

BILL NO.

98-5

ORDINANCE NO.

98-5

**AN ORDINANCE OF THE CITY OF JEANNETTE
AUTHORIZING THE PAVING OF A CERTAIN ALLEYWAY RUNNING
PARALLEL BETWEEN FIFTH AND SIXTH STREETS FROM
CHAMBERS AVENUE TO BULLITT AVENUE WITHOUT PETITION OF
ABUTTING PROPERTY OWNERS AND PERMITTING
THE ASSESSMENT OF THE COSTS OF SAME AGAINST
ABUTTING PROPERTY OWNERS ON A FRONT FOOT BASIS**

WHEREAS, the City of Jeannette is duly empowered under the terms of the Third Class City Code to pave, macadamize, grade or improve streets or alleyways within the City of Jeannette without Petition of abutting property owners and to assess the costs and expense of such improvements to abutting property owners pursuant to 53 P.S. §37935; and

WHEREAS, the City desires to pave a certain alleyway running parallel between Fifth and Sixth Streets from Chambers Avenue to Bullitt Avenue within the City of Jeannette, Westmoreland County, Pennsylvania; and

WHEREAS, the City desires to pave the aforesaid alleyway to approximately twelve (12') to thirteen (13') feet in width and to assess the costs of such paving to the property owners abutting the line of said improvements on a "front foot basis" with the City bearing one-third of the cost, owners of property abutting one side of the improvement bearing one-third of the cost and the owners of property abutting the opposite side of the improvement bearing the final one-third of the cost (see Ordinance No. 63-15); and

WHEREAS, to complete the aforesaid paving, the City has received a quotation from Cipra Construction of North Huntingdon Township, Pennsylvania to furnish and install two and one-half (2 1/2") inches of ID-2 Binder Course at a rate of THIRTY-FIVE and 00/100 (\$35.00) DOLLARS per ton and to furnish and install a one (1") inch ID-2 Wearing Course at a rate of THIRTY-EIGHT and 00/100 (\$38.00) DOLLARS per ton, for a total installation cost of SIX THOUSAND ONE HUNDRED SIXTY-ONE and 00/100 (\$6,161.00) DOLLARS; and

WHEREAS, the City has prepared and desires to enter into a contract with Cipra Construction for the paving of the aforesaid alley, a copy of such contract entered or to be entered between the City and Cipra Construction being attached hereto, made a part hereof and marked Exhibit "A"; and

WHEREAS, due to the possibility of cost overruns, the City believes that it is impossible to determine the specific front foot assessment costs at this time until the Binder and Wearing Courses have been applied due to varying grades and methods of installation; and

WHEREAS, the City has determined the owners of real estate abutting the line of said improvements and their respective properties to be as follows:

<u>Owner Name/Address</u>	<u>Westmoreland County Tax Map No.</u>
a. Jon and Nina Lewis and Ted Goldberg 25 Waverly Drive Greensburg, PA 15601	14-01-16-2-35

b.	Jon and Nina Lewis and Ted Goldberg 25 Waverly Drive Greensburg, PA 15601	14-01-16-2-36
c.	Judith E. Lawson	14-01-16-2-37
d.	Arthur D. Scalzitti 301 Hickory Street Jeannette, PA 15644	14-01-16-2-102
e.	Patricia A. Cline Box 434 Ligonier, PA 15658	14-01-16-2-38
f.	Paul Sarp 309 S. Fifth Street Jeannette, PA 15644	14-01-16-2-39
g.	Robert E. Myers and Helen Pape	14-01-16-2-40
h.	Frances J. Pearson	14-01-16-2-41
i.	William G. Beidinger 28 South Rolling Hills Irwin, PA 15642	14-01-16-2-42
j.	Lois and Paul Sarp 309 South Fifth Street Jeannette, PA 15644	14-01-16-2-43
k.	Emma and Gordon Lundell 501 Baughman Avenue Jeannette, PA 15644	14-01-16-2-44
l.	Anthony Ortagliano 605 Baughman Avenue Jeannette, PA 15644	14-01-16-2-45
m.	William F. and Arlene Herring R.D. 12, Box 598 Beyer Road Greensburg, PA 15601	14-01-16-2-46

