

ORDINANCE NO. PAGE 25 1957

AN ORDINANCE authorizing and directing the paving of an unnamed 12-foot alley in the Borough of West Kittanning between Arthur Street and Cleveland Street, and being parallel and between Central Avenue and Southern Avenue, and also an unnamed 12-foot alley between Central Avenue and Southern Avenue from the aforementioned 12-foot alley 132 feet northward.

The Borough of West Kittanning hereby ordains as follows:

Section 1. An unnamed 12-foot alley in the Borough of West Kittanning, from its intersection with Arthur Street, in an eastwardly direction to its intersection with Cleveland Street, a total distance of 384 feet as measured along the center line of said alley from the paved portion of Arthur Street to the paved portion of Cleveland Street, shall be paved with I-D-2 Bituminous Material, with the proper base, to a width of 12 feet.

Section 2. An unnamed 12-foot alley in the Borough of West Kittanning, from its intersection with the aforementioned unnamed alley described in Section 1 of this Ordinance, in a northwardly direction, for a distance of 132 feet as measured along the center line of said alley, commencing from the northern boundary line of the aforementioned unnamed alley, shall be paved with I-D-2 Bituminous Material, with the proper base, to a width of 12 feet.

Section 3. The President of Council and the Borough Secretary are hereby authorized to enter into a contract or contracts in the name of the Borough, for the whole or any part of the said work, or for materials or labor connected therewith, with such party or parties and upon such terms as

Council may determine or agree upon; or if Council by motion so desires, the work or any part thereof shall be done under the supervision of the Street Committee and the Borough Engineer.

Section 4. The Borough Engineer and the Borough Street Commissioner are hereby designated as the persons in charge of said work, with full power to act for the Borough in all things connected with said work and to estimate assessments.

Section 5. The costs and expenses of the entire work hereby authorized shall be paid by the Borough of West Kittanning and the owners of the real estate abutting or bounding on said alleys in accordance with Section 1712 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 therefor 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 on or abutting on said alleys, and the same is hereby assessed according to the foot front rule, and the assessments appropriated therefor.

Section 6. Any assessment authorized under this ordinance shall be paid either in full, within thirty (30) days after notice of such assessment shall have been given to the party assessed, as provided in the Borough Code, or in four (4) equal semi-annual installments, the first of which shall be due and payable within thirty (30) days after such notice. All assessments, whether paid in full or in installments, shall be payable to the Borough Treasurer.

Section 7. If any assessment, authorized under this ordinance, shall not have been paid in full, or if an installment payment of one-fourth the total amount of such assessment shall not have been made within thirty (30) days after notice of such assessment shall have been given to the party assessed, the entire assessment shall be due, and it shall be the duty of the Borough Solicitor to collect the same, with interest from the time of completion of the improvement, by action of assumpsit, or by a lien to be filed and collected in the same manner as municipal claims.

Section 8. In case the party against whom an assessment shall have been made under this ordinance shall have paid an installment of one-fourth the total amount thereof within thirty (30) days after notice of such assessment, such party shall pay the remaining three-fourths of such assessment in three (3) subsequent semi-annual installments, the first of which shall be due within six (6) months after the first installment became due, and the remaining installments shall become due at six (6) month intervals thereafter. All such installments shall bear interest at the rate of six per centum (6%) commencing thirty (30) days after the notice of the total assessment referred to in the sixth section of this ordinance. The payment of such assessment shall be governed strictly by Sections 1775 to 1781 inclusive of the Borough Code, as amended.

DONE, ORDAINED AND ENACTED at a *SPECIAL* meeting of the Borough Council of the Borough of West Kittanning, held at Council Chambers on the 13TH day of August, 1957.

Attest:

Frank S. Frick
Secretary

E. P. Jones
President of Council

Approved this

day of August, 1957

A. J. Kuhn

Burgess of West Kittanning Borough

I hereby certify that the foregoing is a true and correct copy of an ordinance of the Borough of West Kittanning, duly enacted by the Borough Council at a ~~regular~~ ^{SPECIAL} meeting held on August 13, 1957, and approved by the Burgess of the Borough of West Kittanning on the 13TH day of August, 1957.

Frank S. Frick

Secretary.