

1. We have provided for the adoption of the most recent editions of the following standard codes:

BOCA National Building Code, 12th edition, 1993
BOCA National Plumbing Code, 9th edition, 1993
BOCA National Fire Prevention Code, 9th edition, 1993
National Electrical Code, 1993 edition
BOCA National Property Maintenance Code, 4th edition, 1993
BOCA National Mechanical Code, 8th edition, 1993

Prior editions of these Codes will be keyed as superseded by A.O. Please review each Code carefully to ensure that amendments necessary to conform the respective code to practice in the Borough are made.

CHAPTER 6 - CONDUCT

1. **Part 2, Curfew.** Ord. 199, 3/18/1974, has been adopted as enacted. We invite the Borough to review the model found in *Model Ordinances for Pennsylvania Municipalities*, 2nd edition.
2. **Part 3, Disorderly Conduct.** Our model has replaced Ord. 195, 3/18/1974, to bring the Borough's regulation into compliance with most recent constitutional interpretations of §5503 of the Crimes Code, 18 Pa. C.S.A. §5503.
3. **Part 4, Prohibiting Discharge of Firearms or Similar Devices.** Ord. 196, 3/18/1974, has been replaced by our model. The current version of the model has been substituted for an earlier version.
4. **Part 5, Throwing of Objects.** Ord. 197, 3/18/1974, has been replaced by our model. The current version of the model has been substituted for an earlier version.

CHAPTER 8 - FLOODPLAINS

1. **Part 2, Administration.**
 - A. **§202, Issuance of Building Permit.** In subsection (3), "Department of Environmental Resources" amended to "Department of Environmental Protection."
 - B. **§203, Application Procedures and Requirements.** In subsection (3)(D)(2)(d), "Department of Environmental Resources" amended to "Department of Environmental Protection."
 - C. **§210, Fees.** Amended to provide for the establishment of fees by resolution.

CHAPTER 13 - LICENSES, PERMITS AND GENERAL BUSINESS REGULATION

(Editorial Notes)

1. **Part 1, Amusement Devices.**
 - A. **§102, License Fee.** Amended to provide for the establishment fees by resolution.
2. **Part 2, Transient Retail Businesses.**
 - A. Ord. 204, 3/18/1974, has been replaced by our model. The current version has been substituted for an earlier version of the model.
3. **Part 3, Transportation of Personal Property or Household Goods.**
 - A. **§304, Permit Fee.** Amended to provide for the establishment of fees by resolution.
4. **Part 4, Electric Department.** Still operated by the Borough?

CHAPTER 15 - MOTOR VEHICLES

1. All ordinances regulating motor vehicles on public thoroughfares have been incorporated into this Chapter, which is based on the PennDOT model. The Borough's ordinances will be superseded and consolidated by the Adopting Ordinance to simplify citation and reduce confusion. This Chapter should be reviewed thoroughly by Borough officials and a traffic survey made of all streets or roads to ensure that the Chapter accurately reflects existing traffic control devices and signs. If it does not, any missing material may be added by the Adopting Ordinance. Please provide sufficient information for any additions to allow a complete description of the location of traffic control devices. (Consult the appropriate section in Chapter 15 to see what information is needed for each type of control.) If you intend to make any changes to the posted traffic signs, the Pennsylvania Vehicle Code requires that a traffic and engineering survey be conducted and approved by PennDOT.
2. If it is felt there is no foreseeable need for some of the sections included in this Chapter, these should be marked for deletion at the editorial conference.
3. There are some duties outlined in the text of the Chapter [see Part 1] which are usually delegated to a specific official. Please indicate which "[designated official]" we should use.
4. Provisions of past ordinances which are now covered under the Vehicle Code have been omitted.

CHAPTER 18 - SEWERS AND SEWAGE DISPOSAL

1. **Part 1, Industrial Waste Pretreatment Standards.**
 - A. **§104, Administration.** In subsection (3)(B)(4), "Department of Environmental Resources" amended to "Department of Environmental Protection."

