

ORDINANCE NO. 2023-282

SUBDIVISION AND LAND DEVELOPMENT

**AN ORDINANCE OF THE BOROUGH OF NEW STANTON, WESTMORELAND COUNTY, PENNSYLVANIA, AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES OF THE BOROUGH OF NEW STANTON (ORDINANCE NO. 90-144, AS AMENDED AND SUPPLEMENTED), ENTITLED "THE NEW STANTON BOROUGH SUBDIVISION AND LAND DEVELOPMENT ORDINANCE ", AMENDING §22-607, REGARDING SIDEWALKS WITHIN THE BOROUGH OF NEW STANTON.**

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WHEREAS, the Borough has determined that it is necessary to amend certain portions of Chapter 22, §607, of the Code of Ordinances of the Borough, regarding sidewalks within the Borough; and

WHEREAS, the Borough Council's Comprehensive Plan requires that the Borough's Planning Commission make recommendations for the change of the Subdivision and Land Development Ordinance; and

WHEREAS, the Borough's Planning Commission has recommended the aforesaid change of the Subdivision and Land Development Ordinance.

WHEREAS, pursuant to the Municipal Planning Code, Sections 502 and 513, provide that the County Planning Department has certain jurisdiction with regard to the Borough's Subdivision and Land Development Ordinances.

**BE IT ORDAINED AND ENACTED**, and it is hereby Amended, Ordained and Enacted by the Borough Council of the Borough of New Stanton, Westmoreland County, Pennsylvania, that the Subdivision and Land Development Ordinance is hereby amended as follows:

**SECTION 1:**

**§22-607. Sidewalks. [Ord. No. 2002-196, 9/30/2002]**

1. In any proposed subdivision or land development in the B-1 and B-2 districts, sidewalks shall be on a side of the street in those districts in accordance with the Borough's specifications, unless the developer can establish specific facts which obviate the need for sidewalks in the particular development or subdivision.
2. Sidewalks shall be within the right-of-way of the street and shall extend in width from the right-of-way line toward the curbline.
3. Sidewalks must be at least four feet wide. In the vicinity of shopping centers, schools, recreation areas and other such facilities, sidewalks must be at least five feet wide and located within the street right-of-way.
4. Sidewalks shall be constructed according to Pennsylvania Department of Transportation standards.

**SECTION 2.** All other provisions of Chapter 22-607, not repealed or amended herein, shall remain in full force and effect, except that any rules and regulations previously promulgated and established remain in full force and effect.

**SECTION 3. SEVERABILITY.** If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is the intent of the Borough Council that the remaining provisions of this Ordinance would have been enacted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included herein.

**SECTION 4. REPEALER.** All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

ATTEST:

BOROUGH OF NEW STANTON

*Jeffrey M. Raylin*  
Secretary

By: *Alexander W. Brown*  
PRESIDENT

ATTEST:

APPROVED:

*Jeffrey M. Raylin*  
Secretary

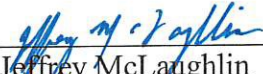
*Thompson D. Smith*  
MAYOR

**CERTIFICATION**

I, Jeffrey McLaughlin, duly qualified Secretary-Treasurer of the Borough Council of the Borough of New Stanton, Westmoreland County, Pennsylvania, do hereby certify that the foregoing Ordinance No. 2023-282 is a true and correct copy of the original Ordinance No. 2023-282 duly passed and adopted by a majority vote of the Borough Council of the Borough of New Stanton at a duly advertised and convened regular meeting held on the 7th day of March, 2023, and that the minutes of said meeting showing how each member voted have been duly recorded in the official minutes of said Borough Council and remains in effect as of this date.

**IN WITNESS WHEREOF**, I affix my hand and attach the seal of the Borough of New Stanton, this 7th day of March, 2023.

Certified to by:

  
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Jeffrey McLaughlin  
Secretary-Treasurer