

COUNCIL BILL NO. 1808

INTRODUCED BY JOHN D. MICKSORDINANCE NO. 1715**AN ORDINANCE**

FOR THE GRADING, DRAINAGE, CURBING, AND PAVING OF THE FOLLOWING: PATTERSON AVENUE FROM HOSPITAL AVENUE TO RUMBARGER AVENUE, A DISTANCE OF APPROXIMATELY 420 FEET WITH A UNIFORM WIDTH OF 18 FEET; AND DIRECTING THE PREPARATION OF PLANS, SPECIFICATIONS, ADVERTISING, LETTING OF CONTRACTS AND PROVIDING FOR THE METHOD OF PAYMENT OF SAID IMPROVEMENTS.

WHEREAS, under and by virtue of authority granted under and by the Act of June 23, 1931, P.L. 932 and its amendments and supplements of the Commonwealth of Pennsylvania, DuBois City Council, by affirmative vote of at least four of its five members, did order and declare that said Patterson Avenue be graded, paved and curbed as set forth above. The same to be paid by the City of DuBois and the owners or reputed owners of said properties abutting on said Patterson Avenue, according to an Agreement proposed by the owners of properties abutting on Patterson Avenue and accepted by the Council of the City of DuBois at a public meeting held July 9, 2007, whereby the total cost will be divided into eleven (11) shares, with the City of DuBois paying one (1) share of the total cost and each of the ten (10) property owners paying one (1) share of the total cost thereof.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the City of DuBois, in Council assembled, and it is hereby enacted and ordained by the authority of the same, as follows:

SECTION 1. That Patterson Avenue from Hospital Avenue to Rumbarger Avenue for a distance of approximately 420 lineal feet with a uniform width of 18 feet to be graded, drained, curbed and paved according to specifications required by the City Engineer, subject to the approval of Council; and at the expense of the City of DuBois and the owners or reputed owners of properties abutting thereon, the cost thereof to be assessed according to the Agreement accepted July 9, 2007, as described above. The City Engineer and Director of Public Improvements is hereby authorized and directed to prepare plans and specifications for said work and to advertise for labor and materials for the said grading, drainage, curbing and paving of Patterson Avenue.

SECTION 2. Be it further enacted, that the cost of said improvements shall be assessed according to the Agreement proposed by the property owners and accepted by the City of DuBois on July 9, 2007, and the same shall be paid within ten (10) years from the date of said assessment by the payment of equal semi-annual installments, with interest at the rate of six percent (6%) per annum on all unpaid balances thereof. Said installments shall be payable at the Office of the City Treasurer of the City of DuBois and shall be secured by liens to be entered against the said properties, if the said assessment shall not be paid within the six (6) months from the date of completion of said improvements. In the event of the default of payment of any semi-annual payment thereon, for the period of sixty (60) days after the same shall become due and payable, the entire assessment with interest shall become due and payable and the City shall proceed to collect the same under the provisions of the laws creating and regulating municipal liens and proceeding thereon, all as provided by the laws of the Commonwealth of Pennsylvania, in respect to Third Class Cities enacted June 23, 1931, P.L. 932 and its amendments and supplements.

SECTION 3. All Ordinances or parts of Ordinances inconsistent herewith, be and the same are hereby repealed.

ATTEST:

Frances L. Lira
City Secretary

By John S. Spleen
Mayor and President of Council

PASSED BY COUNCIL:

7/23/07