

**CODIFIED ORDINANCES OF THE BOROUGH OF COALPORT PENNSYLVANIA**

CERTIFICATION

I, Angel Whetstone, Secretary of the Borough of Coalport, Pennsylvania, pursuant to Section 3301.5 of the Borough Code, hereby certify that the general and permanent ordinances of the Borough of Coalport, Pennsylvania as revised, rearranged, compiled, renumbered and printed herein constitute the Codified Ordinances of the Borough of Coalport, Pennsylvania, 2016.  
/s/ Angel Whetstone  
Borough Secretary

ORDINANCE NO. 194  
AN ORDINANCE TO APPROVE, ADOPT AND ENACT THE  
CODIFIED ORDINANCES AND TO PUBLISH NOTICE OF  
THEIR ENACTMENT.

The Council of the Borough of Coalport, Pennsylvania has had the matter of codification and general revision of the ordinances before it for some time. Be it ordained and enacted by the Borough of Coalport, Clearfield County, Pennsylvania pursuant to the authority granted by the Act of February 1, 1966, P.L. 1656, Section 3301.5 - as follows:

SECTION I. The ordinances of the Borough of Coalport, Pennsylvania of a general and permanent nature as revised, codified, rearranged, and consolidated into component codes, titles, articles, and sections are hereby approved, adopted and enacted as the Codified Ordinances of Coalport, Pennsylvania, 2016.

One book-form copy of the Codified Ordinances shall be certified as correct by the Borough Secretary, attached to this Ordinance as a part hereof, and filed with the permanent ordinance records of the Borough of Coalport, Pennsylvania.

SECTION II. The provisions of this Ordinance, including all provisions of the Codified Ordinances, shall be in full force and effect immediately upon passage of this Ordinance and its approval by the Mayor. All ordinances and resolutions or parts thereof enacted prior to the codification which are inconsistent with any provision of the Codified Ordinances are hereby repealed as of the effective date of this Ordinance.

SECTION III. Notice of the introduction of this Ordinance shall be published as provided in section 3301.5.

ORDAINED AND ENACTED INTO LAW THIS Nov 7<sup>th</sup> 2016

**CODIFIED ORDINANCES OF THE BOROUGH OF COALPORT PENNSYLVANIA**

**TABLE OF CONTENTS**

Chapter 1 - Administrative Code  
Chapter 2 - Business Regulation and Taxation Code  
Chapter 3 - Traffic Code  
Chapter 4 - General Offenses Code  
Chapter 5 - Streets, Utilities and Public Services Code  
Chapter 6 --Building Code  
Table of Special Ordinances

**Chapter One**  
**ADMINISTRATIVE CODE**

**ARTICLE 100. CODIFIED ORDINANCES**

**100.01 Codification adopted and enacted**

A. The ordinances of the Borough of Coalport, Pennsylvania of a general and permanent nature as revised, codified, rearranged, renumbered, and consolidated into component codes, titles, articles and sections are ordained as the general ordinances of the Borough, and are hereby approved, adopted and enacted as the "Codified Ordinances of Coalport, Pennsylvania, 2016."

B. This Ordinance shall be introduced in Council, notice of introduction shall be published, and legal advertisement of the contents of the Codified Ordinances shall be made in conformity with the Act of February 1, 1966, P.L.1656 §3301.5.

**101.02 Component codes; short title; citation**

The Codified Ordinances of Coalport, Pennsylvania, 2016, shall be comprised of the following:

- Chapter 1 - Administrative Code
- Chapter 2 - Business Regulation and Taxation Code
- Chapter 3 - Traffic Code
- Chapter 4 - General Offenses Code
- Chapter 5 - Streets, Utilities and Public Services Code
- Chapter 6 - Building Code

The Codified Ordinances of the Borough of Coalport, Pennsylvania, 2016, may be referred to as the "Codified Ordinances"; any component Code of the Codified Ordinances may be referred to by its name, such as the "Traffic Code", and sections of the Codified Ordinances may be cited by their number, such as Section 101.01.

**101.03 Amendments, supplements, numbering**

A. The Codified Ordinances may be amended or supplemented at any time. When an amendment or supplement is adopted, it shall be incorporated into the Codified Ordinances.

