

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~
~~City~~ of Wellsville
~~Town~~
~~Village~~
Local Law No. 1 of the year 19 89

A local law regarding sidewalk maintenance, inspection, work and material requirements
(Insert title)
and enforcement

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ of Wellsville as follows:
~~Town~~
~~Village~~

ARTICLE I - SIDEWALK MAINTENANCE

SECTION I. Duty to Repair Sidewalks:

The owner of any premises shall keep the sidewalks on or running along the street ROW in reasonably good and safe repair for users thereof, and shall be responsible for all necessary preventive and corrective maintenance to accomplish such result.

SECTION II. Conditions that may constitute defective sidewalks: A defective sidewalk that is not in accordance with the standards set forth in Section I above shall mean any sidewalk which has any or all of the following conditions:

- a) Unacceptable quality of sidewalk surface, including but not limited to holes, depressions, breaks, or protrusions,
- b) Ridges or gaps between adjoining sidewalk blocks,
- c) Differences in elevation of the surface or of adjoining sidewalk blocks,
- d) Peeling or crumbling of the surface of the sidewalk,
- e) Tilting of sidewalk or sidewalk blocks except in the case of handicap ramps, driveway approaches or other similar situations.
- f) Missing portions of surface.

The above shall be applicable regardless of the type of sidewalk that exists, whether or not flagstone, brick, concrete, blacktop or any other material.

All defective sidewalks within the terms stated above are hereby declared to be a public nuisance.

(If additional space is needed, please attach sheets of the same size as this and number each)

SECTION I

The Director of Public Works or his designated agent shall have jurisdiction for the purpose of ordering the repair of a defective sidewalk and for taking remedial action towards making the surface in good repair.

SECTION II Upon receipt of information that a sidewalk may be defective, the Director shall make an inspection of the sidewalk and file a report in his office.

SECTION III If the report shall confirm the existence of a defective sidewalk as defined in this Local Law, the Director shall cause a notice to be served upon the owner or his executor, legal representative, or agent, either personally or by first class prepaid mail, addressed to the last known address or the owner or other person mentioned herein as said address is shown on the records of the assessor for the Village of Wellsville.

SECTION IV Contents of the Notice; the notice shall contain the following:

- a) Description of the premises upon which the sidewalk is located,
- b) The statement of the particulars in which the sidewalk is defective,
- c) A designation of the area in which repair or replacement is to be made,
- d) An order that the repair or correction of the defective portion of the sidewalk shall commence within thirty (30) days of personal service or within thirty-four (34) days of service by mailing,
- e) A date, time and place for a hearing before the Village Board in relation to such defective sidewalk which hearing shall be scheduled not less than five (5) business days from the date of personal service or the mailing of the written notice.
- f) A statement that in the event of neglect or refusal to comply with the order to repair or replace the defective sidewalk, the Village Board is authorized to provide that the sidewalk be secured and repaired and that all expenses thereof assessed against the land in which the sidewalk is located and to collect the costs of repairing or replacing the sidewalk including related necessary or incidental expenses.

SECTION V The Director may extend time requirements for cause and in writing and upon reasonable terms and conditions.

ARTICLE III - WORK AND MATERIAL REQUIREMENTS

SECTION I.

The property owner/contractor is responsible for the quality of the finished sidewalk. A representative of the Department of Public Works will inspect the project from time to time and may require the owner to remove and replace new construction that does not meet construction standards as set forth below and as may be modified from time to time.

SECTION II Before engaging upon sidewalk repair or construction, the contractor, on behalf of the owner must first obtain a permit from the Director of Public Works or his designated agent. The applications shall be furnished by the Director.

SECTION III Fees: At the time of making application to the Village for a permit to construct or repair a sidewalk, the owner or contractor shall pay to the Village a permit fee in such amount as the Board of Trustees may from time to time determine.

SECTION IV No permit shall be issued to a contractor until he has filed with the Village Clerk a certificate showing that he carries workmen's compensation for all of his employees together with such other insurance as the Director may by rule or regulation require.

SECTION V No person shall repair or reconstruct a sidewalk unless the same shall be in accordance with the grade established and obtained from the Village Department of Public Works.

SECTION VI All replacement sidewalks shall be made of concrete.

