

AN ORDINANCE OF THE BOROUGH OF EAST CONEMAUGH, COUNTY OF CAMBRIA, AND
COMMONWEALTH OF PENNSYLVANIA REQUIRING PERSONS MOVING INTO, WITHIN, OR OUT
OF THE BOROUGH OF EAST CONEMAUGH TO OBTAIN A MOVING PERMIT, REQUIRING
RECORD OWNERS OF REAL PROPERTY TO NOTIFY THE BOROUGH OF PERSONS OR
BUSINESSES MOVING INTO OR OUT OF THEIR REAL ESTATE; REQUIRING THE OBTAINING OF
A PERMIT WHEN ESTABLISHING OR TERMINATING A BUSINESS IN THE BOROUGH,
PROVIDING FOR PENALTIES, AND A SEVERABILITY CLAUSE

ORDINANCE NO. 14-02

I. DEFINITIONS.

A. The following words when used in this Part shall have the meaning ascribed to them in this Section, except where the context clearly indicates or requires a different meaning:

1. **BOROUGH** - shall mean the Borough of East Conemaugh, Cambria County, Pennsylvania

2. **LESSOR or LANDLORD** - one who:

- a. grants a lease for Real Estate to a Person;
- b. rents Real Estate to a Person; or
- c. permits a Person to occupy Real Estate

either for

- i. business or
- ii. dwelling purposes.

3. **MOVING PERMIT** - a permit that is required for the:

- a. removal or
- b. transportation

of

- i. Personal Property or
- ii. Household Goods

- a) to or
- b) from

any Real Estate in East Conemaugh Borough.

4. **OWNER** - the Person who holds title to the Personal Property or Household Goods.

5. **PERSON** - any natural person, partnership, company, institution, non-profit or for profit firm or corporation.

6. **PERSONAL PROPERTY or HOUSEHOLD GOODS** - any tangible property that is the subject of ownership and is possible of being moved, and which is generally used in the operation of a business or for the maintenance of the household.

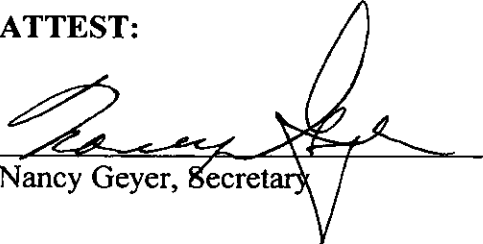
SECTION I. SPIRIT AND INTENT OF ORDINANCE NO. 14-02 ADOPTED MAY 5, 2014, BY EAST CONEMAUGH BOROUGH COUNCIL

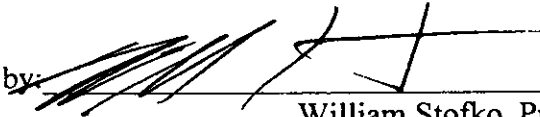
- A. The spirit and intent of Ordinance No. 1402 adopted on May 5, 2014, to require moving permits for a Person as the word "Person" is defined by Ordinance No. to obtain a moving permit when that Person transports as the words "Transport" or "Transportation" are defined by Ordinance No. 14-02 in bulk for the purpose of changing a residence or abode.
- B. East Conemaugh Borough Council also recognizes that long established principal that ordinances, codes, or regulations should not be interpreted to produce absurd results.


ENACTED AND ORDAINED this 2nd day of June, 2014, effective in five (5) days.

ATTEST:

EAST CONEMAUGH BOROUGH


Nancy Geyer, Secretary

by:  (SEAL)
William Stofko, President

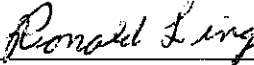
 (SEAL)
Steven J. Coy, Council Member

____ (SEAL)
Michael Vargo, Council Member

____ (SEAL)
Ronald Reynolds, Council Member

 (SEAL)
Grace Malfer, Council Member

 (SEAL)
Martha Gregorchik, Council Member

 (SEAL)
Ronald Ling, Council Member

Approved by Richard Gregorchik, Mayor, this 2nd day of June, 2014.

by:  (SEAL)
Richard Gregorchik, Mayor

- a. Family automobiles, recreation vehicles, including boats, campers, snow mobiles, and the like, or vehicles used in the operation of any business shall not be included in the definition of Personal Property or Household Goods.

