

ORDINANCE NO. 590

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF ROCKLEDGE, MONTGOMERY 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 COUNCIL HEREBY ORDAINS:

Section 1. Adoption.

The "Code of Ordinances, Borough of Rockledge," as prepared and published for the said Borough, 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 regulatory ordinances of the Borough organized as follows:

TABLE OF CONTENTS

Chapter 1	Administration and Government.....	1-1
Chapter 2	Animals	2-1
Chapter 3	Bicycles	3-1
Chapter 4	Buildings	4-1
Chapter 5	Code Enforcement.....	5-1
Chapter 6	Conduct	6-1
Chapter 7	Fire Prevention and Fire Protection.....	7-1
Chapter 8	Floodplains	8-1
Chapter 9	Grading and Excavating [Reserved]	9-1
Chapter 10	Health and Safety	10-1
Chapter 11	Housing	11-1
Chapter 12	Libraries [Reserved]	12-1
Chapter 13	Licenses, Permits and General Business Regulations....	13-1
Chapter 14	Mobile Homes and Mobile Home Parks.....	14-1
Chapter 15	Motor Vehicles and Traffic	15-1
Chapter 16	Parks and Recreation	16-1
Chapter 17	Planned Residential Development [Reserved]	17-1
Chapter 18	Sewers and Sewage Disposal	18-1
Chapter 19	Signs	19-1
Chapter 20	Solid Waste.....	20-1
Chapter 21	Streets and Sidewalks	21-1
Chapter 22	Subdivision and Land Development	22-1
Chapter 23	Swimming Pools [Reserved]	23-1
Chapter 24	Taxation; Specia.....	24-1
Chapter 25	Trees	25-1

Chapter 26	Water.....	26-1
Chapter 27	Zoning.....	27-1

APPENDIX

A	Annexation of Territory	A-3
B	Bond Issues and Loans	A-5
C	Franchises and Services.....	A-11
D	Governmental and Intergovernmental Affairs.....	A-15
E	Plan Approval.....	A-31
F	Public Property.....	A-33
G	Sewers.....	A-35
H	Streets and Sidewalks.....	A-37
I	Water	A-41
J	Zoning; Prior Ordinances.....	A-43
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 Rockledge 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 Rockledge 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 Rockledge 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.

Chapter, Part, Section	Subject	Ordinance No.
15, Entire Chapter	Motor Vehicles and Traffic	44; 121; 124; 166; 11/10/1952; 216; 220; 222; 224; 225; 229; 237; 247; 249; 250; 257; 260; 261; 273; 283; 289; 291; 296; 302; 308; 309; 311; 315; 319; 335; 336; 337; 342; 345; 354; 355; 356; 362; 365; 371; 377; 378; 389; 390; 398; 401; 419; 420; 424; 431; 432; 44; 446; 454; 456; 457; 464; 470; 481; 485; 490; 530; 531; 534; 535; 536; 537; 539; 540; 544; 546; 547; 552; 554; 555; 561; 566; 579;

B. Revisions

Chapter, Part, Section	Subject	Ordinance No.
	Recognizing the Firemen's Relief Association	159

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

Chapter, Part, Section	Subject
6, 1, §§6-101-6-104	Discharge of Firearms
6, 5, §§6-501-6-502	Disorderly Conduct
7, 1, §§7-101-7-10	Display and Discharge of Fireworks
10, 1, §§10-101-10-117	Property Maintenance
10, 2, §§10-201-10-204	Height of Vegetation
13, 1, §§13-101-13-109	Transient Retail Businesses
24, 5, §§24-501-24-518	Local Taxpayers Bill of Rights

B. Amendments

Chapter, Part, Section	Subject	Ordinance No.
1, 1, §1-106	Powers and Duties of the Manager	503, §6
1, 1, §1-1002	Articles of Incorporation	254, §II
1, 5, §1-1501	Tax Certification	504, §1
1, 13, §1-1316	Pension Benefits	415; 575

Chapter, Part, Section	Subject	Ordinance No.
1, 17, §1-1702	Health District	23
2, 1, §2-108	Fees	556, §8
16, 1, §16-101	Rules and Regulations	353; 370; 407; 441; 505; 529
23, 1, §23-101	Permit Required	310
24, 1/ §24-105	Definitions	493; 563

C. Repeals

Ord./Date	Subject
87, 2/8/1904	Inspection and License of Telegraph, Telephone, Electric Light, Electric Railway and Other Poles
101, 8/13/1909	Erection of Electric Wires Over Highways
144, 8/13/1928	Inspection of Premises by Fire Department
147, 8/13/1928	Storage of Explosives
209, 12/11/1950	Unlawful to Maintain Open Drains, Drain Into Open Ditches
226, 1/11/1954	Emissions of Gases, Odors or Smoke
275, 8/25/1960	Board of Health

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:

Chapter, Part, Section	Short Title
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Section 7. Land Use Amendments.

The Borough of Rockledge Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapters 22 and 27 thereof which is attached hereto and made part hereof by reference hereto as if fully set out at length herein, with deletions shown by strike-through and additions shown by underline, all of which is briefly summarized hereinafter.

- A. New Provisions. The following provisions are new provisions which are being added to the Code, are underlined throughout the text, and are summarized as follows:

Chapter, Part, Section	Subject
22, 1, §22-106	Water Supply
22, 1, §22-107	Enactment of Subdivision and Land Development Ordinance
22, 1, §22-108	Enactment of Subdivision and Land Development Ordinance Amendment
22, 1, §22-109	Publication, Advertisement and Availability of Ordinance
22, 1, §22-110	Effect of Subdivision and Land Development Ordinance
22, 1, §22-111	Approval of Plats
22, 1, §22-112	Completion of Improvements or Guarantee Thereof Prerequisite to Final Plat Approval
22, 1, §22-113	Release from Improvement Bond
22, 1, §22-114	Remedies to Effect Completion of Improvements
22, 1, §22-115	Modification
22, 1, §22-116	Recording of Plats and Deeds
22, 1, §22-117	Preventive Remedies
22, 1, §22-118	Jurisdiction
22, 1, §22-119	Enforcement Remedies
22, 2, §22-201	General Usage
22, 2, §22-202	Definition of Terms
22, 3, §22-301	Applicability
22, 3, §22-302	Plans for Subdivision and Land Development
22, 3, §22-303	Tentative Sketch Plan
22, 3, §22-304	Minor Subdivision Plan
22, 3, §22-305	Preliminary Plan
22, 3, §22-306	Final Plan
22, 3, §22-307	Land Development Plans
22, 3, §22-308	Plan Processing Procedures
22, 3, §22-310	Traffic Impact Study

- B. Revised Provisions. The following provisions of the Code are revised, the text of which indicates deletions by strike-through and additions by underline, and are summarized as follows:

Chapter, Part, Section	Subject	Ordinance No.
27, 2, §27-202	Definition of Terms	469A, §201
27, 16, §27-1606	Notice of Hearings	469A, §1605
27, 16, §27-1609	Specific Standards for Variances and Special Exceptions	469A, §1608

- C. Repealed Provisions. The following provisions of the Code are repealed, the text of which indicates deletions by strike-through, and are as follows:

Chapter, Part, Section	Subject	Ordinance No.
None		

Section 8. 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 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 9. 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 10. 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 of Rockledge Code of Ordinances and shall be available for public inspection.

Section 11.

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 \$600 and costs or, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

Section 12. 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 14th day of
March, 2005.

BOROUGH OF ROCKLEDGE

By: /s/Kenneth Costello
Mayor

ATTEST:

/s/Keith S. Truman
Secretary