SECTION VII. SPECIFICATIONS FOR THE FOLLOWING PERMITS SHALL BE SUBJECT to or performed in accordance with rules and regulations established by the Director of Public Works who shall prepare the same and promptly file them in the Office of the Village Clerk:

- a) Minimum dimensions of width and depth of sidewalk blocks in residential and business areas,
- b) Excavation and sub-base requirement,
- c) Forming and reinforcement,
- d) Concrete mixture specifications,
- e) Fine and coarse aggregate specifications,
- f) Water quality,
- g) Mixing of concrete ingredients,
- h) Joints,
- i) Finishing,
- j) Protection of wet concrete,
- k) Construction safeguards,
- l) Any other matter or item that the Director deems necessary, appropriate, or desirable.

SECTION VIII A copy of any permit issued in accordance with this Local Law in the possession of the persons actually doing the work shall be available for inspection by the Director of Public Works or his representatives.

ARTICLE IV - ENFORCEMENT

SECTION I It shall be unlawful for any person, whether or not interested in the property affected by this Local Law to hinder or obstruct the Department of Public Works or any person acting on his behalf and including any contractor not performing the work in this Local Law.

SECTION II Sidewalk repair or replacement work performed by the Village because of the neglect, refusal or other failure of the owner to agree to the work shall make such work ineligible for any Village sidewalk repair or construction reimbursement plan.

SECTION III Any person or persons violating any provisions of this Local Law shall be subject to a penalty, such fine not to exceed two hundred fifty dollars (\$250) or a sentence of imprisonment not to exceed 14 days or both such fine and imprisonment. Such penalties may be in addition to any other remedies or actions that may be taken by the Village either as provided herein or as may otherwise be permitted by law.

SECTION IV The Village shall be reimbursed for the cost of the work performed or services rendered as provided in this chapter by assessment against and collection from the lots or parcels of land where such work was performed or services rendered for so much of the actual and complete cost as incurred upon and from each lot or lots, in the manner provided for the assessment of the cost of public improvements by applicable law, together with appropriate interest.

ARTICLE V - EFFECTIVE DATE

This local law shall take effect immediately upon its filing with the Secretary of the State of New York.

Adopted 6-26-89

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County
City of Wellsville
Town
Village
Local Law No. 1 of the year 19 89

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Be it enacted by the Board of Trustees of the (Name of Legislative Body)

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SECTION IV No permit shall be issued to a contractor until he has filed with the Village Clerk a certificate showing that he carries workmen's compensation for all of his employees together with such other insurance as the Director may by rule or regulation require.

SECTION V No person shall repair or reconstruct a sidewalk unless the same shall be in accordance with the grade established and obtained from the Village Department of Public Works.

SECTION VI All replacement sidewalks shall be made of concrete.

SECTION VII Specifications for the following items shall be subject to or performed in accordance with rules and regulations established by the Director of Public Works who shall prepare the same and promptly file them in the Office of the Village Clerk:

- a) Minimum dimensions of width and depth of sidewalk blocks in residential and business areas,
- b) Excavation and sub-base requirement,
- c) Forming and reinforcement,
- d) Concrete mixture specifications,
- e) Fine and coarse aggregate specifications,
- f) Water quality,
- g) Mixing of concrete ingredients,
- h) Joints,
- i) Finishing,
- j) Protection of wet concrete,
- k) Construction safeguards,
- l) Any other matter or item that the Director deems necessary, appropriate, or desirable.

SECTION VIII A copy of any permit issued in accordance with this Local Law in the possession of the persons actually doing the work shall be available for inspection by the Director of Public Works or his representatives.

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SECTION II Sidewalk repair or replacement work performed by the Village because of the neglect, refusal or other failure of the owner to agree to the work shall make such work ineligible for any Village sidewalk repair or construction reimbursement plan.

SECTION III Any person or persons violating any provisions of this Local Law shall be subject to a penalty, such fine not to exceed two hundred fifty dollars (\$250) or a sentence of imprisonment not to exceed 14 days or both such fine and imprisonment. Such penalties may be in addition to any other remedies or actions that may be taken by the Village either as provided herein or as may otherwise be permitted by law.

SECTION IV The Village shall be reimbursed for the cost of the work performed or services rendered as provided in this chapter by assessment against and collection from the lots or parcels of land where such work was performed or services rendered for so much of the actual and complete cost as incurred upon and from each lot or lots, in the manner provided for the assessment of the cost of public improvements by applicable law, together with appropriate interest.

