

ARTICLE 905

Street Improvements; Assessments

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CROSS REFERENCES

- Power to improve - See 3rd Class §2930 (53 P.S. §37930)
- Payment of cost - See 3rd Class §2931 (53 P.S. §37931)
- Assessment by front-foot rule - See 3rd Class §2932 (53 P.S. §37932)
- Department of Public Works - See ADM. Art. 107
- Streets and sidewalks - See GEN. OFF. Art. 721
- Excavations - See S.U. & P.S. Art. 903
- Construction of Sewers; Cost – 53 P.S. §38201

905.01 STREET CONSTRUCTION AND ASSESSMENT.

(a) Abutting property owners shall be charged with the cost of construction and paving of new streets, including intersections.

(b) Assessable frontage shall include all lot frontage abutting the street improvement, but excluding two-thirds of the long side in the case of corner lots. (Ord. 3024 §2. Passed 10/15/85.)

905.02 NEW DEVELOPMENT - CURB, GUTTER AND SIDEWALK REQUIREMENTS. (Ord. 4154; Passed 11/6/02)

(a) Curbs, gutters and sidewalks shall be required as a condition of each building permit or new subdivision, except in those areas deferred by action of the City Planning Commission, upon recommendation by the Director of Public Works. (Ord. 4159; Passed 12/3/02)

(b) The cost of curbs, gutters and sidewalks shall be borne fully by the abutting property owners, except that, in the case of double frontage lots which cannot be further subdivided in accordance with the Zoning Ordinance at the time of notification, and where the Director of Public Works decides that sidewalk is necessary on the rear, the cost of the rear sidewalk shall be borne by the City. (Ord. 3024 §2. Passed 10/15/85.)

905.03 WATER AND SEWER ASSESSMENT.

(a) Abutting property owners shall be charged with the cost, including intersections and street paving replacement, on the basis of an eight inch main for water lines and an eight inch main for sewer lines (provided, however, that such charge for each line shall be limited to nine dollars and forty cents (\$9.40) per front foot and that the City shall pay for any amount by which the cost exceeds nine dollars and forty cents (\$9.40) per front foot), plus the cost of necessary service pipes and laterals, except that in order to keep the maximum front-foot assessment charge in line with current construction costs, the figure of nine dollars and forty cents (\$9.40) per front foot for each year following 1966 shall be multiplied by the ratio of the Engineering News Record Construction Cost Index at the beginning of that year with the same index value as of the first week of January 1966. (Ord. 1948 §1. Passed 11/30/65.)

(b) Assessable frontage shall include all lot frontage abutting the improvements, but excluding two-thirds of the long side in the case of corner lots where the improvements abut both front and side. Where the improvements abut only the long side, assessable frontage shall be the front or two-thirds of the side, whichever is greater. Where mains are installed along more than two sides of a property, only the front and one-third of the longer side shall be assessable. Where an interior lot has mains along both front and rear, one frontage, which shall be the shorter, if they are of different lengths, shall be excluded. (Ord. 2040 §3. Passed 8/8/67.)

(c) The City shall assume any additional cost involved in the use of larger mains and any portion of the cost not assessed against the abutting property owners. (Ord. 1762 §3. Passed 11/8/62.)

(d) Where property is connected to an existing water or sewer line, when the City installs an additional line which would otherwise be assessable against such property, the property shall be exonerated from any

assessment for the additional line, except that, where a line constructed after the effective date of this subsection (Ordinance 2040, passed August 8, 1967) stops short of the far property line, the continuation of such water or sewer line under later construction shall be assessable. In addition, should the owner of such property at any time desire to connect with the line for payment of which the property owner was exonerated he may do so only on payment to the City of a connection charge equaling the assessment which would otherwise have been made against the property for the installation of such line, together with interest at the rate of six percent per annum from the date of completion of the installation of such additional line. (Ord. 2040 §3. Passed 8/8/67.)

(e) Where dual water or sewer mains are installed in the same street, the City shall absorb half the cost thereof. (Ord. 2040 §4. Passed 8/8/67.)

905.04 CONSTRUCTION COSTS.

(a) In the case of construction work performed by City forces, the assessment shall include all applicable municipal out-of-pocket expenses such as labor, fringe benefits, overhead and materials as determined by the City's cost allocation plan.

(b) Included in the assessable cost of any street, water or sanitary sewer project shall be the engineering cost, including all applicable municipal out-of-pocket expenses such as labor, fringe benefits, overhead and materials as determined by the City's cost allocation plan. (Ord. 3024 §2. Passed 10/15/85.)

905.05 CONSTRUCTION BY OWNER.

Any property owner representing, by ownership or agreement, 100 percent of the frontage to be assessed under a given project, shall be permitted to perform, or to have his contractor perform, the work of constructing the street paving, curb, gutter and sidewalk, water or sewer main, provided he meets specification standards of the Bureau of Engineering, providing further that all work is performed under the City's specifications and engineering supervision, and provided further that, where any part of the cost of the improvements is to be borne by the City, the cost thereof shall be based upon the lowest written quotation received by the property owner or his contractor and approved by the Director of Public Works. (Ord. 2040 §6. Passed 8/8/67.)

905.06 ASSESSMENT OF COSTS OF IMPROVEMENT PROJECTS.

(a) Upon final passage of an ordinance authorizing any assessable improvement project, the City's Department of Public Works shall notify all abutting property owners by certified mail of the starting date of such project. Such notice shall include a copy of the ordinance and this Article 905. Notice shall be simultaneously given to the City Treasurer of the starting date of the project and the names of affected property owners and property location.

(b) At the completion of any assessable improvement project, the City's Department of Public Works, within ninety days after the completion date, shall notify all abutting property owners by certified mail that the project has been completed and shall set forth in such notice the exact completion date and the assessable cost of such improvement on a front foot basis. Notice shall be simultaneously given to the City Treasurer of the completion date of the project and the names of affected property owners and property locations.

(c) On the completion of any assessable improvement project, the City's Department of Public Works, after compliance with notice requirements set forth in subsections (a) and (b) above, shall assess the costs chargeable to abutting property owners on a front foot basis. (Ord. 1993 §1. Passed 8/16/66.)

905.07 MANNER OF PAYMENT OF ASSESSMENTS.

Property owners may pay assessments charged against them on the following basis:

(a) Payments on the assessment within one year from the date of completion shall bear no interest.

(b) A property owner shall be permitted, up to one year from the date of completion, to enter into an agreement with the City to pay his assessment, or any balance due thereon, in quarterly installments over a period of two years, together with simple interest at the rate of ten percent (10%) beginning one year from date of completion.

(c) A property owner who neither pays in full nor signs an installment agreement with the City within one year from date of completion shall be required to pay the balance of his assessment, together with simple interest thereon, at the rate of ten percent (10%) from the date of completion of the project. (Ord. 3010. Passed 9/3/85.)

(d) Where a property owner has been assessed for the cost of construction of water or sewer mains, street paving or curb, gutter and sidewalk within the period permitted to pay such assessment as hereinabove set forth, receives one or more additional assessments for the cost of construction of water or sewer mains, street paving or curb, gutter and sidewalk, such property owner shall not be charged interest on the subsequent assessments until after one year from the date of completion thereof, and payments on principal and interest shall be deferred until after payment is completed on the first assessment, when the property owner shall enter into an agreement to pay the principal and interest thereon as set forth in subsection (b) hereof. In the event that a property owner defaults in the payment of principal or interest hereunder, all principal and accumulated interest shall become immediately due and payable. (Ord. 3024 §2. Passed 10/15/85.)