

ARTICLE III

Sidewalk Construction and Repair

[Adopted 3-28-1960 by Ord. No. 7.5 of the Unified Code of Ordinances of 1960 (Ch. 73 of the 1968 Code)]

§ 372-17. Duty to repair and maintain.

- A. No person being the owner or occupant of any real estate or premises in the Village shall suffer the sidewalk or sidewalks adjacent to and in front of the same to become out of repair or in an unsafe and dangerous condition.
- B. In the event of a violation of the provisions of this section, in addition to whatever remedies may be available to the Village pursuant to law, the following procedure may be instituted: [Added 9-27-1976 by L.L. No. 28-1976]
- (1) A notice, in writing, may be sent by the Clerk to the owner of the property immediately adjoining said sidewalk or upon which property said sidewalk is located.
 - (2) Said notice shall be mailed by certified mail, return receipt requested.
 - (3) Said notice shall provide that the owner shall make repairs to the sidewalk in question within 48 hours after delivery of said notice.
 - (4) Said notice shall describe the area and approximate location of the sidewalk concerned.
 - (5) Service of said notice upon the owner of record as shown on the rolls of the Receiver of Taxes of the Village upon the date of mailing such notice shall be proper and sufficient.
 - (6) Said notice shall require that the sidewalks be repaired, in accordance with the established grade line and with the specifications set forth in this article, to the satisfaction of the Superintendent of Public Works, that all such work be performed in a good and workmanlike manner and that materials be of standard grade and free from defects.
 - (7) In the event that the owner of the property concerned shall fail to perform the work required by said notice in the manner set forth therein, within the time specified, the Board of Trustees may cause the sidewalk concerned to be repaired and made safe and the cost thereof shall be assessed against the property concerned.
 - (8) In the event that the Village shall perform said work, entry upon private property by Village employees for the purpose of doing said work shall be lawful.

§ 372-18. Grade.

No person shall construct or cause or permit to be constructed a curb or sidewalk of cement, concrete, stone, brick or other similar substance on any street, highway or other public place within the Village of Patchogue without first obtaining from the Board of Trustees of said Village the proper grade for such curb or sidewalk.

§ 372-19. Permit required.

It shall be the duty of a person desiring to construct such curb or sidewalk to make a written application therefor to the Board of Trustees of the said Village, designating the street, avenue, highway or public place upon which such curb or sidewalk is to be constructed.

§ 372-20. Width requirements.

The width of sidewalks in the Village of Patchogue shall be as follows: On all four-rod streets or avenues, curblines shall be 23 feet from the center line of said four-rod street or avenue, except that on Main Street, from Ocean Avenue to the easternmost limit of the Village, curblines shall be 21 feet from the center line of said Main Street. On all sixty-foot streets or avenues, curblines shall be 21 feet from the center line of said street or avenue. On all three-rod streets or avenues, curblines shall be 16 3/4 feet from the center line of said street or avenue. On Church Street, sidewalks shall be seven feet in width measured from the property lines. On Gerard Street, sidewalks shall be four feet in width measured from the property lines.

§ 372-21. Construction specifications.

Concrete sidewalks in the Incorporated Village of Patchogue shall be constructed as follows:

- A. Heavy loam shall be removed to a depth of at least six inches from bottom of the sidewalk, and sand placed at an average of six inches. If any fills of six inches or more must be made, same must be water-settled, then rolled or tamped to finished subgrade. Fill is to be placed in layers not more than three inches in depth. Concrete shall be 1:2:4 gravel concrete. Mixture shall be one part portland cement, two parts sand and four parts gravel. Concrete shall attain compressive strength of not less than 2,500 pounds per square inch at 28 days. Water-cement ratio shall be eight. Measurement of materials for ready-mixed concrete shall conform to Ready Mixed Concrete, ASTM Designation C-94.
- B. Maximum size of aggregate, to pass square opening, in inches, for light reinforced or unreinforced concrete slab:

For Slabs (Thickness) (inches)	Size of Aggregate (inches)
2 1/2 to 5	3/4 to 1 1/2
6 to 8	1 1/2

- C. Maximum slump for concrete from four inches to six inches.
- D. The concrete furnished shall not exceed the maximum water-cement ratio specified above.
- E. The twenty-eight-day compressive strength to be determined in accordance with current ASTM Specifications C-39 and C-31, and specimens cured in accordance with Paragraph B of C-31 shall not be less than shown above.

- F. All concrete aprons for private dwellings used for automobiles to be a minimum of six inches in thickness.
- G. All concrete aprons for gas stations and other business places and all industrial driveways to be a minimum of eight inches in thickness, reinforced.
- H. Half-inch premolded bituminous joints shall be placed where a new sidewalk abuts existing sidewalk, posts, curbs, buildings, hydrants, etc.
- I. All construction and expansion joints shall be made for the full depth of the concrete. Expansion joints, to be spaced at no greater than 60 feet apart, shall be one-half-inch-thick asphalt.
- J. Steel fabric reinforcement shall consist of No. 6 gauge wire spaced six inches on center, longitudinally and transversely. Fabric shall be placed midway between upper and lower surfaces and securely held in position during the pouring operation unless concrete is struck off, by means of a template at the required depth.
- K. All concrete sidewalk to be float-finished and struck off in squares not to exceed five feet by five feet. Trowel finish will not be accepted. Slopes and grades will be given by the Village Engineer in the field.
- L. All concrete sidewalk to be repaired must be replaced with new concrete to the nearest construction or contraction joint. Under no circumstances will patches be allowed. Temporary patches of asphalt are allowed only during cold winter months when it is not practicable to pour concrete, or for such time as fixed by the Superintendent of Public Works.
- M. All concrete curbs must be poured monolithic, but in no case will curbs be permitted to be poured monolithic with a sidewalk.
- N. Where a sidewalk abuts a curb, premolded asphalt 1/2 inch thick must be installed for the entire length of the curb. Vertical expansion joints in the curb, to be spaced no greater than 60 feet apart, shall be premolded asphalt 1/2 inch thick.

§ 372-22. Tort liability. [Added 2-23-1981 by L.L. No. 5-1981]

Any person who shall violate any provisions of this article, in addition to any and all remedies provided by law, shall also indemnify and hold harmless the Village of Patchogue from any claim or cause of action for personal injuries and/or property damage which shall have been proximately caused by said violation.

§ 372-23. Penalties for offenses. 9

Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be subject to the penalties provided in § 1-1 of the Code of the Village of Patchogue.

9. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).