B. All amendments and supplements enacted as a part of the Codified Ordinances shall be integrated by following the form of arrangement and plan set forth in the original Codified Ordinances as follows: each Code shall be subdivided into titles, each title shall be subdivided into articles, and each article shall be subdivided into sections which shall be numbered in accordance with the decimal numbering system. The numbering of all sections, except the penalty sections, shall be consecutive within each article commencing with the first section of Article 101 which shall be numbered 101.01, the first "1" signifying Code 1, the two figures "01" before the decimal signifying the article within the Code, and the two figures "01" after the decimal signifying the first section in Article 101 of the Code. Penalty sections shall be designated ".99" and shall be the last section of the article.

**101.04 Severability of provisions**

Each section and each part of each section of the Codified Ordinances is hereby declared to be an independent section or part of a section, and notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any such section or part of a section, or any provision thereof, or the application thereof to any person or

circumstances, is held to be invalid, the remaining sections or parts of sections and the application of such provision to any other person or circumstances, other than those as to which it is held invalid, shall not be affected thereby, and it is hereby declared to be the legislative intent that the Codified Ordinances would have been adopted independently of such sections or parts of a section so held to be invalid.

**101.99 General code penalty**

Whoever violates any provision of the Codified Ordinances for which no penalty is otherwise provided shall be fined not more than fifty dollars (\$50.00).

**Article 110. COMBINED OFFICES**

**110.01**

The offices of the Coalport Borough Secretary and the Coalport Borough Treasurer may be combined.

**Chapter Two**  
**BUSINESS REGULATION AND TAXATION CODE**

**ARTICLE 200.00 OCCUPATIONAL PRIVILEGE TAX**

**200.01 Levy and authority**

The Borough of Coalport hereby levies a ten (\$10) dollar annual Occupation Privilege Tax on each occupation engaged in by individuals within the borough limits pursuant to the Act 511 of December 31, 1965, entitled "The Local Tax Enabling Act of 1965."

**200.02 Duty of employers**

Employers have the duty of collecting the tax from his employees and remitting the same to the Borough Treasurer. Further, each employer is hereby required to deduct this tax from the employee's first paycheck.

**ARTICLE 210.00 REAL ESTATE TRANSFER TAX**

**210.01 Authority**

A realty transfer tax for general revenue purposes is hereby imposed upon the transfer of real estate or interest in real estate situated within the Borough of Coalport, regardless of where the documents making the transfer are made, executed or delivered, or where the actual settlements on such transfer took place as authorized by Article XI-D, "Local Real Estate Transfer Tax," 72 P.S. §8101-d, et seq.

**210.02. Levy**

Every person who presents any document for recording, or on whose behalf any document is presented for recording, shall pay a tax at the rate of one (1%) percent of the value of the real estate represented by such document, which tax shall be paid at the time the document is presented for recording.

**210.03 Collection**

The Recorder of Deeds of Clearfield County is authorizes to collect and remit to the Borough its proportional share of transfer taxes paid.

**ARTICLE 220 PER CAPITA TAX**

**220.01 Authority**

This Article is enacted under the authority of The Local Tax Enabling Act of December 31, 1965.

**220.02 Levy**

A per capita tax of Five (\$5) Dollars is hereby levied on all residents of the Borough over eighteen (18) years of age for general revenue purposes.

**220.03 Tax Collection**

The Borough Tax Collector is authorized to collect the tax as provided by the Tax Collector Law, Act

of May 25, 1945, P.L. 1050, as amended.

**220.04 Discounts and penalties**

If the tax is paid in full within two months of the date of notice, there shall be a two (2%) percent discount. If the tax is paid beyond four (4) months after the date of notice, there shall be a five (5%) penalty.

**220.05 Recovery of unpaid taxes**

The Tax Collector shall have the authority to collect unpaid taxes by selling personal property of the taxpayer as provided by the Local tax collection Law, Act of May 25, P.L. 1050, as amended.

**ARTICLE 230 EARNED INCOME TAX**

**230.01 Authority**

This Article is enacted under the authority of The Local Tax Enabling Act of December 31, 1965.

