

ORDINANCE NO. 120

AN ORDINANCE GIVING AUTHORITY TO THE DEPARTMENT OF HIGHWAYS, COMMONWEALTH OF PENNSYLVANIA, TO ISSUE PERMITS FOR THE OPENING OR TEARING UP OF ALL STREETS WHICH ARE CONTINUATIONS OF STATE HIGHWAY ROUTES IN THE BOROUGH OF SOUTHMONT; PROVIDING THAT FEES FOR SUCH PERMITS SHALL BE PAID TO THE SAID DEPARTMENT OF HIGHWAYS; AND PROVIDING PENALTIES FOR THE OPENING OR TEARING UP OF STREETS WITHOUT SUCH PERMIT.

Section 1. Be it enacted and ordained by the Borough Council of the Borough of Southmont in regular meeting assembled and it is hereby enacted and ordained by authority of the same, that from and after the passage of this ordinance, the Department of Highways of the Commonwealth of Pennsylvania, shall be, and the said Department hereby is given exclusive authority to grant all permits for the opening or tearing up of any part of the improved surface of those certain borough streets, or parts thereof, which are continuations of State Highway routes in the Borough, and for the maintenance of which the Department of Highways is by law responsible.

Section 2. Fees for the granting of such permits may be charged by the Department of Highways of the Commonwealth of Pennsylvania, according to the standard schedule of fees which may from time to time be adopted.

Section 3. Any person, firm or corporation opening or tearing up the improved surface of any of the aforesaid streets, or causing or allowing the same to be done for him, them or it without having first obtained a permit from the Department of Highways of the Commonwealth of Pennsylvania, shall be, upon conviction before a magistrate be sentenced to pay a fine of not more than Twenty-five (25.00) Dollars and, in addition thereto, the costs of prosecution and the surface restoration costs, and in default thereof, such person, or persons, or the executive officer of such corporation, shall undergo imprisonment for not more than five days,

Section 4. All fines and restoration charges collected for the violation of this ordinance shall be paid into the State Treasury as provided by law.

Section 5. This ordinance shall be effective immediately upon its approval as provided by law.

Section 6. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Enacted into an ordinance and passed at a session of Council of the Borough of Southmont held this 11th day of Dec., 1939.

Attest:  
Herbert Munzer  
Secretary

H.C. Mansell  
President of Council

Approved Dec. 11, 1939.

Lyman B. Angus  
Burgess

Published in Johnstown Tribune, Dec. 14, 1939 and posted in 12 public places on Dec. 16, 1939.