

BOROUGH OF SOUTHMONT

ORDINANCE NO 311

AN ORDINANCE

VACATING THAT PORTION OF CELESTE DRIVE, AS SHOWN ON THE NINO CONTRONEO PLAN OF LOTS, WHICH IS COUNDED ON BOTH SIDES BY THE LAND OF J & B PARTNERSHIP AND BY THE LAND OF J & B PARTNERSHIP, PETER, W. CHIDO, SOUIS SPERANZA, JR., AND VANCE KOVACH: ALSO VACATING THAT PORTION OF VAN-GUILDER STREET, AS SHOWN ON THE SHADY LANE PLAN OF LOTS WHICH PLAN IS OF RECORD IN PLAT BOOK VOL. 3, PAGE 10, WHICH IS BOUNDED ON BOTH SIDES BY THE OWNERS STATED ABOVE.

Section 1. An ordinance of the Borough Council of the Borough of Southmont vacating those portions of Celeste Drive and Van-guilder Streets that lie within the parcels described as follows:

PARCEL I

ALL that certain lot or piece of ground situate, lying and being in the Borough of Southmont, County of Cambria, and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the westerly side of State Highway Route 11011 Sput, also known as Menoher Boulevard, said point of beginning being 297.30 feet from the intersection of the southerly side of Celeste Drive with the westerly side of Menoher Boulevard; thence along the westerly side of the said Menoher Boulevard South  $40^{\circ} 49'$  East a distance of 115 feet to a point; thence South  $49^{\circ} 11'$  West a distance of 230.79 feet; thence North  $37^{\circ} 58'$  West a distance of 115.24 feet to a point; thence North  $49^{\circ} 11'$  East a distance of 225.07 feet to a point on the westerly side of Menoher Boulevard, being the point of beginning, containing 0.60 acres as set forth on the plan prepared by Peter Chiodo, R.E. for Fairmont Corporation, dated February 12, 1980.

PARCEL II

ALL that certain lot or piece of ground situate, lying and being in the Borough of Southmont, County of Cambria and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the westerly side of State Highway Route 11011 Spur, also known as Menoher Boulevard, said point of geginning being 412.30 feet from the intersection of the southerly side of Celeste Drive with the westerly side of Menoher Boulevard; thence along the westerly side of the said Menoher Boulevard South  $40^{\circ} 49'$  East a distance of 235 feet to a point; thence along the lands of Zucco Realty Company South  $49^{\circ} 11'$  West a distance of 242.49 feet; thence wtilly by the lands of Zucco Realty Company and by the lands of others North  $37^{\circ} 58'$  West a distance of 235.29 feet to a point; thence North  $49^{\circ} 11'$  East a distance of 230.79 feet to a point on the westerly side of Menoher Boulevard, being the point of beginning, containing 1.27 acres, as set forth on the plan prepared by Peter W. Chiodo, R. E., for Fairmont Corporation, dated February 12, 1980.

As it is in the best interest of the residents of the Borough of Southmont, Cambria County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same that those portions of Celeste Drive and Van Guilder Street lying within the above described parcels be vacated as public streets within the Borough of Southmont.

Section 2. That the rights of way for all necessary and convenient sewers, water lines, gas lines, power and telephone lines, not installed or that it may hereafter be necessary to install in said Celeste Drive hereinabove vacated, with the free and unrestricted right of ingress, egress and regress at all times for construction, maintaining and making the necessary repairs and extensions from time to time without any liabilities to the Borough shall be reserved, and the same hereby are reserved by the Borough of Southmont.

SECTION 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance shall be and the same hereby are repealed.

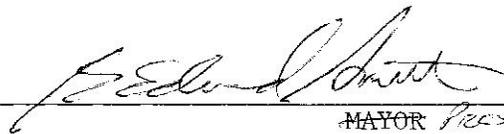
This Ordinance shall become effective thirty days after passage.

PASSED FINALLY IN COUNCIL this 19th day of May, A.D. 1981. by the following vote:

Yeas: 6 One absent, William Askey

Nays: None

APPROVE:

  
MAYOR President

VETO:

  
MAYOR

BOROUGH OF SOUTHMONT

ORDINANCE NO. 312

AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH BUILDING PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE BOROUGH OF SOUTHMONT, WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL, OR REFUSE TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

BE IT ENACTED AND ORDAINED by the Borough of Southmont, Cambria County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

ARTICLE I GENERAL PROVISIONS

Section 1.00 Intent

The intent of this Ordinance is to:

- A. Promote the general health, welfare, and safety of the community.
- B. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
- C. Minimize danger to public health by protecting water supply and natural drainage.
- D. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.

Section 1.01 Applicability

- A. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the Borough unless a Building Permit has been obtained from the Building Permit Officer.
- B. A Building Permit shall not be required for minor repairs to existing buildings or structures.