ARTICLE V - EFFECTIVE DATE

This local law shall take effect immediately upon its filing with the Secretary of the State of New York.

Revised

(Use this form to file a local law with the Secretary of State.)

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County
City
Town of
Village

WELLSVILLE

Local Law No. 6 of the year 1994

A local law REGARDING STREETS AND SIDEWALKS AMENDMENTS

Be it enacted by the BOARD OF TRUSTEES of the

County
City
Town of
Village

WELLSVILLE

as follows:

AMENDMENTS TO LOCAL LAW 1 OF 1989

ARTICLE II-SECTION IV paragraph (e) is hereby eliminated.

ARTICLE III-SECTION IV No permit shall be issued to a contractor until he has filed with the Director of Public Works a certificate showing that he carries worker's compensation for all employees together with such other insurance as the Director may be rule or regulation required.

ARTICLE III SECTION VI

1. All new and replacement sidewalks shall be of concrete with the following exceptions:

a. Existing asphalt sidewalks may be replaced with asphalt. The property owner may replace an asphalt sidewalk with concrete if desired.

b. A concrete sidewalk will not be required to cross a driveway that has an asphalt surface which extends from the edge of the street to the interior of the property. However, the line and grade of the projected sidewalk line across the driveway shall be approved by the Department of Public Works prior to paving.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

c. Decorative sidewalks made of bricks or similar products may be acceptable. A special request with details shall be provided to the Director for review and approval. Public safety and useful life will be the prime criteria.

2. Concrete sidewalks shall be installed per the following requirements:

a. The base shall consist of a minimum of 6" of tamped bank run or washed gravel, depending on native soil conditions. (should be well drained).

b. Concrete shall have a strength of 3500 PSI in 28 days.

c. Maximum slump of concrete shall be 4".

d. Concrete shall have 6% (+-1%) entrained air.

e. The concrete shall be placed four (4) inches thick except that at driveways and other areas that will have vehicular traffic, it shall be depressed as necessary to provide a smooth transition between the sidewalk and driveway.

f. The contractor shall not pour any concrete when the temperature either is, or is expected to be less than 40 degrees F before the concrete has completely cured.

g. Wire fabric reinforcing shall be installed in all areas. 6" x 6" -6 gauge shall be installed in all areas. Fiberglass mesh shall not be used in replacement of steel reinforcing.

h. The concrete shall be struck off and finished with a find broom finish.

i. After the final finish and prior to the sidewalk taking its initial set, the edges of the sidewalk along each side of the individual slabs, and on each side of the traverse expansion and saw joints shall be worked with an approved tool having a 1/4" radius. A well defined and continuous radius shall be produced and a smooth, dense mortar finish shall be obtained.

j. The contractor shall begin curing the concrete as soon as it has been placed and is sufficiently hardened. Membrane curing shall be by application of a sealing compound which forms a water retaining membrane on the surface of the concrete. The sealing compound shall be clear or translucent.

k. The concrete is to have the required normal finish prior to application of the curing compound. The contractor shall apply curing compound to all unformed surfaces immediately after finished operations have been completed and the surface film of water has disappeared.

AMENDMENTS TO LOCAL LAW ADOPTED 05/25/36

ARTICLE III-SECTION 30.3.1 Depositing on Streets

No person, firm or corporation shall deposit, throw, place or strew, nor shall any person, firm or corporation cause to be deposited, thrown, placed on strewn, any snow, ice, dirt or other obstruction upon any street, avenue, roadway within the Village of Wellsville.

ARTICLE III-SECTION 30.4 Violations and penalties

Article III Section 30.4 of the Local Law adopted 05/25/36 is hereby amended to read as follows:

Any person, firm or corporation violating any of the provisions of this local law shall be liable to a penalty of not more than two hundred and fifty dollars (\$250.00) for each offense, and to a further penalty of fifty dollars (\$50.00) for each twenty-four (24) hours that such street, avenue, roadway, sidewalk, crosswalk or other public place or portion thereof shall continue to be so obstructed.

This local law shall take effect immediately upon filing with the Secretary of State.

