

WILMERDING BOROUGH

ORDINANCE NO. 1641

AN ORDINANCE PROVIDING FOR THE AMENDMENT OF THE WILMERDING BOROUGH OCCUPANCY PERMIT ORDINANCES; AUTHORIZING POLICE OFFICERS TO PREVENT ANY PERSON OR ENTITY FROM OCCUPYING A PROPERTY PRIOR TO OBTAINING AN OCCUPANCY PERMIT; SEVERABILITY; EFFECTIVE DATE.

WHEREAS, the Borough of Wilmerding has previously adopted ordinances regulating the occupancy of buildings and land in Ordinance Nos. 737, 835 and 1007, and as set forth in the Code of Ordinances in Section 138-2, et. al.; and

WHEREAS, Wilmerding Borough has recognized continuing problems relative to persons and entities occupying premises without a permit; and

WHEREAS, enforcement has been difficult and this Ordinance will authorize police officers to enforce the terms herein and to prohibit any person or entity from occupying or using a property absent a valid, current occupancy permit; and

WHEREAS, this Ordinance is enacted pursuant to the authority of the Pennsylvania Borough Code and the Municipalities Planning Act; and

WHEREAS, this Ordinance is deemed to be in the best interests of the residents of Wilmerding Borough.

NOW, THEREFORE, be it ORDAINED as follows:

1. There is hereby added a new subsection to Section 138-2 as follows:
 - D. The duly authorized police officers and law enforcement staff for Wilmerding Borough

are authorized and empowered to prohibit or bar any person or entity from occupying or using premises without a current occupancy permit.

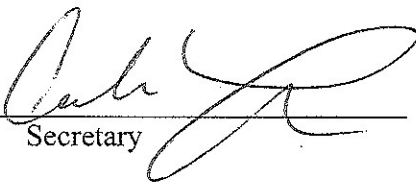
2. If any terms or provisions of this Ordinance are found by a Court to be illegal, then it is the intent of Wilmerding Borough that it would have ordained the balance of this Ordinance irrespective of the invalid portion.


3. This Ordinance will become effective immediately.

ORDAINED AND ENACTED by the Borough Council of Wilmerding Borough the 6th day of August, 2018.

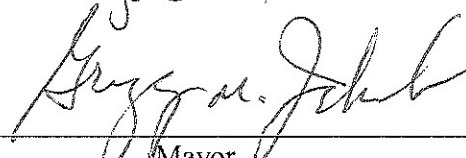
ATTEST:

WILMERDING BOROUGH

By 
Secretary

By 
President

APPROVED by me this 6th day of August, 2018.


Mayor

CERTIFICATION

I, Caroline Lang, hereby certify that I am the Secretary of Wilmerding Borough, and that the within Ordinance was duly advertised and enacted at a regular Borough Meeting following a public hearing on the matter by Borough Council, duly convened, at which a quorum was present and voted in favor thereof.

WITNESS, my hand this 6th day of August, 2018.