7. **REAL ESTATE** - shall mean any parcel, piece, or lot of land or ground situate, lying, and being located in the Borough of East Conemaugh.

8. **RECORD OWNER** - the Person to whom the Real Estate that is:

- a. leased,
- b. rented,
- c. occupied or
- d. becoming occupied

is titled according to the records in the Recorder of Deeds office for Cambria County, Pennsylvania.

9. **TRANSPORT or TRANSPORTATION** -the moving of Personal Property or Household Goods by way of public streets, highways, or alleys in-hand or by motor vehicle.

B. The singular shall include the plural and the masculine shall include the feminine and the neuter.

II. MOVING PERMIT REQUIRED FOR PERSONS TRANSPORTING OR CAUSING TO BE TRANSPORTED PERSONAL PROPERTY OR HOUSEHOLD GOODS TO OR FROM REAL ESTATE LOCATED IN, WITHIN, OR OUT OF THE BOROUGH.

A. On and after the effective date of this Ordinance, no Person, shall move or cause to be moved any Personal Property or Household Goods into or from any Real Estate, without first having obtained a Moving Permit from the Secretary of the Borough of East Conemaugh.

III. APPLICATION FOR MOVING PERMIT.

A. Any Person requiring a Moving Permit for the transportation of Personal Property or Household Goods into, within, or from the Borough of East Conemaugh shall make application for said Moving Permit to the Secretary of the Borough of East Conemaugh.

B. Contents of Application for Moving Permit

1. The Moving Permit shall contain the following information:

- a. the applicant's name;
- b. the applicant's address;
- c. date when the move will be completed
- d. the name of the Landlord or Lessor
- e. the address of the Landlord or Lessor
- f. the name of the Owner
- g. the address of the Owner
- h. the name of the Record Owner
- i. the address of the Record Owner
- j. the name of the Person that owns the Personal Property or Household Goods to be moved or transported,
- k. the address of the Person that owns the Personal Property or Household Goods

- l. to be moved or transported;
- m. the address of the location from which the Personal Property or Household Goods are to be moved or transported
- n. the address of the location to where the Personal Property or Household Goods are to be moved or transported;
- o. in the case where the Personal Property or Household Goods are being moved into or within the Borough of East Conemaugh, all of the occupants:
 - (1) that are over the age of 18 and
 - (2) their occupation status
- p. signature of applicant and date
- q. date application is received by the Borough
- r. date Moving Permit is issued
- s. date Moving Permit expires

IV. MOVING PERMIT.

A. The Secretary of the Borough shall:

- 1. only upon receiving:
- 2. a completed Moving Permit application;
- 3. fee for a Moving Permit, and
- 4. verification that all:
 - a. taxes; and
 - b. fees, including, but not limited to Sewer tapping and rental, electric, garbage, and the like, levied by the Borough are satisfied
- 5. issue a Moving Permit.

B. The fee for the Moving Permit will be made in an amount as established from time to time by resolution of the Borough Council.

C. Contents of the Moving Permit

- 1. The Moving Permit shall set forth the following information:
- 2. The name of the applicant
- 3. The address of the applicant
- 4. date when the move will be completed
- 5. the name of the Landlord or Lessor
- 6. the address of the Landlord or Lessor
- 7. the name of the Owner
- 8. the address of the Owner
- 9. the name of the Record Owner
- 10. the address of the Record Owner
- 11. the name of the Person that owns the Personal Property or Household Goods to be moved or transported,
- 12. the address of the Person that owns the Personal Property or Household Goods to be moved or transported;
- 13. the address of the location from which the Personal Property or Household Goods are to be moved or transported (OLD ADDRESS)
- 14. the address of the location to where the Personal Property or Household Goods are to be moved or transported; (NEW ADDRESS)
- 15. in the case where the Personal Property or Household Goods are being moved into or within the Borough of East Conemaugh, all of the occupants:

- a. that are over the age of 18 and
- b. their occupation status
- 16. signature of applicant and date
- 17. date application is received by the Borough
- 18. date Moving Permit is issued
- 19. date Moving Permit expires
- 20. outstanding municipal obligations owed to the Borough by the applicant for the Real Estate from which the Personal Property or Household Goods are removed.
- 21. the fee charged by the Borough for the Moving Permit

D. A copy of the issued Moving Permit shall be:

- 1. delivered to the Borough's Police Department and
- 2. the Landlord or Lessor and
- 3. Record Owner

V. REQUIRED NOTICE TO BOROUGH SECRETARY.

A. Obligation of Owner of Personal Property or Household Goods

- 1. Removal of Personal Property or Household Goods from Real Estate
 - a. Any Person leasing, renting, or occupying any Real Estate or portion thereof for either as a business or as a dwelling from any Landlord, Lessor, or Record Owner shall not remove any Personal Property or Household Goods from the Borough without turning into the Borough Secretary a completed application for a Moving Permit prior to the removal of any Personal Property or Household Goods from the Real Estate.
- 2. Moving Personal Property or Household Goods into the Real Estate
 - a. Any Person shall not move any Personal Property or Household Goods into any Real Estate without turning into the Borough Secretary a completed application for a Moving Permit prior to the moving any Personal Property or Household Goods to any Real Estate that the Person is leasing, renting, or occupying for use either as a business or as dwelling.

B. Obligation of Record Owner, Lessor, or Landlord

- 1. Notice of Person Removing Personal Property or Household Goods from Real Estate
 - a. Any Record Owner, Lessor or Landlord leasing, renting, or permitting any Person to occupy any Real Estate or part thereof for either as a business or as a dwelling shall give the Borough Secretary at least five (5) days notice of the intention of the Person leasing, renting, or occupying the Real Estate lessee or tenant to remove Personal Property or Household Goods from the leased, rented, or occupied Real Estate.
- 2. Notice of Person moving Personal Property or Household Goods into the Real Estate
 - a. Any Record Owner, Lessor or Landlord leasing, renting, or permitting any Person to occupy any Real Estate or part thereof for either as a business or as a dwelling shall give the Borough Secretary at least five (5) days notice of when

the Person renting, leaseing, or occupying the Real Estate or portion thereof shall be moving any Personal Property or Household Goods from the Real Estate.

3. Notice of Person Renting, Leasing, or Occupying Real Estate

- a. Any Record Owner, Lessor or Landlord leasing, renting, or permitting any Person to occupy any Real Estate or part thereof for either as a business or as a dwelling shall give the Borough Secretary within five (5) days of the date when the Real Estate or portion thereof became leased, rented, or occupied.

VI. MOVING COMPANIES REQUIRED TO MAKE SURE PROPER PERMIT HAS BEEN OBTAINED.

- A. Any Person who is in the business of transporting or moving Personal Property or Household Goods in bulk shall be obligated to verify that a Moving Permit has been issued, prior to the moving or transporting of any Personal Property or Household Goods, either into, within, or from any Real Estate.

VII. PENALTIES.

- A. Any Person, Landlord or Lessor, or Record Owner who shall fail to comply with any of the provisions of this Part, or furnishes false information, or refuses to furnish information to the Borough Secretary or uses false names or addresses shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

ENACTED AND ORDAINED this 5th day of May, 2014, effective in five (5) days.

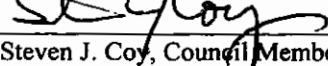
ATTEST:


Nancy Geyer, Secretary

EAST CONEMAUGH BOROUGH

by:  (SEAL)

William Stofko, President

 (SEAL)
Steven J. Coy, Council Member

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Grace Malfer, Council Member

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Martha Gregorchik, Council Member

 (SEAL)
Ronald Ling, Council Member

Approved by Richard Gregorchik, Mayor, this 5th day of MAY, 2014.

by:  (SEAL)
Richard Gregorchik, Mayor