

BOROUGH OF NEW BRITAIN
BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO 419

AN ORDINANCE OF THE BOROUGH OF NEW BRITAIN, BUCKS COUNTY, PENNSYLVANIA AMENDING THE NEW BRITAIN BOROUGH CODE OF ORDINANCES BY ADDING A NEW CHAPTER, CHAPTER 319 *PUBLIC WORKS*; CREATING A PUBLIC WORKS DEPARTMENT AND THE POSITION OF DIRECTOR OF PUBLIC WORKS FOR THE BOROUGH OF NEW BRITAIN, AND ESTABLISHING THE DUTIES AND POWERS THEREOF; REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Pennsylvania Borough Code, 8 Pa.C.S. § 101, *et seq.*, authorizes the Borough Council of the Borough of New Britain to enact ordinances to preserve and protect the health, safety, and welfare of the Borough and its residents, property owners, and visitors;

WHEREAS, currently the Borough's administration does not include a Public Works Department nor a Director of Public Works;

WHEREAS, Borough administration has recommended to Borough Council that the health, safety, and welfare of the Borough and its residents, property owners, and visitors will be served by the creation of a Department of Public Works and the position of Director of Public Works to oversee the streets, storm sewer system, and real property owned and/or otherwise controlled by the Borough;

WHEREAS, the Borough Council of the Borough of New Britain believes it to be in the best interest of the Borough to create a Department of Public Works and the position of the Director of Public Works for the Borough of New Britain as set forth hereinbelow.

NOW THEREFORE, it is hereby ENACTED and ORDAINED by the Borough Council of the Borough of New Britain as follows:

SECTION I.

The New Britain Borough Code of Ordinances is hereby amended by adding a new chapter, Chapter 319 *Public Works* containing the following provisions:

Chapter 319 Public Works

A. Department established.

There is hereby established a Department of Public Works of the Borough of New Britain.

B. Responsibility; jurisdiction.

The Department of Public Works of the Borough of New Britain shall have general charge of and responsibility for the streets, storm sewers and all real property of the Borough.

C. Director of Public Works.

Borough Council shall appoint a Director of Public Works, subject to such qualifications, terms, and conditions as shall be set by Borough Council from time to time. Borough Council may contract for the services of a Director of Public Works. The Director of Public Works shall be subject to the control and supervision of the Borough Council or its designee.

D. Duties of Director of Public Works.

The duties of the Director of Public Works shall be as follows:

1. Streets.

- a. Establish and implement a continuing maintenance and reconstruction program.
- b. Establish and implement an up-to-date snow removal program.
- c. Maintain a street cleaning program of maximum efficiency.
- d. Establish and maintain a street marking program in conformance with state standards for both existing and new streets.
- e. Establish and implement a leaf removal and disposal program.

2. Storm sewers.

- a. Establish and maintain a cleaning and inspection program for all storm sewers of the Borough.

- b. Oversee maintenance and repairs of storm sewers of the Borough.
 - c. Coordinate with Borough Engineer for compliance with the MS4 requirements established by the Pennsylvania Department of Environmental Protection.
- 3. Maintenance of Borough Real Property.
 - a. Establish and implement a maintenance program for all real property owned and/or otherwise controlled by the Borough, including but not limited to the following locations:
 - i. Administration Building (45 Keeley Avenue)
 - ii. Burkart Hall (56 Keeley Avenue)
 - iii. Orchard Park (219 Keeley Avenue)
 - iv. 170 Aarons Avenue
 - v. 171 Aarons Avenue
 - vi. Wilma Quinlan Nature Preserve (Matthews Avenue)
 - vii. All Borough owned vacant parcels
 - viii. All Borough owned road islands
 - ix. Other locations as directed by Borough Council or its designee
- 4. Budget.
 - a. Develop, in consultation with appropriate Borough Committees and staff, an annual budget for the consideration of the Borough Council.
 - b. Investigate all sources of funds which may be available for departmental operations.
- 5. The Borough Council may from time to time, by motion or ordinance, add to, take away from or otherwise revise the foregoing schedule of duties of the Director of Public Works.

SECTION II. SEVERABILITY CLAUSE.

Should any part of this Ordinance be determined or declared to be invalid, unenforceable or unconstitutional, it is the intention of the Borough that the remaining portions remain effective for all

purposes as if the Ordinance had been adopted and enacted without the inclusion of the invalid section or sections, sentence or phrase.

SECTION III. REPEALER CLAUSE.

Any and all other Ordinances or parts of Ordinances in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall become effective at the earliest time permitted by Pennsylvania law.

ORDAINED and **ENACTED** an ordinance of the Borough of New Britain this _____ day of _____, 2022.

BOROUGH OF NEW BRITAIN:

PETER LAMONTAGNE, COUNCIL PRESIDENT

ATTEST:

AMANDA ZIMMERMAN, BOROUGH
SECRETARY

Examined and Approved by me this _____ day of _____, 2022

JAMES DONOVAN, MAYOR