

ORDINANCE NO. 760

AN ORDINANCE OF THE BOROUGH OF MONROEVILLE REQUIRING A CASH BOND, FOR THE PROTECTION OF STREET PAVING, CURBING, SIDEWALKS AND STREET TREES AS A PREREQUISITE TO THE ISSUANCE OF A BUILDING PERMIT.

BE IT ORDAINED and enacted by the Borough of Monroeville, in Council assembled, as follows:

Section 1. Amount

Prior to the issuance of a building permit for a structure fronting on a public street, the builder shall deposit with the Borough of Monroeville a cash bond in the amount of Five Hundred (\$500.00) Dollars.

Section 2. Purpose

The cash bond shall cover the costs of reconstructing any street pavement, curbing or sidewalks or replanting any street tree damaged during construction under the issued building permit.

Section 3. Repairs

- A. The builder shall be responsible for repairing all damaged portions of the street pavement, curbing, and sidewalks, and replacing street trees as they abut the property under construction, or other areas, not directly abutting the property under construction, if damages can be directly attributed to the builder.
- B. In the absence of a request by the builder for an inspection prior to construction, all damaged pavement, curbing, sidewalks and street trees abutting the property shall be judged the responsibility of the instant builder.
- C. The builder shall make repairs to the damaged street pavement, curbing and/or sidewalks, in a manner, and with materials, complying with the specifications of the Public Works Department. Damaged street trees shall be replaced as originally approved by the Shade Tree Commission.
- D. Failure to reconstruct any damaged street pavement, curbing and/or sidewalks or re-

place damaged street trees, shall result in the Borough of Monroeville Public Works Dept. making the repairs and/or replacement or contracting the same.

Section 4. Refunds Following Completion of Construction

- A. Upon certification of the Planning Department that no damage has been done to street pavement, curbing and/or sidewalks during the course of construction the full amount of the bond shall be refunded to the builder.
- B. If damage has been done, the full amount of the bond shall be refunded upon certification of the Public Works Department that all repairs have been made to the Department's specifications, or in the case of Street Trees, upon proper certification of the Planning Department.
- C. If damages have not been corrected within thirty (30) days following the completion of construction, the necessary repairs and replacements shall be completed by the Borough of Monroeville or contracted by them and the amount of the cost of the repairs plus 10% shall be deducted from the bond refund to the builder.

Section 5. Definitions

- A. Builder shall be the person or organization listed as contractor on the building permit application.
- B. The Bond agreement shall be on forms supplied by the Borough Solicitor, and shall be on file in the Planning Department.
- C. Cash Bond shall be Five Hundred Dollars (\$500.00) in currency, or a line of credit as approved by the Borough Solicitor.
- D. Structure shall be the erection of a new structure whose cost of construction is in excess of Twenty-five Hundred (\$2500.00) Dollars.
- E. Completion of Construction shall be when an Occupancy Certificate is issued.

Section 6. Applicability

The Cash Bond shall not be required when:

- A. A building permit is issued on a street which has not been accepted by the Council of the Borough of Monroeville;
- B. An accepted public street has not had any of the required improvements installed, including: final top course of paving, curbing, sidewalks, and street trees (excluding base course and binder).

ORDAINED in Council this 10th day of August, 1971 .

ATTEST:

BOROUGH OF MONROEVILLE

S/ Carrol F. Pickens
Secretary

By S/ George C. Dale
President of Council

(SEAL)

S/ John J. Duncan
Mayor

Entered in Legal Book August 25, 1971 .