**230.02 Levy**

The tax levied under this Ordinance shall be applicable to earned income received and to net profits earned in the current calendar year. For businesses that operate on a fiscal year, the tax shall be applicable to the profits of the fiscal year. This tax shall continue in force without annual reenactment unless the tax rate is changed. A tax of one-half of one percent (.05%) shall be imposed on the following:

- A. Salaries, wages, commissions and other compensation earned by residents of the Borough.
- B. Salaries, wages, commissions and other compensation earned by nonresidents who earned income in the Borough.
- C. Net profits, earned by residents of the Borough.
- D. Net profits, earned in the Borough by nonresidents.

**230.03 Declarations and payments**

Every Taxpayer receiving earned income or earning net profits in any Tax Year shall file a Tax Return with the Borough Tax Collector by April 15. A Taxpayer is required to file an annual Return even if no Tax payment is due.

**230.04 Employer withholding, remittance, and tax return**

Every employer shall register, require employee residency certificates, withhold and remit Tax, and file Tax Returns and withholding statements with the Tax Collector.

**230.05 Collection and recovery of unpaid taxes**

The Tax will be collected by the Tax Officer. The Borough or The Tax Officer may file an action in the name of the Borough for the recovery of unpaid taxes.

**Chapter Three  
TRAFFIC CODE**

**ARTICLE 300. TRAFFIC CODE**

**300.01 Speed limit**

It shall be unlawful to operate a vehicle on all Borough streets in excess of **Twenty five (25)** miles per hour, Excluding Main Street.

**300.02 Operating a vehicle on sidewalks**

It shall be unlawful to operate a motor vehicle or motorcycle on any Borough sidewalk except at a driveway.

**300.03 Parking restrictions**

It shall be unlawful to park in the Borough as follows:

- A. On a sidewalk or curb.
- B. In a posted no-parking zone.
- C. In front of a private driveway.
- D. In a handicapped parking zone unless a state issued plate or placard is displayed.
- E. Within twenty (20) feet of an intersection.
- F. Within fifteen (15) feet of a fire hydrant.
- G. In front of a firehouse entrance or in a fire lane.
- H. In a manner that obstructs a crosswalk or sidewalk.
- I. Facing the wrong direction, or opposite the flow of traffic.
- J. In a manner that constitutes double parking.
- K. In a manner that obstructs or blocks vehicular or pedestrian traffic.

**300.04 Vehicle weight limits**

No vehicle having an unloaded weight of more than **thirty thousand (30,000) pounds** shall travel any Borough street except for the purpose of pick-up and delivery.

**300.05 One-way streets.**

Turtle alley and west Railroad Street from Pine Street to Mill Street are to be one-way, and all vehicular traffic is permitted to proceed only in the direction indicated.

**300.06 Parking prohibited at all times**

No person shall park a vehicle at any time on the following streets:

- a) the south side of Walnut Street.
- b) the north side of Pine Street.
- c) on the North side of Spruce Street from Main Street to Turtle Alley
- d) on the South side from Turtle Alley to Union Street.

**300.07 Parking prohibited at certain hours**

No person shall park a vehicle on Main Street from November 15 to April 15 between the hours of 2:00AM and 6:00AM.

**300.08 Bicycles and skateboards**

The riding of bicycles, skateboards and rollerblades is prohibited on the Main Street sidewalks.

**300.09 Notice of prohibited riding places.**

The riding of skateboards or bicycles upon any sidewalk or on public or private property to which notice against the activity is given by actual communication or by posting is hereby prohibited.

**300.99 Enforcement and penalties**

The provisions of this Article shall be enforced by a Borough official. Any person convicted of violating any part of this chapter shall pay a fine of Twenty-five dollars (\$25 ) plus costs of prosecution, or in default of payment of fines and costs, imprisoned for not more than ten (10) days.



**Chapter 4**  
**GENERAL OFFENSES CODE**

**ARTICLE 400. ANIMALS**

**400.01 Dog License, Collar and Tag Required**

Any dog three (3) months or older must be licensed by the Treasurer of Clearfield County, Pennsylvania and must wear a collar and license tag or have a license tattoo or chip implant. This provision is not intended to apply to dogs whose owners are non-residents and temporarily in the Borough nor to any guide dog properly trained to assist blind or hearing impaired persons.

