

BILL NO. 95-33

ORDINANCE NO. 96-1

AN ORDINANCE DIRECTING THE PAVING OF SPECIFIC ALLEYWAYS WITHIN THE CITY OF JEANNETTE UPON PETITION OF ABUTTING PROPERTY OWNERS AND ASSESSING THE COSTS OF SAME AGAINST THE AFORESAID ABUTTING PROPERTY OWNERS IN ACCORDANCE WITH THE PROVISIONS OF ORDINANCE NO. 63-15 DULY ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF JEANNETTE ON DECEMBER 26, 1993

WHEREAS, the City of Jeannette is duly empowered to grade, pave, macadamize or otherwise improve any street or alleyway within the City of Jeannette under the authority of The Third Class City Code, 53 P.S. §37930; and

WHEREAS, the City is empowered to assess the costs of any grading, paving, macadamization or other improvements against abutting property owners on a front foot basis through an Ordinance duly ordained and enacted by Council under The Third Class City Code, 53 P.S. §37931; and

WHEREAS, the City of Jeannette had previously enacted Ordinance No. 63-15 by act of Council on December 26, 1963, which directs the assessment of costs of paving alleyways within the City of Jeannette as follows:

- a. 1/3 of the cost of paving alleys against property owners abutting one side of the alley on a front foot basis;
- b. 1/3 of the cost of alley paving against property owners abutting the other side of such alley on a front foot basis; and
- c. 1/3 of the cost of the aforesaid improvement by the City;

WHEREAS, the City received Petitions from various property owners to pave alleyways within the City of Jeannette during calendar year 1995, said Petitions being presented in accordance with the terms of the Third Class City Code and containing the signatures of more than 51% of the number and interest of property owners abutting such alleyways, the alleyways in question being set forth as follows:

- a. The alleyway running parallel between Patterson Avenue and Adams Street running from Sycamore to Pasco;
- b. The alleyway running parallel between Harrison Avenue and Parkman Street from First Street to Alwine;
- c. The alleyway running parallel between Agnew Road and Cedar Street from Lewis Avenue to a dead end;
- d. The alleyway running parallel between Sloan Avenue and Summit Street from Virginia to Rankin;
- e. The alleyway running parallel between Third and Fourth Streets from Harrison Avenue to Elizabeth Street;
- f. The alleyway running parallel between Harrison Avenue and Reed from Hissam Avenue to Welker; and
- g. The alleyway running parallel between Lafferty Street and Good Street from State Street to a dead end.

WHEREAS, the City had previously put a comprehensive paving project out for bid with the paving of the aforesaid alleyways being included therein; and



WHEREAS, the City awarded the aforesaid bid to Consolidated Paving, by Motion of Council at a public meeting in May, 1995 as the lowest responsible bidder for the aforesaid project and entered a contract with Consolidated Paving thereafter for same; and

WHEREAS, the subordinate alley paving project which formed a part of the comprehensive paving contract was completed on August 29, 1995, through the completion of the paving of the alleyway running parallel between Harrison Avenue and Reed from Hissam to Welker, said completion date being certified by a Certificate of Completion filed by the Engineer of the City of Jeannette on or about December 20, 1995, a copy of the said Certificate of Completion being attached hereto, made a part hereof and marked Exhibit "A"; and

WHEREAS, in addition to the aforesaid paving, various individual property owners requested additional minor work to repair, replace or upgrade connecting private driveways, said repairs being limited to minor driveway reconstruction and driveway overlays; and

WHEREAS, the City of Jeannette hereby desires to adopt an Ordinance assessing the costs of the aforesaid alleyway improvements consistent with the terms and conditions of Ordinance No. 63-15 and to assess additional costs against those property owners having either additional driveway reconstruction work done or driveway overlay work done at prices and for costs set forth in the aforesaid Certificate of Completion.

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, BE IT ORDAINED AND ENACTED, AND IT IS HEREBY ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF JEANNETTE AS FOLLOWS:

1. The Council of the City of Jeannette hereby approves and adopts the Paving Agreement with Consolidated Paving, as same is associated with the paving of the alleyways set forth above.

2. The costs of paving shall be assessed against property owners abutting both sides of the alleyways referenced above at the following rate schedule:

a. The alleyway running parallel between Patterson and Adams from Sycamore to Pasco - \$2.95 per lineal foot;

b. The alleyway running parallel between Harrison and Parkman from First Street to Alwine Avenue- \$2.40 per lineal foot;

c. The alleyway running parallel between Agnew Road and Cedar Street from Lewis Avenue to a dead end - \$2.74 per lineal foot;

d. The alleyway running parallel between Sloan Avenue and Summit Street from Virginia to Rankin - \$2.42 per lineal foot;

e. The alleyway running parallel between Third Street and Fourth Street from Harrison Avenue to Elizabeth - \$2.52 per lineal foot;

f. The alleyway running parallel between Harrison Avenue and Reed Street from Hissam to Welker - \$2.63 per lineal foot; and

g. The alleyway running parallel between Lafferty and Good Street from State Street to a dead end - \$2.65 per lineal foot.

The charges assessable against abutting property owners shall be allocated in conformance with Ordinance 63-15 as set forth above.

3. In addition to the aforesaid assessment, any abutting property owner requesting additional work to their driveway that would be categorized as "driveway reconstruction" or "driveway overlay" shall be assessed for the costs and expenses of same in accordance with the schedule set forth in the Certificate of Completion attached hereto as Exhibit "A".

4. In case any of the aforesaid assessments are not paid, the City Solicitor shall be and is hereby authorized and directed to file a Municipal Claim or Lien against the property of any abutting property owner for the amount of said assessment and any additional costs of paving, or, in his discretion, to enter an action of assumpsit against the owner or owners of such properties to collect the amounts of assessments unpaid.

5. This Ordinance shall take effect immediately upon enactment.


6. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED by th Council of the City of Jeannette at a meeting held the 3rd day of January, 1996.

ATTEST:

THE CITY OF JEANNETTE:


Mary A. Sever, City Clerk


Glenn D. Hoak, Mayor



FL&R

CERTIFICATE OF COMPLETION FOR ALLEYS PAVED IN 1995

<u>FROM</u>	<u>TO</u>	<u>BETWEEN</u>	<u>COMPLETED</u>	<u>ASSESSMENT COST PER LINEAL FOOT</u>
SYCAMORE	PASCO	PATTERSON - ADAMS	7-24-95	\$2.95
FIRST	ALMINE	HARRISON - PARKMAN	8-24-95	\$2.40
LEWIS	DEAD END	AGNEW - CEDAR	8-17-95	\$2.74
VIRGINIA	RANKIN	SLOAN - SUMMIT	8-18-95	\$2.42
HARRISON	ELIZABETH	THIRD - FOURTH	8-11-95	\$2.52
BISSAK	WEIDER	HARRISON - NEED	8-20-95	\$2.63
STATE	DEAD END	LAPPERTY - GOOD	8-25-95	\$2.65

In addition to Alley Assessment Costs, various individuals requested additional work to their driveway.

Here is a unit cost breakdown of two basic driveway improvement costs.

- TYPE 1 - Driveway Reconstruction
1. Excavation \$3.00/Square Yard
 2. ID-2 Wearing Course \$34.00/Ton
 3. ID-2 Binder Course \$29.15/Ton
- TYPE 11 - Driveway Overlay
1. ID-2 Wearing Course \$60.00/Ton

Edward L. Antonacci

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CITY ENGINEER
CITY OF JEANNETTE