

No. 340.

AN ACT

To amend sections nine hundred and eighty, nine hundred and ninety, nine hundred and ninety-two, nine hundred and ninety-three, and one thousand and five of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

Townships of the first class.

Sidewalks.

Act of July 14, 1917 (P. L. 840), amended.

Section 980, cited for amendment.

Section 1. Be it enacted, &c., That section nine hundred and eighty of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto," which reads as follows:—

"Section 980. The boards of township commissioners may survey, lay out, enact, and ordain footwalks, pavements, boardwalks, culverts, and drains over and upon the land abutting on turnpike roads, where the same pass through any town or village, and fix the size and width thereof. Damages for any taking or injury of any property, and benefits to any property, caused by any action under this section, shall be assessed and paid for as provided in sections five hundred to five hundred and eight of this act relating to the widening of roads and streets by township commissioners.

"The commissioners may require the grading, paving, and curbing of such footwalks, pavements, boardwalks, culverts, and drains by the owners of the land fronting thereon, in accordance with general regulations to be prescribed by ordinance," is hereby amended to read as follows:—

Within lines of highway or road.

On abutting land.

Damages and benefits.

Assessments.

Grading, curbing, etc.

Section 980. The boards of township commissioners may survey, lay out, enact, and ordain footwalks, pavements, boardwalks, culverts, and drains over and upon the land abutting on turnpike roads, *State highways, or county roads*, where the same pass through any town or village, and fix the size and width thereof. Damages for any taking or injury of any property, and benefits of any property, caused by any action under this section, shall be assessed and paid for as provided in sections five hundred to five hundred and eight of this act relating to the widening of roads and streets by township commissioners.

The commissioners may require the grading, paving, and curbing of such footwalks, pavements, boardwalks, culverts, and drains by the owners of the land fronting thereon, in accordance with general regulations to be prescribed by ordinance.

Section 2. That sub-title ("e") to chapter thirteen, article one, and that section nine hundred and ninety of said act, which reads as follows:—

“(e) Sidewalks Along Turnpike Roads Within Towns or Villages.

“Section 990. Whenever a turnpike road, managed and controlled by a private corporation, runs through any town or village in any township of the first class, the board of township commissioners, having first obtained the written consent of the *turnpike company* or *other* corporation having control of such road, may ordain and establish sidewalks along either one or both sides of the turnpike road within the lines of same. The township commissioners may charge the cost of construction of such sidewalk to the owner of the abutting properties according to frontage.” is hereby amended to read as follows:—

Section 990, cited for amendment.

(e) Sidewalks Along Turnpike Roads, *State Highways, or County Roads* Within Towns or Villages.

Section 990. Whenever a turnpike road, managed and controlled by a private corporation, a *State highway, or a county road* runs through any town or village in any township of the first class, the board of township commissioners, having first obtained the written consent of the corporation having control of such road *in the case of a turnpike road, the State Highway Commissioner in the case of a State highway, or the county commissioner in the case of a county road*, may ordain and establish sidewalks, *with or without curbing*, along either one or both sides of such turnpike road, *State highway, or county road as the case may be*, within the lines of the same. The township commissioners may charge the cost of construction of such sidewalk *and curbing, if any*, to the owners of the abutting properties according to frontage.

Within lines of highway or road.

Curbing.

Assessment of cost.

Section 3. That section nine hundred and ninety-two of said act, which reads as follows:—

“Section 992. The ordinance shall provide for written notice to be given to the property owners to grade and construct such sidewalk in front of their respective properties within a certain period, not less than thirty days from the date of service of such notice. Service of such notice shall be made by handing the same to the property owner, or by leaving it at his place of residence, if he has one in the county, or, if he does not reside in the county, by mailing the notice to his address, if his address can be obtained. In all cases a copy of such notice shall be served upon the occupant of the premises,” is hereby amended to read as follows:—

Section 992, cited for amendment.