**400.02 Animal Trespass, Animal at Large, Leash Law, and Animal Feces**

**A. Animal Trespass**

No owner or custodian of an animal shall permit that animal to trespass upon the property of another without permission.

**B. Animals At Large**

No owner or custodian of an animal shall permit the animal to run at large in the Borough. An animal is considered at large if it is not secured by a leash controlled by a human .

**C. Cleanup of Animal Feces**

1. No owner or custodian of any animal shall permit the animal to defecate upon the property of another including Borough property without immediately removing such matter and disposing of it in a sanitary manner.
2. No real property owner shall permit animal feces to accumulate on his property for more than twenty-four (24) hours, and it shall be the owner's responsibility to daily remove such matter to prevent any such accumulation from becoming a health hazard.

**400.03 Slaughtering of Animals Prohibited**

The slaughtering or dressing of animals such as cattle, sheep, swine, goats, rabbits, poultry, etc shall not be allowed in the Borough except at places authorized by state or federal government agencies. This article does not apply to wild animals taken in accordance with applicable game laws.

**400.04 Keeping Farm Animals Prohibited**

It shall be unlawful for any person to keep or maintain farm animals including but not limited to horses, cattle, swine, sheep, goats or fowl in the Borough.

**400.99 Enforcement and Penalties**

The provisions of this Article shall be enforced by a Borough official. Any person convicted of violating any part of this chapter shall pay a fine of Fifty dollars (\$50 ) plus costs of prosecution, or in

default of payment of fines and costs, imprisoned for not more than ten (10) days.

#### **ARTICLE 410. NOISE CONTROL**

##### **410.01 A noise disturbance shall be disorderly conduct.**

Any unnecessary or excessive noise or any noise of such intensity or duration as to be a disturbance of the public peace is hereby prohibited and shall constitute disorderly conduct within the Borough.

##### **410.02 Prohibited noise includes the following:**

- A. Use of a horn or other warning device for more than a reasonable warning, but instead to make an unnecessary or an unreasonable loud or harsh sound.
- B. The playing of a radio, stereo, TV, musical instrument or other similar devices with such volume as to annoy or disturb any reasonable person.
- C. Yelling, shouting, hooting, whistling or singing on the public streets so as to annoy or disturb any persons in the vicinity.
- D. Permitting any animal in one's possession or under one's control to make any frequent or long continued noise of such intensity as to disturb a reasonable person.
- E. Operating or permitting the operation of any tools or equipment used in construction, drilling, or demolition work:
  1. Between the hours of 10:00 P.M. and 7:00 A.M. on weekdays and Saturday and any time on Sundays or holidays if the sound creates a noise disturbance across a residential property boundary, except for emergency work.
  2. This section shall not apply to the use of domestic power tools.
- F. The use of any drum, loud speaker or other device for the purpose of attracting attention to the sale or display of merchandise of a commercial character.

##### **Exceptions**

Prohibitions shall not apply to the following:

- A. Borough personnel or equipment while engaged in necessary public business.
- B. Excavations or repairs of bridges or streets by or on behalf of the Borough.
- C. Parades with band music on holidays or by civic organizations or by the public schools or divisions of the public schools.
- D. School sports events which may or may not be accompanied by cheering and/or music.
- E. The reasonable use of amplifiers or loud speakers in the course of public addresses which are noncommercial in character.
- F. Fireworks exhibits held under permit by the Borough.

##### **410.99 Fines and penalties**

The provisions of this Article shall be enforced by a Borough official. Any person convicted of violating any part of this chapter shall pay a fine of Fifty dollars (\$50) plus costs of prosecution, or in default of payment of fines and costs, imprisoned for not more than ten (10) days.

#### **ARTICLE 420. PROPERTY MAINTENANCE**

**420.01. Purpose**

Littered, neglected and blighted properties are costly problems that contribute to the deterioration of property values and general disorder in a community. These properties degrade the physical appearance of the Borough which reduces business and tax revenue and inhibits economic development. The quality of life and community pride of Coalport's residents are negatively affected. Recognizing these are community problems, the purpose of this ordinance is to promote the health, safety and general welfare of the Borough by helping to create a clean environment for our citizens.

