

Council of the City of York, PA  
Session 2016  
Bill No.  
Ordinance No.

INTRODUCED BY: **Henry Hay Nixon**

DATE: **November 1, 2016**

**AN ORDINANCE**

Amending Article 753 “Streets and Sidewalks” of the Codified Ordinances of the City of York, Pennsylvania, to establish subsection 753.05 “Construction Closures of Sidewalks” and establish permit requirements thereto.

**WHEREAS**, the City of York, Pennsylvania has adopted Article 753 Streets and Sidewalks, establishing certain requirements and responsibilities regarding streets and sidewalks: and

**WHEREAS**, it is necessary from time to time for a property owner or developer to block, restrict or close a sidewalk during construction or redevelopment; and

**WHEREAS**, such closings, could have a negative impact on vehicular and pedestrian traffic and the public safety; and

**WHEREAS**, the City of York has determined that in order to protect public safety and to ensure traffic safety and safe passage of pedestrians it is necessary to regulate such activities;

**NOW, THEREFORE, BE IT ORDAINED**, that the Council of the City of York, Pennsylvania hereby amends Article 753 “Streets and Sidewalks” to add subsection 753.05 CONSTRUCTION CLOSURES OF SIDEWALKS as follows:

**753.05 CONSTRUCTION CLOSURES OF SIDEWALKS**

**(a) No person, firm or corporation shall block, restrict or close any public or sidewalk for the purposes of conducting construction or redevelopment activities without first having been issued a Sidewalk Closure Permit by the Bureau of Permits, Planning and Zoning.**

**(b) An applicant for a Sidewalk Closure Permit shall complete an application provided by the Bureau of Permits, Planning and Zoning and pay such fee as is established from time to time by resolution of Council.**

**(c) All persons, firms, or corporations that have been issued a Sidewalk Closure Permit shall abide by all rules, limitations and or restrictions that are promulgated from time to time by the City of York to protect the public safety and limit the disruption of pedestrian traffic.**

**(d) An application for a Sidewalk Closure Permit shall not be approved unless the applicant can demonstrate that such closure is critical to the project and no other options are available. In no case shall such closure be permitted solely for contractor parking.**

**(e) In all cases where there is a danger to pedestrians from overhead construction a covered pedestrian walkway that complies with the requirements of the currently adopted Building Code shall be constructed.**

**(f) A Sidewalk Closure Permit shall not be issued for a period exceeding ninety (90) days. The permittee may, with thirty (30) days prior notice, be granted an additional ninety (90) day extension upon payment of such fee as is established from time to time by resolution of Council. Such extension shall be approved by the Traffic Safety Committee, the Director of Public Works, the Police Chief and Fire Chief.**

**(g) Sidewalk closures in excess of one hundred eighty (180) days shall not be permitted. Covered pedestrian walkways that comply with the current Building Code requirements shall be provided for work that exceeds one-hundred eighty (180) days.**

**(h) The Bureau of Permits, Planning and Zoning shall not issue a permit without the advice and consent of the Traffic Safety Committee and/or the Director of Public Works, the Police Chief and Fire Chief.**

**(i) Whoever violates any provision of this section shall, upon conviction, be fined not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof shall be imprisoned not more than thirty (30) days.**

This ordinance shall become effective twenty-days after approval by the Mayor.

PASSED FINALLY:

BY THE FOLLOWING VOTE:

YEAS: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

NAYS: \_\_\_\_\_.

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
Dianna L. Thompson-Mitchell, City Clerk

Presented to the Mayor for approval this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

APPROVED: \_\_\_\_\_  
Mayor Date

VETOED: \_\_\_\_\_  
Mayor Date