Section 992. The ordinance shall provide for written notice to be given to the property owners to grade and construct such sidewalk *and curbing, if any*, in front

Notice to property owners.

of their respective properties within a certain period, not less than thirty days from the date of service of such notice. Service of such notice shall be made by handing the same to the property owner, or by leaving it at his place of residence, if he has one in the county, or, if he does not reside in the county, by mailing the notice to his address, if his address can be obtained. In all cases a copy of such notice shall be served upon the occupant of the premises.

Section 4. That section nine hundred and ninety-three of said act, which reads as follows:—

Section 993, cited for amendment.

“Section 993. Should any property owner fail to comply with the requirements of the ordinance within the time specified in the notice, the board of township commissioners may cause the sidewalk in front of his property to be constructed in accordance with the requirement of the ordinance, and collect the cost thereof, including the costs of grading and any other incidental matters, together with the penalty of ten per centum, by action of assumpsit or by filing a municipal lien against said property,” is hereby amended to read as follows:—

Construction by commissioners.

Curbing.

Collection of costs.

Section 993. Should any property owner fail to comply with the requirements of the ordinance within the time specified in the notice, the board of township commissioners may cause the sidewalk *and curbing*, if any, in front of his property to be constructed in accordance with the requirements of the ordinance, and collect the cost thereof, including costs of grading and any other incidental matters, together with the penalty of ten per centum, by action of assumpsit or by filing a municipal lien against said property.

Section 5. That section one thousand and five of said act, which reads as follows:—

Section 1005, cited for amendment

“Section 1005. The board of township commissioners of any township of the first class may ordain and establish sidewalks within the lines of any principal street or highway in the township, along either one or both sides thereof, leading directly to or connecting cities, boroughs, villages, or places of public resort, for such distance as the board of township commissioners may deem proper, and may provide for the grading and curbing of the same. In case the street or highway is a turnpike or other road managed and controlled by a corporation incorporated under the laws of this Commonwealth, the written consent of the corporation shall first be obtained,” is hereby amended to read as follows:—

A side roads or highways leading to cities, etc.

Section 1005. The board of township commissioners of any township of the first class may ordain and establish sidewalks within the lines of any principal street or highway in the township, along either one or both sides thereof, leading directly to or connecting

cities, boroughs, villages, or places of public resort, for such distance as the board of township commissioners may deem proper, and may provide for the grading and curbing of the same. In case the street or highway is a turnpike or other road managed and controlled by a corporation incorporated under the laws of this Commonwealth, or a *State highway*, or a *county road*, the written consent of the corporation *managing and controlling the same*, the *State Highway Commissioner*, or the *county commissioners*, as the case may be, shall first be obtained.

APPROVED—The 20th day of May, A. D. 1921.

WM. C. SPROUL.

No. 341.

AN ACT

To amend section ten hundred and eleven of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto."

Section 1. Be enacted, &c., That section ten hundred and eleven of an act, approved the fourteenth day of July, one thousand nine hundred and seventeen (Pamphlet Laws, eight hundred and forty), entitled "An act concerning townships; and revising, amending, and consolidating the law relating thereto," which reads as follows:—

Townships of the first class.

Sidewalks.

"Section 1011. The board of township commissioners may charge to the owners of the properties abutting on such sidewalk, according to frontage, such part of the expense of the construction thereof, including grading and curbing, as they deem reasonable. Such part of the expense shall in no case exceed fifty per centum of the total cost of the construction of the sidewalk. The remainder of the expense of the construction of the sidewalk shall be paid out of the township funds," be, and the same is hereby, amended so as to read as follows:—

Section 1011, act of July 14, 1917 (P. L. 840), cited for amendment.

Section 1011. The board of township commissioners may charge to the owners of the properties abutting on such sidewalk, according to frontage, such part of the expense of the construction thereof, including grading and curbing, as they deem reasonable. Such part of the expense shall in no case exceed fifty per centum of the total cost of the construction of the sidewalk, *except in the case of such sidewalks as are ordained and established along either one or both sides of any principal street or highway of the said township leading directly to or connecting cities, boroughs, or villages, where the distance between said connecting*

Charge to abutting owners.

Highways leading to cities or towns.