n.	Marjorie B. and Helen E. Allen 301 South Fifth Street Jeannette, PA 15644	14-01-16-2-47
o.	William and Robert McKenna 870 Whitmore Road North Huntingdon, PA 15642	14-01-16-2-49
p.	Kelly and Alice Votero 320 S. Sixth Street Jeannette, PA 15644	14-01-16-2-50
q.	Kelly and Alice Votero 320 S. Sixth Street Jeannette, PA 15644	14-01-16-2-51
r.	Donna M. Dennison	14-01-16-2-52
s.	Larry and Joanne Rager R.D. #2, Box 269 Irwin, PA 15642	14-01-16-2-19
t.	Daniel H. and Anne Marie Oakman	14-01-16-2-20
u.	Tom and Elizabeth Quindlan 14580 Michael Drive North Huntingdon, PA 15642	14-01-16-2-21
v.	Jacob and William Beidinger 285 Rolling Hills Road Irwin, PA 15642	14-01-16-2-22
w.	Kevin Good	14-01-16-2-23

NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING
INCORPORATED HEREIN, BE IT ORDAINED AND ENACTED AND IT IS HEREBY
ORDAINED AND ENACTED AS FOLLOWS:

1. The aforesaid alleyway shall be graded, paved and/or otherwise improved to a general width of twelve (12) to thirteen (13) feet by the installation of an ID-2 Binder Course at a cost of THIRTY-FIVE and 00/100 (\$35.00) DOLLARS per ton and an ID-2 Wearing Course at a cost of THIRTY-EIGHT and 00/100 (\$38.00) DOLLARS per ton.

2. The costs of said improvements shall be assessed against all property owners abutting the line of such improvement on a "front foot basis".

3. The amount of the assessment per linear foot shall be determined by the City Engineer following the completion of the alleyway set forth above by determining the total cost of the ID-2 Binder and ID-2 Wearing Course installed and dividing same on a front foot basis among all abutting property owners in the manner set forth above.

4. Upon the completion of such alleyway for assessment purposes, the City Engineer shall file with the City Clerk a Certificate of Completion pursuant to 53 P.S. §36504, said Certificate to include the following information:

- a. The date upon which the improvement of such alleyway was commenced;
- b. The date upon which such alleyway was completed for assessment purposes;
- c. The cost and expense associated with the improvement of the alleyway in question;
- d. The per linear foot charge; and

e. Specific amount charged or assessable against each abutting property owner on a "front foot basis".


5. Immediately upon receipt of the Certificate of Completion from the City Engineer, the City Clerk shall transmit same to the Office of the City Treasurer. Within ten (10) days of the receipt of the Certificate of Completion, the City Treasurer shall send to each abutting property owner a Notice or billing statement indicating the linear foot charge and the amount of monies owed by the abutting property owner by virtue of this Assessment Ordinance. Each Notice or billing statement shall likewise include the date upon which the Certificate of Completion was filed by the City Engineer, the date upon which the bill or assessment Notice is being sent to the abutting property owners from the City Treasurer's Office and shall give each abutting property owner five (5) months from the date of the completion of improvements to pay such assessment or have a lien placed against the abutting property owner.

6. In the event any abutting property owner fails to pay any bill or assessment associated with the within paving project within five (5) months of the date of completion of the improvements as certified by the City Engineer, the City Treasurer shall file a Proof with the City Solicitor indicating that said bill or assessment remains unpaid.

7. Upon receipt of the Proof from the City Treasurer, the City Solicitor shall take the steps necessary to file any applicable Municipal Lien or claim against the abutting property owner in the amount of such bill or assessment, together with interest, costs and any other expenses permitted to be collected by law, or to enter an action of assumpsit against the owners of such properties on which assessments have not been paid (see Ordinance 63-15).

THIS ORDINANCE is Ordained and Enacted this 22nd day of JULY, 1998 by the Council of the City of Jeannette at a public meeting and shall be effective immediately.

ATTEST:



Ronald E. Dinsmore, City Clerk

THE CITY OF JEANNETTE:

By 

Carl J. Matt, Mayor