

RESOLUTION NO. 2008- 13

**A RESOLUTION OF THE TOWNSHIP OF HOPEWELL, BEAVER COUNTY,
PENNSYLVANIA, ADOPTING STANDARDS FOR THE REPAIR, MAINTENANCE
AND UPKEEP OF SIDEWALKS IN AND THROUGHTOUT THE TOWNSHIP OF
HOPEWELL AS HEREINAFTER SET FORTH**

WHEREAS, The First Class Township Code, 53 P.S. 57304, sets forth the requirement in First Class Townships that owners of real property abutting a sidewalk shall keep said sidewalk in good order and repair and at all times free and clear of all obstruction to safe and convenient passage and free of any merchandise placed there for display and, upon neglecting to perform this duty, the Township Commissioners may serve written notice upon said property owner requiring him or her to do what is necessary to comply with this duty.

NOW, THEREFORE, it is hereby Resolved and Enacted by the Board of Commissioners of the Township of Hopewell, a municipal corporation and Township of the First Class, that the following procedure is adopted in order to effectuate the purposes of the First Class Township Code, 53 P.S. 57304:

The Township Board of Commissioners shall appoint a representative of the Township of Hopewell who shall be authorized to conduct inspections of sidewalks in and throughout the Township to ensure compliance with the First Class Township Code and this Resolution and to prepare and serve upon any property owner the requisite written notice set forth in 53 P.S. 57304 directing the property owner to make the repairs, maintenance or upkeep required by the Township and this Resolution.

Service of the written notice set forth in this Resolution shall be achieved by serving the property owner in person or leaving the notice at his or her place of residence or, if he or she has no place of residence in Hopewell Township, by posting the notice on the premises and mailing a copy thereof to the property owner at his or her last known address.

Should any property owner who is served the aforementioned written notice fail to comply with the requirements of said notice within Ninety (90) days from the date of being served, the Township Commissioners may undertake to have the necessary repairs, maintenance and/or upkeep performed on said sidewalk using Township resources with the cost of same, together with a penalty of ten (10%) percent and reasonable legal fees, assessed against the delinquent property owner by the filing of a municipal lien/claim against said property. This Ninety (90) day requirement shall only be extended for good cause shown and only with the approval of the Township Manager.

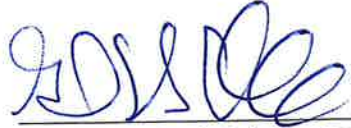
The Township Board of Commissioners have determined that the construction requirements set forth in the Hopewell Township Subdivision & Land Development Ordinance, Section 805, establish a uniform standard by which sidewalks are to be maintained and repaired as follows:

Sidewalks shall be 4" thick Portland concrete except driveways shall be 6" thick; and
Sidewalks shall be 4' in width exclusive of the curb; and
Sidewalks shall have a 4" layer of subbase material.

Any property owner directed by written notice to undertake maintenance or repairs in accordance with this Resolution shall obtain the prior written approval of the Township's appointed representative before the commencement of construction to ensure compliance with the construction specifications of this Resolution.

RATIFIED and ENACTED this 22 Day of September, 2008 and effective immediately.


Chuck Piroli, President
Board of Commissioners


Gerald G. Orsini, Manager
Hopewell Township