



## Legislation Details (With Text)

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<b>Type:</b>	Ordinance	<b>Status:</b>	Passed Finally
<b>File created:</b>	9/28/2018	<b>In control:</b>	Committee on Land Use and Economic Development
<b>On agenda:</b>	10/24/2018	<b>Final action:</b>	10/30/2018
<b>Enactment date:</b>	10/30/2018	<b>Enactment #:</b>	42
<b>Effective date:</b>	11/9/2018		
<b>Title:</b>	Ordinance amending Title Four: Public Places and Property, Article I, Public Rights-of-Way, Chapter 417: Pavement Protection, by adding new sections, entitled 417.06; Preservation of Brick, Block Stone, Wood and other Original Pavement Material, and 417.07; Pavement Milling, and amending section 412.01(c) to ensure that policies related to the two new sections are filed with the City Clerk.		
<b>Sponsors:</b>	Anthony Coghill, Darlene M. Harris		
<b>Indexes:</b>	PGH. CODE ORDINANCES TITLE 04 - PUBLIC PLACES		
<b>Code sections:</b>			
<b>Attachments:</b>			

Date	Ver.	Action By	Action	Result
11/9/2018	2	Mayor	Signed by the Mayor	
10/30/2018	2	City Council	Passed Finally	Pass
10/24/2018	2	Standing Committee	Affirmatively Recommended as Amended	Pass
10/24/2018	2	Standing Committee	AMENDED	Pass
10/10/2018	1	Standing Committee	Held in Committee	Pass
10/2/2018	1	City Council	Read and referred	

Ordinance amending Title Four: Public Places and Property, Article I, Public Rights-of-Way, Chapter 417: Pavement Protection, by adding new sections, entitled 417.06; Preservation of Brick, Block Stone, Wood and other Original Pavement Material, and 417.07; Pavement Milling, and amending section 412.01(c) to ensure that policies related to the two new sections are filed with the City Clerk.

Whereas, Streets constructed from brick, block stone and other original material help to define the historic character of older neighborhoods, and their durability speaks for themselves and in some communities, ordinances have been enacted to protect the integrity of their streets and others have developed comprehensive brick street restoration plans; and,

Whereas, In the long run materials such as brick and block stone are far more economical than many asphalt alternatives; and,

Whereas, many of those original materials provide better non-toxic drainage, helping to curb flooding and provide better storm water management; and,

Whereas, brick, block stone and concrete streets provide better traffic calming on neighborhood streets and studies have shown that resale value of homes on these streets are typically higher than their asphalt

counterparts; and,

Whereas, there are instances where for safety or for other reasons the use of asphalt may make more sense to the neighbors and the City; and,

Whereas, the purpose of this legislation is to allow for a process to protect existing street material, restore asphalt covered streets as well as to use asphalt to cover streets when it makes sense after thoughtful analysis.

**The Council of the City of Pittsburgh hereby enacts as follows:**

**Section 1.** The City Code is hereby amended and supplemented at Title Four: Public Places and Property, Article I: Public Rights-of-Way, Chapter 417, Pavement Protection, by adding an additional subsection as follows entitled “Preservation of Brick, Block Stone, Wood, and Other Original Pavement Material on Streets”:

417.06 - Preservation of Brick, Block Stone, Wood, Concrete and Other Original Pavement Material on Streets

(a) In the course of implementing the City’s annual pavement program the Department of Mobility and Infrastructure shall provide for the maintenance and replacement as deemed necessary to maintain the existing material whether it be brick, block stone, wood, concrete or other material on City streets in residential neighborhoods and business districts.

(b) On streets that are currently exposed concrete, brick, block stone, or wood, an asphalt overlay shall only be installed with a petition of at least seventy-five (75%) percent of street-adjacent property owner’s signatures.

(c) On streets where there are fewer than four adjacent properties, or upon request from the Department of Mobility and Infrastructure, the Director of Mobility and Infrastructure shall forward a recommendation of pavement material type to City Council for final legislative approval.

(d) Restoration of existing covered brick, block stone or wood streets

(1) A petition of at least seventy-five (75%) percent of street-adjacent property owner’s signatures shall be required for the restoration of asphalt covered streets.

(2) The Director of the Department of Mobility and Infrastructure shall determine the feasibility of restoring any said streets.

(3) Streets approved for restoration shall be placed on a list and schedule if and when funding becomes available.

(e) **Public Safety Exemption:** In consultation with engineers, the Director of Mobility and Infrastructure may overrule a petition for reasons of public safety.

**Section 2.** The City Code is hereby amended and supplemented at Title Four: Public Places and Property, Article I: Public Rights-of-Way, Chapter 417, Pavement Protection, by adding an additional subsection as follows entitled “Pavement Milling”:

417.07 - PAVEMENT MILLING

Milling of pavement prior to overlaying asphalt shall be required when adding additional pavement without milling would make the level of the street even with or above the level of the curb, and/or sidewalk, and or abutting property and or in a manner that would further restrict proper drainage of the road surface.

**Section 3.** The City Code is hereby amended and supplemented as follows at Title Four: Public Places and

Property, Article I: Public Rights-Of-Way, Chapter 412: Users of the Public Rights-Of-Way, Section 412.01: Single Point of Contact, in order to mandate the filing of DOMI's policies with the City Clerk

§ 412.01 - SINGLE POINT OF CONTACT.

- (a) The Director of the Department of Mobility and Infrastructure, or that Director's designated representative, shall serve as the single point of contact within the City for all persons regulated under this Article.
- (b) The Director of the Department of Mobility and Infrastructure shall coordinate all contacts with other City departments as necessary to facilitate issuance of any and all permits and registrations required by the Pittsburgh Code of Ordinances.
- (c) The Director of the Department of Mobility and Infrastructure shall prepare policies and forms as necessary for the implementation of this Chapter. Said policies, rules, and regulations shall be filed with the City Clerk and posted to the City's website, pursuant to Section 111.01(b) of the City Code.