving and the materials necessary thereto, in accordance with plans and specifications approved by Borough Council, and to enter into a contract or contracts in the name of the Borough for the whole or any part of said work, or for labor and materials connected therewith, upon such terms and conditions as the Borough Council may determine or agree upon.

§3. Any trees, pipes, poles, posts, buildings, drives or other natural or artificial objects which interfere with the free and full construction of said work are hereby declared to be

nuisances, to be removed or relocated as provided by law, either by the owners or parties responsible therefore or by the party or parties with whom the Borough shall contract for performance of such construction.

§4. The costs and expenses of the entire work hereby authorized and directed to be done shall be paid by the Borough of West Kittanning and the owners of the real estate abutting or bounding on said street in accordance with §1761 of the Borough Code, as amended. One-third of said costs and expenses shall be paid by the Borough, and the same is hereby appropriated therefore out of the funds now or hereafter in the treasury, and two-thirds of said costs and expenses shall be paid by the owners of real estate bounding or abutting on said street, and the same is hereby assessed according to the front-foot rule, and the assessments appropriated therefore. Equitable adjustments for corner lots may be made by council as it may determine.

§5. Any assessment authorized under this Ordinance shall be paid either in full within thirty (30) days after notice thereof is given to the party assessed, as provided in the Borough Code, or in twelve (12) equal monthly installments, the first of which shall be due and payable within thirty (30) days after such notice, and subsequent installments at intervals of one calendar month each thereafter until the entire assessment shall have been paid. Payment of this assessment in installments shall be governed by §§2101 through 2105 of the Borough Code, together with interest on the principal balance at the rate of six per cent (6%) per annum.

§6. If any assessment authorized under this Ordinance, or any installment thereof with interest then due, shall not have been paid when due, as provided in §5, the entire assessment or the portion then unpaid, shall be collected as provided by the Borough Code.

ORDAINED in Council this 11TH day of JULY, 1966.

Carl J. Richey
Council President

ATTEST:

Frank S. Frick
Borough Secretary

APPROVAL

Presented to and approved by

Eric Bowers
Mayor