

**MOUNT POCONO BOROUGH
MONROE COUNTY, PENNSYLVANIA
ORDINANCE No. 3 of 2011**

**SIDEWALKS ORDINANCE
PROPOSED ORDINANCE TO REQUIRE CURBS AND SIDEWALKS
IN ANY SUBDIVISION OF
LAND BY REQUIRING SIDEWALKS TO BE INSTALLED UPON
THE CREATION OF NEW ROADS PUBLIC OR PRIVATE OR UPON THE
DEVELOPMENT OF LAND
AND LONGTERM MAINTENANCE OF SUCH**

BE IT RESOLVED AND ORDAINED, by the Mount Pocono Borough Council, Monroe County, Pennsylvania and the authority of the same, does hereby adopt by amending the Mount Pocono Borough Code Chapter 187-48 W & X and Chapter 183.

SECTION 1. INTENT

As development increases in Mount Pocono Borough, the need for providing additional modes of transportation other than the automobile is evident. It is the intent of this ordinance to provide equal access for alternative modes of transportation to the majority of the Borough through the creation of a sidewalk system among vacant and existing properties. It is the intent of Mount Pocono Borough to provide for a save and convenient sidewalk system in appropriate areas of the Borough to create a pedestrian friendly environment accessible to all users.

SECTION 2. GENERAL PROVISIONS

1. Sidewalks. Sidewalks and curbs shall be required as part of a land development or subdivision along new and existing streets pursuant to the Subdivision and Land Development Ordinance § 187-48 W & X and Chapter 183.

A. Sidewalks shall be required along new and existing streets as follows:

- (1) All new streets proposed in a land development or subdivision plan shall include curbs, sidewalks on both sides of the street.
- (2) All new subdivisions or land developments located adjacent to an existing street(s) shall include curbs and sidewalks along the side(s) of the street(s) which the proposed subdivision or land development abuts where there currently is no sidewalk(s).
- (3) All commercial, townhome and multi-family residential uses shall provide a separate system of sidewalks connecting the primary building entrance(s) to other primary buildings' entrance(s) and to the nearest public sidewalk abutting the development.

B. Design Standards. Sidewalks shall be designed and constructed as follows:

- (1) Sidewalks required to be constructed along public streets shall be done so pursuant to those applicable regulations contained herein and to PENNDOT Specifications. Sidewalks shall be placed along property lines within the public right of way. If insufficient area exists in the public right of way, the developer shall enter into a private property agreement in a form acceptable to Council to be recorded contemporaneously with the recording of the final subdivision plan and/or land development plan. Said plan shall include a note referencing the existence of and recording information concerning the grant of easement.

- (2) The minimum width of all sidewalks required herein shall be five feet. There shall be a minimum five foot wide planting strip of grass between the curb and the sidewalk. This planting strip may be used for the location of the underground utilities, streetlights, street signs and trees.
 - (3) The grades and paving of the sidewalks shall be continuous across driveways except in nonresidential and high-density residential developments and in certain other cases where heavy traffic volume dictates special treatment.
 - (4) The types of construction permitted is as follows:
 - a. Sidewalks and crosswalks shall be Portland cement concrete of at least four inches thick underlain by four inches of compacted cinder, gravel, or crushed stone.
 - b. Sidewalks at driveway crossings shall be at least six inches thick reinforced and underlain by four inches of compacted cinder, gravel, or crushed stone.
 - c. Sidewalks shall have a slip resistant broom finish surface.
 - d. Sidewalks shall be separated by expansion joints approximately 30' in length. The sections shall be separated for the full depth of the sidewalk slab by ½" pre-molded bituminous material. Between expansion joints, the section of the walk shall be divided into subsections approximately 5' in length by using 1/4" – ½" score.
 - (5) A cross slope of between 1.5% (3/10" per foot) minimum and 2% (1/4" per foot) maximum is required to provide for adequate surface drainage.
 - (6) Sidewalks shall not exceed 5% grade. A combination of ramps with landings and railings shall be utilized where necessary to maintain the maximum grades. Alternate designs will be considered where maximum grades cannot be achieved due to existing topographic conditions. Alternate designs shall comply with ADA standards as fully as possible.
 - (7) Curb ramps complying with ADA standards shall be provided at all points where the sidewalk intersects streets and driveways.
 - (8) Construction of sidewalks, shall comply with accessibility requirements of federal, state and/or local laws.
 - (9) Where parking areas abut sidewalks, appropriate barriers acceptable to the Borough shall be required to prevent vehicular overhang of sidewalks so the entire width of the sidewalks remain unobstructed.
2. Replace 187-48W with this section – Curbs and gutters.
- A. Curbs shall be required along all new and existing streets as follows:
 - (1) In nonresidential developments, or higher density residential developments, or where other similar intensive uses exist or are anticipated, curbs shall be required if deemed necessary by the Council for public safety.
 - (2) Along all new and existing streets where sidewalks are required.
 - (3) Where curbs exist on abutting properties, their extension shall ordinarily be required throughout the proposed subdivision.
 - (4) Where curbs are not required, adequate gutters shall be graded and protected by seeding or appropriate surfacing.
 - B. Design Standards. Curbs and gutters shall be designed and constructed as follows:
 - (1) Minimum curb or pavement edge radii at street intersections shall equal that required for the cartway edge.

(2) Minimum curb construction standards are as follows:

- a. Straight curbs of Portland cement concrete shall be 21 inches in depth, six inches wide at the top, and eight inches wide at the bottom, and shall have an exposed face between six inches and eight inches. Concrete shall be in accordance with class A cement concrete as specified in PennDOT Publication 408. Expansion joints shall be provided at least every 20 feet.
- b. The Council may require steel reinforcing of Portland cement concrete curbs.

(3) If gutters are provided, they shall be in conformance with good engineering practice and subject to the approval of the Borough's Engineer. Gutters and/or drainage swales shall be designed to prohibit erosive velocities and paving may be required if runoff velocities exceed 5.0 fps when calculated in accordance with PennDOT Manual, Part 2. Velocity calculation shall be placed on the center line profile drawings or shall be submitted separately with the profiles.

NOTE: Requesting recommendations from Borough Council concerning maintenance of sidewalks.

SECTION 3. SERVABILITY

If any sentence or clause, section or part of this ordinance is found to be unconstitutional, illegal or invalid, such findings shall not affect or impair any of the remaining parts of this ordinance. It is hereby declared to be the intent that this ordinance would have been adopted had such part not been included.

EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption.

ADOPTION

ENACTED AND ORDAINED, this 2nd day of May, 2011, by the Mount Pocono Borough Council, Mount Pocono, Monroe County, Pennsylvania.

BOROUGH OF MOUNT POCONO

By: _____


John Finnerty, Council President

ATTEST:



Lori Noonan, Borough Secretary

APPROVED this 2nd day of May, 2011

By: _____



Dan McDavitt, Mayor