

ORDINANCE NO. 572-17-02

AN ORDINANCE AUTHORIZING, ADOPTING AND ENACTING THE CODE OF ORDINANCES OF THE BOROUGH OF MANOR, WESTMORELAND COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Borough of Manor hereby ordains:

**Section 1. Approval, Adoption and Enactment.**

The Borough of Manor Code of Ordinances, as prepared and published for the said Borough of Manor, is hereby approved, adopted and enacted as a consolidation, codification and revision of the ordinances of the Borough of Manor. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Borough of Manor organized as follows:

TABLE OF CONTENTS

Chapter 1	Administration and Government
Chapter 2	Animals
Chapter 5	Code Enforcement
Chapter 6	Conduct
Chapter 7	Emergency Management Services
Chapter 8	Floodplains
Chapter 10	Health and Safety
Chapter 11	Housing
Chapter 13	Licenses, Permits and General Business Regulations
Chapter 15	Motor Vehicles and Traffic
Chapter 16	Parks and Recreation
Chapter 18	Sewers and Sewage Disposal
Chapter 20	Solid Waste
Chapter 21	Streets and Sidewalks
Chapter 22	Subdivision and Land Development
Chapter 23	Stormwater Management
Chapter 24	Taxation; Special
Chapter 27	Zoning

**Section 2. Citation and Effective Date.**

The codification referred to in Section 1 of this ordinance shall be known and cited officially as the "Borough of Manor Code of Ordinances," and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

MANOR CODE

**Section 3. Saving Clause.**

The provisions of the Borough of Manor Code of Ordinances, insofar as they are the same as those provisions, ordinances and regulations in force immediately prior to the adoption of said Code, are intended and as shall be a continuation of such provisions, ordinances and regulations and not intended as a new enactment. The provisions of the Borough of Manor Code of Ordinances shall not affect any act done, contract executed or liability incurred prior to said Code's effective date, nor any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

**Section 4. Consolidation and Revision.**

As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

*A. Consolidations.*

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
15, Entire Chapter	Motor Vehicles and Traffic	308, 319, 325, 341, 352, 365, 366, 368, 371, 389, 392, 397, 402, 406, 412, 420, 425, 433, 438, 460, 461, 12/13/2000, 487, 503, 504, 505, 506, 507, 509, 510, 515, 528, 529, 537

*B. Revisions.*

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
		[Reserved]

**Section 5. New Enactments, Amendments and Repeals.**

As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:

*A. New Enactments.*

<b>Section</b>	<b>Subject</b>
§§ 1-101—1-111	Preliminary Provisions
15, Entire Chapter	Motor Vehicles and Traffic

*B. Amendments.*

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§ 1-201	Regular Monthly Meeting	414, § 1
§ 2-102	Penalty for Violation	300, § 1
§ 2-203	Penalties	386, § III
§ 5-105	Penalties	488, § V
§ 5-120	Penalty	494, § 10
§ 5-131	Permit Fee	375, § 1
§ 5-139	Penalties	375, § 9

ADMINISTRATION AND GOVERNMENT

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§ 5-203	Grass, Weeds, Vegetation, Trees, Plants and Shrubbery	511, § 3
§ 5-204	Removal or Repair of Unsafe Buildings	511, § 4
§ 5-205	Motor Vehicles	511, § 5
§ 5-206	Animal Control	511, § 6
§ 6-106	Enforcement; Penalties	306, § 6
§ 6-203	Penalty for Prohibited Use of Firearms or Air Rifles	304, § 3
§ 7-206	Penalties	497, § VI
§ 8-210	Enforcement	525, § 3.10
§ 10- 104	Violations and Penalties	512, § 4
§ 10- 209	Penalties, Costs and Expenses	538, § IX
§ 11- 106	Penalties	327, § 5
§ 13- 102	License Required; Fee; Conditions Thereof	307, § 2
§ 13- 107	Penalty for Violation	307, § 7
§ 13- 208	Fee	334, § 8
§ 13- 217	Penalties	334, § 17
§ 16- 105	Violations	543, § VI
§ 18- 107	Sewer Districts Established; Sewer Rental Charges; Collection of Charges	441, § 8; 450, § 2; 533, § 1
§ 18- 108	Payment of Charges; Penalty for Late Payment	441, § 9
§ 18- 203	Penalties	318, § 3
§ 18- 302	Duties of Sewage Enforcement Officer	262, § 2
§ 18- 306	Permit Fees	262, § 6
§ 18- 307	Penalty for Violation	262, § 7; 296

