

**BOROUGH OF ST. CLAIR
SCHUYLKILL COUNTY, PENNSYLVANIA**

ORDINANCE NO. 445

**AN ORDINANCE OF THE BOROUGH OF ST. CLAIR,
COMMONWEALTH OF PENNSYLVANIA,
VACATING A PORTION OF WALNUT STREET**

The Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania (the “Borough”), hereby enacts and ordains as follows:

WHEREAS, Section 1731 of the Borough Code, 8 Pa.C.S.A. § 1731, authorizes the Borough to open and vacate streets; and

WHEREAS, a portion of Walnut Street has never been opened or used by the public; and

WHEREAS, the owners adjoining the portion to be abandoned are in full agreement that this section should be abandoned and are related by blood or marriage; and

WHEREAS, Borough Council has determined that a portion of Walnut Street is unnecessary for public use and travel and that the Hale Family has made improvements on all the adjoining parcels to the proposed street to be abandoned; and

WHEREAS, notice has been given to all adjoining landowners of the property abutting the street proposed to be vacated.

NOW THEREFORE, BE IT ENACTED AND ORDAINED BY THE Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania, in accordance with the general powers permitted by the Borough Code (8 Pa.C.S.A. § 1731), that the portion of Walnut Street which extends from the southern side of West Carroll Street to an unnamed alley which parallels

West Carroll Street and intersects with Thompson Street, as depicted on the attached map and drawing, is hereby vacated as a public street effective forty (40) days from the enactment hereof.

Section 101. Title.

This Ordinance shall be known as the “St. Clair Borough Ordinance Vacating a Portion of Walnut Street”.

Section 102. Scope.

This Ordinance is meant to vacate only that portion of Walnut Street which is depicted in the attached drawing.

Section 103. Severability.

The provisions of this Ordinance are severable, and if any section, clause, sentence, part or provision thereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect, impair or invalidate any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of St. Clair Borough Council that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

Section 104. Repealer.

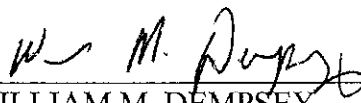
The provisions of any prior ordinance which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency. Nothing contained in this Ordinance shall be construed to affect any suit or proceeding in any court, or any rights acquired or liability incurred, or any cause of action existing prior the enactment of this Ordinance.

Section 105. Effective Date.

This Ordinance shall become effective forty (40) days after its enactment or adoption.


DULY ENACTED AND ORDAINED by Borough Council of the Borough of St. Clair,
Schuylkill County, Pennsylvania, this 6th day of June, 2023, in lawful
session duly assembled.

ST. CLAIR BOROUGH



WILLIAM M. DEMPSEY
Council President

ATTEST:



ROLAND PRICE, JR.
Borough Secretary

Approved by me this 6th day of June, 2023.



RICHARD E. TOMKO

Mayor

IN RE: AN ORDINANCE OF THE BOROUGH OF ST. CLAIR, COMMONWEALTH OF PENNSYLVANIA, VACATING A PORTION OF WALNUT STREET

CERTIFICATION

I hereby certify that the within Ordinance is a true and correct copy of an Ordinance enacted by Borough Council of the Borough of St. Clair, Schuylkill County, Pennsylvania, on the 6th day of June, 2023.

SEAL



Roland Price, Jr., Secretary
St. Clair Borough Hall
16 South Third Street
St. Clair, PA 17970
Telephone No. (570) 429-0640



BASE LAYERS	MISC PARCELS	COUNTY ZONING	FEMA FLOOD HAZARD LAYERS	ENVIRONMENTAL
<ul style="list-style-type: none"> ★ Urban Growth ▭ Parcel ▭ Road ▭ Stream ▭ Lake ▭ Wetland ▭ Tree/Truck 	<ul style="list-style-type: none"> ▭ Mineral Parcel 	<ul style="list-style-type: none"> ▭ R2 Medium Density Residential ▭ R3 High Density Residential ▭ R4 Town Center ▭ C1 Office Commercial ▭ C2 Highway Commercial ▭ C3 Regional Highway Commercial ▭ C4 Community Office ▭ C5 Corporate Office ▭ C6 Industrial Commercial 	<ul style="list-style-type: none"> ▭ LOMA ▭ LOMA ▭ FRM Panel ▭ Cream-Soaked ▭ Base Flood Elevation 	<ul style="list-style-type: none"> ▭ 1% Annual Chance Flood Hazard ▭ Regulatory No-Wavey ▭ Area of Unincorporated Flood Hazard ▭ 0.2% Annual Chance Flood Hazard ▭ Wetland ▭ 1% Annual Chance Flood Hazard ▭ 0.2% Annual Chance Flood Hazard ▭ Lake ▭ Other ▭ Wetland