**420.02 Maintenance of exterior property areas:****A. Sanitation.**

All exterior property areas shall be maintained in a clean, safe and sanitary condition, free from any accumulation of rubbish or garbage. It shall be unlawful to accumulate items such as furniture, durable goods (refrigerators, washers, dryers, etc.) small appliances, carpets, tires, vehicles, vehicle parts, automotive products, municipal waste, hazardous waste, residual waste or construction or demolition debris on the exterior of the property if it poses a threat to the physical appearance, safety or public health of the community or if their presence creates the potential for a public nuisance.

**B. Insect and rat control.**

An owner of a property shall be responsible for the extermination of insects, rats, vermin or other pests in all exterior areas of the premises, except that the occupant shall be responsible for such extermination in the exterior areas of a single-family dwelling.

**C. Weeds.**

1. All lots shall be maintained free from weeds or plant growth in excess of 10 inches. This does not include trees, shrubs, or cultivated flowers and gardens.
2. It shall be unlawful to permit grass, weeds, or plant growth to exceed ten (10) inches in height in the tree well, sidewalk, curb-line or planter strip. It shall be the owner's duty to cut the grass or weeds to prevent such growth.
3. No owner of real property shall permit vegetation on the property to grow in such a manner as to create a public nuisance.

**D. Public nuisance.**

All exterior property areas shall be maintained in such a manner so as not to constitute a public nuisance.

**E. Vehicles.**

No junk or abandoned vehicle shall be parked on any property within the Borough.

**420.98. Severability**

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in effect.

**420.99. Enforcement and penalties**

**A. Enforcement.** The Code Enforcement Official shall enforce all provisions of this Article, and is authorized to enter any exterior property area at any reasonable time for the purpose of making

inspections and performing duties under this chapter. He shall issue a notice of violation to the owner or person(s) responsible. It will identify the property, list all violations, provide recommendations, and allow a reasonable time to bring the property into compliance. If the property is not brought into compliance, a citation will be issued.

B. Penalty. Violation of any provision of this Article shall be subject to a \$100 fine, plus costs, or in default of payment of fine and costs imprisoned for not more than ten (10) days. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, may constitute a separate offense.

C. Borough permitted to correct violation. If the violation continues, the borough may, after providing 20 days' prior written notice, correct the violation at the borough's expense. All costs plus a Three Hundred Dollars (\$300) administrative fee shall then be charged to the owner and shall constitute a municipal lien against the real property upon which said costs and fees were incurred. For nuisance abatements in excess of Two Thousand (\$2000) Dollars, the administrative fee shall be Fifteen (15%) percent of the actual cost incurred, including labor and materials supplied by the Borough or its contractors.

## **ARTICLE 430. OUTDOOR FURNACES and OUTDOOR BURNING**

### **430.01 Definition**

Outdoor fuel burning appliance – an outdoor furnace, stove or boiler.

### **430.01 Purpose and Authority**

Research indicates that outdoor fuel burning appliances and outdoor burning in general causes emission problems that cross property lines. The fine particulates in smoke are recognized as a particular health concern because they lodge deep in the lungs and cause a host of health problems ranging from short-term eye, nose, throat and lung irritations, to long-term health problems including asthma, bronchitis, emphysema, pneumonia, heart disease and increased cancer risk. Furthermore, burning certain materials produces downright toxic, hazardous, and carcinogenic pollutants. This Article is enacted under The Pennsylvania Code, Title 25, Chapter 21, which prohibits air pollution, and Section 53 P.S. 46202 (6) Health and Cleanliness Regulations.

### **430.02 Non-burnable materials**

Under the guidelines of this ordinance it shall be illegal to burn plastic, rubber, oils, asbestos, composition boards, chemically treated wood, shingles, felt paper, canvas, tires fiber glass, vinyl, excrement, sanitary napkins, diapers, food solids, oil filters, grasses, green twigs, leaves, or any other materials that emit acrid, obnoxious smoke; are toxic, or otherwise create a nuisance. This applies to both outdoor burning and outdoor fuel burning appliances.

