

Code of Ordinances of the Borough of Shamokin Dam

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CODE OF ORDINANCES
of the
BOROUGH OF SHAMOKIN DAM
Snyder County, Pennsylvania

Published by Authority of the Borough

Adopted by Ordinance 88-3, October 17, 1988

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OFFICIALS

of the

BOROUGH OF SHAMOKIN DAM

County of Snyder

Pennsylvania

ELECTED OFFICIALS

Mayor - Joseph McGranaghan

Council

President - Donald Musser
Vice-President - Malcolm Fleming
- Rue Rothermel
- Mark Benner
- Andrew Bickhart
- David Herbert
- David Smetz
Tax Collector - Deann Lockcuff

APPOINTED OFFICIALS

Manager/Treasurer - Edward J. Hovenstine
Secretary/L.S. Tax
Collector - LaDawn D. Leitzel
Code Enforcement - Edward J. Hovenstine
Police Chief - Timothy E. Bremigen
Solicitor - Robert Slivinski, Esquire

FOREWORD

History

This comprises the codification of the Ordinances of the Borough of Shamokin Dam. The Borough of Shamokin Dam was originally settled in 1745 and was incorporated as a Borough in August 1927 from parts of Monroe Township.

The Code of Ordinances of the Borough of Shamokin Dam was prepared by Penns Valley Publishers and adopted by the Borough Council on October 17, 1988 by Ordinance number 88-3.

Organization

The code contains four parts which are (1) the valid current ordinances of the Borough of Shamokin Dam 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 and the Borough Council 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 An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a chapter of the code book, or (4) is located in the appendix.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. 88-3

An Ordinance adopting the Code of Ordinances of the Borough of Shamokin Dam.

The Borough of Shamokin Dam hereby ordains:

Section 1. Adoption. The "Code of Ordinances, Borough of Shamokin Dam," 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 of Shamokin Dam. 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 5. Code Enforcement
- Chapter 6. Conduct
- Chapter 7. Fire Prevention and Fire Protection
- Chapter 8. Flood Plain Regulations
- 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
- Chapter 27. Zoning

Appendix:

- A. Annexation of Territory
- B. Bond Issues and Loans
- C. Franchises and Services
- D. Governmental and Intergovernmental Affairs
- F. Public Property
- G. Sewers
- H. Streets and Sidewalks
- I. Water
- J. Zoning; Prior Ordinances

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 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 Shamokin Dam 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 Shamokin Dam 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's 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 and Revision. As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

A. Consolidations

<u>Chapter, Part, Section</u>	<u>Subject</u>	<u>Ordinance No.</u>
15, Complete	Motor Vehicles; General Provisions	66,84,68-4,
	Traffic, Weight Limits, Parking	68-6,72-1,
	Towing & Storage, Snow Emerg.	72-25,73-4
		74-7,76-3,
		77-5,79-3,
		86-4

B. Revisions

<u>Chapter, Part, Section</u>	<u>Subject</u>	<u>Ordinance No.</u>
2 1 101-107	Animals Running At Large	68-9
11 1 101-109	Permit for Moving	72-2
21 All of Part 2	Excavation on Streets or Sidewalks	8
24 1 101-119	Realty Transfer Tax	79-6
24 5 504	Per Capita Tax	73-2

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,Section</u>	<u>Short Title</u>
1 4 401-403	Firemen's Relief Association
1 5 501	Planning Commission
15	Motor Vehicle Regulations

Section 5, cont'd

B. Amendments

<u>Chapter, Part, Section</u>	<u>Short Title</u>	<u>Ordinance No.</u>
1 1 104	Manager's Performance Bond	75-8
13 1 104	Fee for Transient Retail Dealer's License	81-4 & 85-4
13 1 107	Transient Retail Business Prohibited Certain Days & Hours	81-4
18 1B 122	Connection Fees for Sewers	74-4
18 1C 133	Sewer Rental Charges	72-24, 82-2 and 84-2
18 1C 136	Non-Payment for Sewer Water Rental Rates	72-24
18 3 307	Sewer Fees	77-4
20 1 106	License for Refuse Vehicles	83-5

C. Repeals

<u>Ord. No.</u>	<u>Short Title</u>
13	Issue of Permits for Opening/Tearing up Street
50	Rate for Inspection of Wires
86	Incinerators
7/3/1967	Storage of Explosives
71-7	Underground Cables & Gas Pipelines
69	Storage & Use of Mobile Equipment
72-2	Permits for moving
82-3	School police

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:

<u>Chapter, Part, Section</u>	<u>Short Title</u>
5, 1 101-107	Building Code
5, 2 201-207	Fire Prevention Code
5, 3 301-306	Existing Structures Code

Section 7. 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 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 _____, 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 9. 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 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 Shamokin Dam. Whosoever shall violate this section shall, upon summary 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 11. 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 17th day of
October, 1988

BOROUGH OF SHAMOKIN DAM

By: /s/ Joseph A. McGranaghan
President of Council

ATTEST:

/s/ Sandra G. Gill
Secretary

day of

EXAMINED AND APPROVED this 17th
October, 1988.

By: /s/ Jack H. Treas
Mayor