5116.14 R

MEMO TO: Mayor Gardner
FROM: Don MacFarquhar
DATE: March 6, 1989
SUBJECT: Concrete Spec for Sidewalk

Thickness - 4 inches, 6 inches under driveways or other vehicle crossings. More might be required for very heavy vehicles. Review on a case by case basis.

Continuous mesh reinforcement - 6 x 6 x 6 ga.

3500 psi concrete (6 bags of cement/cubic yard of concrete)

Air entrained - 6% (L.C. Whitford concrete comes air entrained unless otherwise requested)

Maximum slump - 4 inches

sawn joints filled w/mastic, maximum spacing 8 feet

6 to 12 inches of tamped bank run or washed gravel depending on native soil conditions.

Heaving is caused by frost in the base. This can be eliminated by requiring a well drained material such as gravel or washed stone be installed in place of native base material. Cost is increased.

Mayor Gardner

Page -2-

Continuous mesh reinforcement and sawn, rather than full joints will also reduce the possibility of differential heaving. Cost is increased.

Surface failure of concrete, called spalling (not spalding who is a manufacturer of baseballs) is mostly caused by the application of salt and calcium chloride for snow and ice control. This can be largely eliminated by using air entrained concrete at no additional cost. Concrete should also be sealed and you should not use salt or cacl on it until it is at least one year old. Cost unchanged but some education required.

Finally a maximum 4 inch slump should be allowed. This will be very difficult to control without an inspector on the job. Water weakens concrete and no more should be added than needed to make the concrete workable. A persons definition of workable loosens up considerably after he has shoveled the stuff for a couple of hours and it is the natural tendency of anybody except a complete masochist to add more water than is good for the concrete quality. Inspection required, cost will be increased.

Incidentally for some years the Village has conformed to the suggested spec in all our own work.



ively large areas. This ability of concrete to distribute heavy loads makes it unnecessary to build up subgrade strength with thick layers of crushed stone or gravel. Therefore, economical concrete pavements that will give good performance can be built on most in-place soils.*

The subgrade soils should be of uniform material and density to provide for satisfactory pavement performance. Soft spots that show up during construction should be excavated and re-compacted with the same type of material as found in the adjacent subgrade. Uniform support cannot be obtained merely by dumping extra granular material on the soft spot.

With a reasonably uniform subgrade, excessive shrink and swell of expansive soils are prevented by adequate moisture and density controls during compaction. The compaction of expansive soils at not less than optimum moisture as determined by the AASHO standard method will effectively control shrinking and swelling in areas with extensive periods of dry weather, providing the subgrade is not allowed to dry before the pavement is constructed. It will also prevent detrimental frost action in northern climates. Special care must be taken in compacting the backfill of sewers, drainage facilities, and other permanent structures in the paved area.

While subbases beneath concrete pavements are not required for most city streets, pavements in the expressway or major arterial classifications that carry large numbers of heavy trucks may require subbases to prevent mud-pumping of fine-grained soils. When subbases are required, they should be constructed with the same care used in the design and placing of the concrete pavement.

The supporting power of the subgrade is expressed as values of k , the modulus of subgrade reaction, and may be determined from plate bearing tests or by correlation with other soils of known k -values.** For city street design the following k -values can generally be used.

k	Type of soil	Remarks
100	Silts and clays	Satisfactory
200	Sandy soils	Good
300	Sand-gravels	Excellent

*Detailed information on materials, designs, and compaction requirements is contained in *Subgrades, Subbases and Shoulders for Concrete Pavement*, available free in the United States and Canada from the Portland Cement Association.

**For those engineers familiar with the California Bearing Ratio method (CBR) a comparison curve is shown in Appendix B

More detailed information on subgrade soils can be obtained from the *PCA Soil Primer*.†

CONCRETE QUALITY

Concrete paving mixes are designed (1) to give satisfactory durability for conditions under which the pavement is to serve, and (2) to produce concrete having a desired flexural strength.

Since the critical stresses in concrete pavements are flexural rather than compressive, the flexural strength of concrete, expressed as modulus of rupture (MR), is used in concrete pavement design. Under average conditions concrete that has a modulus of rupture (ASTM C78, third-point loading) of 550 to 700 psi at 28 days will be found most economical.

