

Code of Ordinances of the Borough of Millheim

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CODE OF ORDINANCES
of the
BOROUGH OF MILLHEIM
Centre County, Pennsylvania

Published by Authority of the Borough

Adopted by Ord. 151, November 12, 1984

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OFFICIALS
of the
BOROUGH OF MILLHEIM
County of Centre
Pennsylvania

ELECTED OFFICIALS

Mayor - Lauralee Snyder

Council

President - Linn E. Auman

Vice-President - J. Alan Ilgen

Kay Brown
Thomas Strebel
Marlene R. Corl

APPOINTED OFFICIALS

Secretary/Treasurer - Sharon Heckman

Solicitor - John R. Miller, III, Esquire

FOREWORD

History

This comprises the codification of the Ordinances of the Borough of Millheim. Millheim was originally settled in 1797 and was incorporated as a Borough on February 3, 1879 from parts of Penn Township.

The Code of Ordinances of the Borough of Millheim was prepared by Penns Valley Publishers and adopted by the Borough Council on November 12, 1984 by Ordinance number 151.

Organization

The code contains four parts which are (1) the valid current ordinances of the Borough of Millheim contained in chapters 1 through 27, (2) the appendix which lists by abstracted title all ordinances of a temporary or "one time" nature, (3) the key to the disposition of each ordinance ever enacted by the Borough, and (4) the index which is an alphabetical arrangement of subjects.

In the code, each chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page at the beginning of each chapter. The index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which chapter the subject might be found. The appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment if known.

The key to disposition indicates what action has been taken by the codifiers with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a chapter of the code book, or (4) is located in the appendix. Annual tax rate and budget ordinances are located only in the key. The key is a cross reference to the original ordinance books of the Borough, and to the location within the code of each ordinance by number.

ORDINANCE NO. 151

An ordinance adopting the Code of Ordinances of the Borough of Millheim.

The Borough of Millheim hereby ordains:

Section 1. Adoption. The "Code of Ordinances, Borough of Millheim", as prepared and published for the said Borough by Penns Valley Publishers, Harrisburg, Pennsylvania, is hereby adopted as a consolidation, codification and revision of the ordinances of the Borough. Chapters 1 through 27 thereof contain the text of the body of all general administrative and penal ordinances of the Borough organized as follows:

Chapter 1	Administration and Government
Chapter 2	Animals
Chapter 4	Buildings
Chapter 6	Conduct
Chapter 7	Fire Prevention and Fire Protection
Chapter 10	Health and Safety
Chapter 13	Licenses, Permits and General Business Regulations
Chapter 15	Motor Vehicles and Traffic
Chapter 18	Sewers and Sewage Disposal
Chapter 20	Solid Waste
Chapter 21	Streets and Sidewalks
Chapter 22	Subdivision and Land Development
Chapter 24	Taxation, Special
Chapter 26	Water

Appendix:

A.	Annexation of Territory
B.	Bond Issues and Loans
C.	Franchises and Services
D.	Governmental and Intergovernmental Affairs
E.	Plan Approval
F.	Public Property
G.	Sewers
H.	Streets and Sidewalks
I.	Street Lighting
J.	Water

Key to the Disposition of All Ordinances

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Borough of Millheim shall be authoritative.

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 Millheim 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.

Section 3. Saving Clause. The provisions of the Borough of Millheim Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Borough of Millheim Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. Consolidation, Codification and Revision. As a necessary part of the codification, the following provisions are hereby consolidated and revised as indicated:

A. Consolidations

<u>Chapter, Part or Section</u>	<u>Subject</u>	<u>Ordinance Nos.</u>
15, Complete	Motor Vehicles	23, 37, 56, 62, 116, 120, 144

B. Revisions

<u>Chapter, Part or Section</u>	<u>Subject</u>	<u>Ordinance Nos.</u>
6, Part 1	Disorderly Conduct	36
6, Part 3	Alcohol	6
6, Part 4	Public Property	6
6, Part 5	Missiles	6
7, Part 1	Open Fires	6
10, Part 1	Property Maintenance	131
13, Part 1	Transient Retail Business	6
20, Part 1	Solid Waste	95
21, Part 1	Sidewalks	6
24, Part 2	Per Capita Tax	147

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

<u>Chapter, Part or Section</u>	<u>Short Title</u>
1, Part 4	Firemen's Relief Association
2, Part 1	Keeping of Animals
2, Part 2	Animal Noises
8, Parts 1 through 8	Flood Plain Construction

B. Amendments

<u>Chapter, Part or Section</u>	<u>Short Title</u>	<u>Ordinance Nos.</u>
26, §102	Water Connection Fees	45

C. Repeals

<u>Ordinance Number</u>	<u>Short Title</u>
11, 15, 20	Animals at Large
27	Cut Out Automobile Mufflers
84	Tax on House Trailers

Section 6. Procedural Changes. The following minor procedural changes have been made to existing Borough 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 sections have been revised where necessary to comply with the Crimes Code or the Motor Vehicle Code.

Section 7. 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 _____, Part _____, Section _____, Subsection _____ is hereby amended [revised] to read as follows..."
- B. Additions - "Chapter _____, Part _____, Section _____, Subsection _____ is hereby amended by the addition of the following..."
- C. Repeal - "Chapter _____, Part _____, Section _____, Subsection _____ is hereby repealed in its entirety."

Section 8. Responsibility for Code of Ordinances. It shall be the responsibility of the Borough Secretary to maintain an up-to-date certified copy of the code of ordinances. This copy shall be the official copy of the Borough's Code of Ordinances and shall be available for public inspection.

Section 9. 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. Whosoever shall violate this section shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days.

Section 10. Severability of Parts of Codification. It is hereby declared to be the intention of the Borough Council that the chapters, parts, sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any 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 invalidity shall not affect any of the remaining chapters, parts, sections, paragraphs, sentences, clauses or phrases of this codification.

ENACTED AND ORDAINED this 12th day of November, 1984

BOROUGH OF MILLHEIM

By: /s/ M. Gregory Shannon, Jr.
President of Council

ATTEST:

/s/ Cynthia Z. Dashem

Secretary

APPROVED this 12th day of November, 1984

By: /s/ John W. Meckley
Mayor