MANOR CODE

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§ 18- 411	Violations and Penalties	532, § 11
§ 20- 110	Inspection and Approval of Vehicles and Landfill	189, § 10; 434
§ 20- 111	Charges for Collection	189, § 11, 232, § 1; 249, § 1; 313, § 1; 421, § 2
§ 20- 115	Penalty for Violation	189, § 15; 285
§ 21- 204	Permit Fees	534, § IV
§ 21- 210	Bridge Occupancy	534, § X
§ 21- 211	Penalties and Enforcement	534, § XI
§ 21- 302	Fee for Permit	302, § 2
§ 21- 304	Penalty for Violation	302, § 4
§ 21- 401	Definitions	500, § I
§ 21- 410	Penalty	500, § XI
§ 22- 201	Definitions	428, § 201
§ 22- 304	Preliminary Plan Requirements	428, § 304
§ 22- 306	Final Plan Requirements	428, § 306
§ 22- 308	Additions to Existing Lots	428, § 308
§ 22- 402	General Site Standards	428, § 402
§ 22- 407	Lots	428, § 407
§ 22- 506	Sewer and Water Supply Systems	428, § 506
§ 22- 508	Storm Drainage	428, § 508

ADMINISTRATION AND GOVERNMENT

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§ 22-510	Erosion and Sedimentation	428, § 510
§ 22-604	Fee Schedule	428, § 604
§ 22-802	Enforcement Remedies	428, § 802
§ 23-103	General Provisions	486, § 103
§ 23-105	Design Criteria for Stormwater Management Controls	486, § 105
§ 23-111	Stormwater Management Plan, BMPs Plan and Erosion and Sedimentation Plan	486, § 111
§ 23-115	Enforcement Procedures and Remedies	486, § 115
§ 24-204	Imposition of Tax; Interest	393, § 4
§ 24-503	Penalty for Violation	197, § 3; 286, § 3
§ 24-701	Tax Collector Authorized to Issue Tax Certifications and Collect Fee	493, § 1
§ 24-702	Elected Tax Collector Authorized to Issue Tax Duplicates and Collect Fee	493, § 2
§ 24-703	Elected Tax Collector Authorized to Issue Certifications of Sewage Account Status and Collect Fee	493, § 3
§ 27-210	Uses Subject to Other Regulations	315, § 210; 514, § V; 539, § VII
§ 27-211	Table of Use Regulations	315, § 211; 364, §§ I—IV; 514, §§ VII—VIII; 520, § IV; 539, § VI; 547, § 2
§ 27-318	Mobile Homes	315, § 317
§ 27-406	Enforcement Notice	315, § 405
§ 27-407	Enforcement Remedies	315, § 406
§ 27-408	Preventive Remedies	315, § 406

MANOR CODE

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§ 27-503	Zoning Hearing Board	315, §§ 503, 504; 472
§ 27-505	Hearings	315, § 507
§ 27-601	Definitions	315, 514, § XII; 519, § VI; 520, § III; 524, § III; 547, § 1

*C. Repeals.*

**Ord./  
Res.            Subject**

Ord. 301	Bicycles
Ord. 303	Disorderly Conduct
Ord. 305	Tampering with Public Property

**Section 6. Adoption of Standard Codes by Reference.**

As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

<b>Section</b>	<b>Short Title</b>
	[Reserved]

**Section 7. Procedural Changes.**

The following minor procedural changes have been made to existing Borough of Manor ordinances:

- A. Grammatical and spelling errors have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms and usages;
- C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Borough Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

**Section 8. Amending the Code of Ordinances.**

The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

- A. Amendment or Revision - "Chapter\_\_\_\_, Article\_\_\_\_, Section\_\_\_\_, Subsection\_\_\_\_ is hereby amended [revised] to read as follows. . ."
- B. Additions - "Chapter\_\_\_\_, Article\_\_\_\_, Section\_\_\_\_, Subsection \_\_\_\_ is hereby amended by the addition of the following..."

## ADMINISTRATION AND GOVERNMENT

- C. Repeal - "Chapter\_\_\_\_, Article\_\_\_\_, Section\_\_\_\_, Subsection \_\_\_\_ is hereby repealed in its entirety."

### **Section 9. Responsibility for Code of Ordinances.**

It shall be the responsibility of the Borough of Manor Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Borough of Manor Code of Ordinances and shall be available for public inspection.

### **Section 10. Penalties.**

It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Borough of Manor. Whosoever shall violate this Section shall be guilty of an offense under § 4911, "Tampering with Public Records or Information," of the Crimes Code, 18 Pa.C.S.A. § 4911, and shall be prosecuted under that Section of the law.

### **Section 11. Severability of Parts of Codification.**

It is hereby declared to be the intention of the Borough of Manor that the Chapters, Parts, Sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any Chapter, Part, Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining Chapters, Parts, Sections, paragraphs, sentences, clauses or phrases of this codification.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

MANOR CODE

**ORDAINED AND ENACTED** this 19<sup>th</sup> day of April, 2017.

**BOROUGH OF MANOR**

**By:** Michael Matrisch  
**Vice President**

**ATTEST: (SEAL)**

Joseph N. Lapia  
**Secretary-Treasurer**

**APPROVED BY THE MAYOR** this 19<sup>th</sup> day of April, 2107.

Jeremy R. Dixon  
**Mayor**

**ATTEST: (SEAL)**

Joseph N. Lapia  
**Secretary-Treasurer**