In frost-affected areas, concrete pavements are subjected to many cycles of freezing and thawing and to the application of de-icing salts. To protect concrete pavements against the action caused by these agents it is essential to have a mix with a low water-cement ratio, an adequate cement factor, and sufficient quantities of entrained air. The amounts of entrained air needed to produce weather-resistant concrete vary with the maximum size aggregate.†† Recommended percentages of entrained air are:

Maximum size aggregate, in.	Entrained air, per cent
1½, 2, 2½	5 ± 1
¾, 1	6 ± 1
¾, ½	7½ ± 1

In addition to making the hardened concrete pavement weather-resistant, the recommended percentages of entrained air improve the concrete while it is still in a plastic state by:

1. preventing segregation,
2. increasing workability,
3. reducing bleeding, and
4. reducing the amount of water required for satisfactory workability.

Because of these beneficial and essential effects in both the plastic and hardened concrete, entrained air should be incorporated into mix designs for all concrete pavements.

The amount of mixing water also has a critical influence on the durability and weather resistance of hardened concrete. The least amount of mixing water with a given cement content that will produce a plastic, workable mix will result in the

†Available free in the United States and Canada from the Portland Cement Association.

††Generally, maximum size aggregate should not exceed one-fourth the pavement thickness.

durability in the hardened concrete. The slump, as measured in a standard slump cone, should not exceed 4 in. for hand-finish concrete or 6 in. for machine-finish concrete. Laboratory and field experience with air-entrained concrete shows that for satisfactory pavement durability the water-cement ratio should not exceed 6.0 gal. of water per 94-lb. bag of cement. The cement factor should be not less than 5.5 bags per cubic yard. In areas where severe frost and de-icing agents are common the water-cement ratio should not exceed 5.5 gal. of water with a minimum cement factor of 6 bags per cubic yard.

An information sheet on the *Design of Concrete Paving Mixtures* is available free in the United States and Canada on request to the Portland Cement Association.

JOINTING

Except for construction joints, which divide paving work into convenient increments, joints are used in concrete pavements to keep stresses within safe limits and thereby prevent formation of irregular cracks. Suggested joint details are shown in Fig. 4, Appendix A.

Longitudinal Joints

Longitudinal joints are installed to control longitudinal cracking. These joints are usually spaced to coincide with lane markings, which places them at 8- to 12.5-ft. intervals. Joints should not be spaced at intervals greater than 12.5 ft. unless local experience has shown that they will perform satisfactorily.* The depth of longitudinal dummy joints should be equal to at least one-fourth of the pavement thickness.

Longitudinal joints in highway pavements usually require deformed tie-bars to keep the joints tightly closed. In most integral curb city street pavements the restraint offered by backfill behind the curbs eliminates the need for tying these longitudinal joints.

Transverse Joints

Transverse contraction joints are spaced to control transverse cracking. Contraction joints relieve (1) tensile stresses which occur when the slab contracts, and (2) curling stresses caused by differential temperatures and moisture contents within the slab. Most contraction joints are constructed either by sawing after the concrete has set or by the insertion of a preformed material into the plastic concrete. The selection of the method used

is normally based on the weather conditions expected to prevail during construction, the characteristics of the aggregates, and the economies of the operation. In either case, the depth of the joint for city streets should be equal to one-fourth of the pavement thickness.

Since distributed steel is needed only to hold cracks tightly closed, joint spacings which control cracking eliminate the need for its use. The first step then is to determine the contraction joint spacing that will control cracking. The best guide is experience from streets in service. If local street records are not available, the following table may be used with reasonable assurance of satisfactory crack control.

Type of coarse aggregate	Maximum contraction joint spacing, ft.
Crushed granite	25
Crushed limestone	20
Calcareous gravel	20
Siliceous gravel	15
Gravel smaller than 1/4 in.	15
Slag	15

The need for load transfer devices in transverse contraction joints is dependent on subgrade conditions and service requirements to which the pavement is to be subjected. Dowel bars are not needed in residential pavements or other light traffic streets, but they will usually be required on streets designed to carry more than 200-300 heavy axles per day, unless a cement-treated subbase is provided.