CHAPTER 20 - SOLID WASTE

1. Part 1, Solid Waste Regulations.

- A. **§102, Definitions.** In the definition of "Department," "Department of Environmental Resources" amended to "Department of Environmental Protection."

CHAPTER 21 - STREETS AND SIDEWALKS

1. Part 1, Street Openings and Excavations.

- A. **§102, Permit Required.** Amended to provide for the establishment of fees by resolution and for the establishment of the amount of the deposit by resolution.

CHAPTER 22 - SUBDIVISION AND LAND DEVELOPMENT.

- 1. Ord. 1/3/1994, [Zoning Ordinance, Chapter 27] §1001 make reference to a subdivision and land development ordinance. Does the Borough have such ordinance or is the Borough using the County Subdivision and Land Development Ordinance?

CHAPTER 24 - TAXATION, SPECIAL

1. Part 3, Per Capita Tax.

- A. **§309, Distress and Sale of Goods and Chattels of Taxpayer.** Although not specifically removed from the Local Tax Enabling Act, we believe that pre-judgment distress and sale of goods is superseded by the Judicial Code, Title 42, Pa.C.S.A.

- 2. **Part 4 Realty Transfer Tax.** Ord. 233, 12/17/1979, has been replaced by our model to bring the Borough into compliance with the 1986 amendments to the Local Tax Enabling Act and the Fiscal Code.

3. Part 5, Tax Exemptions.

- A. **§506, Termination.** Ord. 101-87, 3/10/1987, expired December 31, 1995. Has it been extended?

- 5. Ord. 107-87, 7/14/1987, providing for exemption of improvements to certain deteriorated residential property and providing the procedure for implementation of such exemption, expired July 31, 1992. Ord. 103-87 has been codified in Appendix D. Have the provisions of Ord. 103-87 been extended?

CHAPTER 26 - WATER

1. **Part 1, Stormwater Management.**

- A. What is the complete date of enactment of Ord. 110-94.
- B. In the following Sections "Department of Environmental Resources" amended to "Department of Environmental Protection":

- §102, Definitions
- §131, General Requirements
- §132, Technical Requirements

- C. There is no penalty provision for this enactment.

CHAPTER 27 - ZONING

- 1. What number was assigned to this enactment?
- 2. Throughout, reference is made to a "Planning Commission." We found no evidence of adoption of a Planning Commission. Council did, however, appoint a Planning Committee by Res. 104-95, 1/25/1995. Please advise.

3. **Part 10, Provisions Governing Floodplain Districts.**

- A. Does the Borough perceive any potential conflict with the regulations codified in Chapter 8?
- B. **§1001, "FP" Flood Plain District Identification.**
 - (1) Subsection (6)(A) refers to "Borough Subdivision and Land Development Ordinance." We could locate none. Please advise.
 - (2) Subsection (6)(C), "Department of Environmental Resources" amended to "Department of Environmental Protection."
 - (3) Is subsection (11) complete as enacted?

4. **Part 11, Administration and Enforcement.**

- A. **§1104, Schedule of Fees.** Amended to provide for the establishment of fees by resolution.

5. **Part 12, Zoning Hearing Board.**

- A. In the following Sections "this act" amended to "Municipalities Planning Code":

- §1202, Functions
- §1203, Mediation Option

6. **Part 13, Special Exceptions.**

- A. **§1302, Special Exception Conditions.** Subsection (D) limits mobile homes to mobile home parks. This may be contrary to current law.
- B. In the following subsections "Department of Environmental Resources" amended to "Department of Environmental Protection":

- Subsection (D)(10)
 - Subsection (F)(1)(C)

7. **Part 14, Supplementary Provisions.**

- A. Subsection (5)(A) permits only a one ton GVW or 2,000 pound GVW vehicle. This would prohibit most vehicles. What was intended?
- B. **§1404, Stormwater Management.** Potential conflicts with new enactment?