Expansion Joints

Expansion joints are used to relieve compressive stresses by providing space into which slab ends may move if the pavement expands. With properly spaced contraction joints the need for expansion joints will depend largely on prevailing temperatures during construction and expansion characteristics of the coarse aggregate to be used. Laboratory studies, data from experimental jointing projects, and studies of pavements in service have shown that, except at structures and certain intersections, expansion joints are not needed in concrete pavements if:

1. the pavement is built with aggregates that have normal expansion characteristics;
2. the pavement is constructed at normal temperatures;
3. contraction joints are spaced at intervals which will prevent formation of intermediate cracks; or
4. contraction joints are properly maintained to prevent infiltration of incompressible materials.

If the pavement is built during cold weather,

*District offices of the Portland Cement Association will supply relevant performance information and assist in determining suitable joint spacings for individual projects.

STANDARD SPECIFICATIONS FOR STREET OPENINGS

Village of Wellsville

September, 1983

(1) NOTIFICATION:

The following departments shall be notified prior to any street opening in the Village:

1. Wellsville Police Department - Request dispatcher to notify Wellsville Fire Department - 593-5600
2. Village Department of Public Works - 593-1850
3. National Fuel Gas
4. New York Telephone Company

(2) MAINTENANCE AND PROTECTION OF TRAFFIC:

Every effort shall be made to maintain normal traffic flows in the affected area.

Detours, if necessary, shall be approved by the Police Department and Department of Public Works.

Detour signs, barricades, lights, etc., for detours shall be provided by the Village, however, contractor shall be responsible for same until returned.

All street openings shall be protected by fencing or other suitable barricades and flares at night.

(3) PAVEMENT PROTECTION:

The operator of any equipment utilizing hydraulic pads, i.e. backhoes, will protect the adjacent pavement by placing an 18" x 18" piece of 1" plywood or its equivalent under each foot. All openings in pavement shall be cut in a straight line either perpendicular or parallel to the normal flow of traffic with a jackhammer equipped with a spade or with a concrete saw.

(4) EXCAVATION AND BACKFILLING:

Material excavated during the course of a street opening shall be replaced and bank-run gravel which will be furnished by the contractor. He will also be responsible for the removal of the spoil. The bank-run gravel must be compacted in 12 inch lifts to within 24 inches of the road surface, at which point it will be compacted in 6 inch lifts to the surface.

In the event the excavated spoil is gravel, it may be replaced in the excavation upon approval of the Director of Public Works or his representative. The contractor shall be responsible for notifying the Department of Public Works if he feels this provision may apply.

The contractor will be responsible for any ditch settlement until such time as the Village paves same.

(5) SEWER CONNECTIONS:

For connection to sanitary sewers, a saddle will be supplied and installed by the Village. Before placing any backfill the pipes and connections must be inspected by the Department of Public Works. The contractor must notify the Department of Public Works when the work is ready to be inspected.

(6) STREET REPAIR:

The Village will replace the asphalt concrete street surface destroyed during the street opening operations. Blacktop curb removed or damaged will also be replaced by the Village at the expense of the contractor. Any existing concrete curb and gutter or sidewalk will be replaced to original grade or a grade set by the Village Engineer or his representative, by the Contractor at his expense.

A Local Law Regarding Streets and Sidewalks

Adopted 5-25-36

BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WELLSVILLE, NEW YORK AS FOLLOWS:

ARTICLE I

Awnings and Signs

SECTION 30.1 Restrictions.

No awning, awning post, sign, signpost or other fixture shall hereafter be placed or erected across or in any of the streets of this village so as to project wholly or partly over any of the sidewalks or streets therein, or to be placed in proximity thereto, by the owner, lessee or occupant of any store or building; nor shall any persons place or cause to be placed, or hand, or suspend over any of the sidewalks or streets of said village, any goods, wares, merchandise or other thing for sale or exhibition; but nothing herein contained shall prevent the erection of awnings of cloth upon iron frames, so constructed and attached to the building as to be self-supporting, provided such awning in its lowest part shall be at least seven (7) feet above the sidewalk. No wooden or metal awnings, balconies or signs, supported by or attached to buildings and projecting over any sidewalk or street shall be erected without first making an application to the Board of Trustees of the village, such application to contain a clause that the village shall be saved harmless by reason of the erection and maintaining of such awning, balcony or sign and securing from said Board a permit for their erection of such awning, balcony or sign.

ARTICLE II

Building Materials on Streets

SECTION 30.2 Permit required.

The Mayor and Board of Trustees may, when they deem such acts not detrimental to the public, permit building

materials, tools, appliances and supplies to be deposited and left upon the street or sidewalk in front of any lot for the purpose of erecting or repairing any building or structure on said. lot. Provided however, that such permission shall not be given until a bond shall have been filed in the sum of not less than five hundred dollars (\$500.) to be fixed by the Board, with good and sufficient surety to be approved by the Board, conditioned that such material shall not occupy more than one third (1/3) of the street in front of the lot on which such building or structure is to be erected or repaired, and on the side of the street adjacent thereto, for a period of more than ninety (90) days, and that during the time such obstruction shall remain upon such street or sidewalk, it shall be properly guarded with barricades and with red lights at night, and that the Village shall be saved harmless from all damages or claims for damage on account of such obstruction, and such permit may be revoked at any time by the said Board.

ARTICLE III

Obstructing of Streets

SECTION 30.3 Obstruction prohibited.

No person without the permission of the Village Board, shall obstruct or in any manner cause or allow to be obstructed any street, sidewalk, crosswalk or other public place in this village, nor in any way prevent, or interfere with, the free use thereof or any part thereof, for the purposes of public travel.

SECTION 30.4 Violations and penalties.

Any person violating any of the provisions of this Article shall be liable to a penalty of not less than five dollars (\$5.) nor more than ten dollars (\$10.) for each offense, and to a further penalty of five dollars (\$5.) for each twenty-four (24) hours that such street, sidewalk, crosswalk or other public place or portion thereof shall continue to be so obstructed.

ARTICLE IV

Rubbish on Streets

SECTION 30.5 Rubbish prohibited.

No person shall throw, place, dump or in any way deposit any garbage, rubbish and refuse, in any of the streets, avenues, alleys or public places, or in any of the waters of this village.

SECTION 30.6 Violations and penalties.

Any violation of this Article shall subject the person or persons violating the same to a penalty of twenty-five dollars (\$25.) for each offense. And it is further ordained that any violation of this Article shall constitute disorderly conduct.

ARTICLE V

Sidewalk Construction

SECTION 30.7 Permit required.

No owner or occupant of lands adjoining a street shall construct or cause to be constructed a sidewalk of stone, cement, brick or other similar material along the line of such land, for which sidewalk the village would be liable for rebate thereon, without first having obtained from the Village Board a permit.

ARTICLE VI

Sidewalk Maintenance (amended 11/13/68)

SECTION 30.8 Owner's Responsibility.

All owners and occupants of lots abutting on the streets of the Village of Wellsville, New York, are hereby required to keep the sidewalk upon such streets in safe condition for public travel and to repair and remedy all defects therein and are further required to have such sidewalks cleared on snow and ice within twenty-four (24) hours after such snowfall or condition shall have ceased or ice has formed.

SECTION 30.9 Violations and penalties.

Each violation of this Article, except as regards snow and ice, shall subject the offending party to a penalty of ten dollars (\$10.) for each twenty-four (24) hours the said violation continues commencing forty-eight (48) hours after the notice hereinafter referred to is given, and it is further ordained that a violation of this Article shall constitute disorderly conduct. In addition to the foregoing penalty, the Director of Public Works may cause any such sidewalk not in a safe condition for public travel to be repaired after notice in writing has been served upon the owner or occupant of said premises, requiring the same to be repaired within forty-eight (48) hours from the time said notice is so served, and in case of failure to comply, said Director of Public Works may make such repairs and charge the cost thereof to the owner of such property, the amount to be collected from said property owner or assessed against the said premises by and in the name of the Village of Wellsville.

In the case of snow and ice, no such notice is required, and if, within twenty-four (24) hours after the cessation of every fall of snow or the formation of any ice, the owner or occupant of any premises shall fail to clear such sidewalk of snow and ice such owner or occupant shall be in violation of this ordinance and shall be subject to a penalty of ten dollard (\$10.) for each twenty-four (24) hours that the said violation continues. In addition, the village may clear such sidewalks of snow and ice if they are not cleared by the owner or occupant within said period of twenty-four (24) hours and assess the cost thereof against the owner of the abutting property. Such cost, if not paid, shall be assessable against the property as a tax thereon.

SECTION 30.10 Effective date.

It is further resolved that the foregoing take effect immediately and be published and posted as required by law.