### **430.03 Regulations**

An outdoor fuel burning appliance may be installed and operated in Coalport Borough, but only in accordance with the following:

A. It must meet or exceed the emission standards required by the Environmental Protection Agency (EPA) which are hereby adopted by reference together with any amendments or modifications made to them in the future.

- B. No homemade outdoor fuel burning appliances shall be allowed to be installed or operated within the Borough.
- C. In accordance with PA DEP rules, only Phase 2 EPA qualified outdoor fuel burning appliance shall be sold in Pennsylvania. They shall be installed a minimum of 50 feet from any property line, and shall be equipped with a permanently attached smokestack that extends a minimum of 10 feet above the ground. Should manufacturer's specifications require a greater height, the manufacturer's specifications shall prevail.
- D. The only fuel permitted shall be clean dry wood, coal, heating oil, natural gas, and kerosene.
- E. It must be equipped with a spark arrestor.
- F. Ashes shall not be allowed to accumulate.

#### **430.04 Regulations for existing outdoor fuel burning appliances**

All outdoor fuel burning appliances in existence at the effective date of this Ordinance must be in accordance with the following:

- A. A safe flu or chimney must terminate at least twenty (20) feet above ground level and be at least two (2) feet above the neighboring residence roof line.
- B. A fan or blower must be installed to increase efficiency.
- C. The only fuel permitted shall be clean dry wood, coal, heating oil, natural gas, and kerosene.
- D. It must be equipped with a spark arrestor.
- E. Ashes shall not be allowed to accumulate.

#### **430.99. Enforcement and penalties**

- A. The Code Enforcement Official shall enforce all provisions of this Article. He shall issue a notice of violation to the owner. It will identify the property, list all violations, provide recommendations, and allow 30 days for compliance. If not brought into compliance, a citation will be issued.
- B. Any person or corporation who violates the provisions of this Ordinance shall upon conviction pay a fine not to exceed \$100 plus costs, or in default thereof, undergo imprisonment in the County Jail for a period not to exceed ten (10) days. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, may constitute a separate offense.

### **ARTICLE 440. DISTURBING THE PEACE**

#### **440.01 Disorderly conduct**

It shall be unlawfully to commit any disturbance, make loud noise; use profane insulting, obscene, lewd, filthy or other indecent language in a public place; make any immodest, immoral, lewd or other indecent sign or gesture; do or commit any other immodest, immoral, lewd or indecent act, or abuse or annoy any person in any public place within the Borough so as to disturb the good order, quiet and peace of the residents.

#### **440.02 Fights, affrays, and public drunkenness**

No person shall wrongfully strike another or be engaged in any fight or affray, or be in a drunken or intoxicated condition in any public place within the borough.

#### **440.03 Loitering**

No person shall loiter in a public place so as to obstruct any public street, sidewalk, or entrance to a public building by hindering the passage of vehicles or pedestrians.

**440.99 Penalty**

A. Any person violating the provisions of this article shall be fined not more than 25 Dollars or imprisoned not more than 10 days, or both.

B. Alternative adjudication may be made pursuant to the provisions of 42 Pennsylvania C.S.A. §1526 for Section 440.03, Loitering.

**ARTICLE 450.00 SIDEWALK REGULATIONS****450.01 Clean sidewalks and snow and ice removal**

A. It shall be the duty of property owners having frontage on a dedicated and opened public street or alley to keep the sidewalks clean.

B. It shall be the duty of property owners having frontage on a dedicated and opened public street or alley to remove snow and ice from the sidewalk within twenty-four (24) hours after it has stopped snowing. It shall be considered compliance with this section if a cleared portion is four (4) feet wide.

**450.99 Enforcement and fines**

Police officers or any other public officer shall enforce all provisions of this Article. Any person violating the provisions of this article shall be fined twenty five (25) Dollars.

**ARTICLE 460.00 FIREARMS AND EXPLOSIVES****460.01 Discharge of firearms**

It shall be unlawful to discharge firearms of any kind, air rifles, spring guns, bows and arrows, slings or any other forms of weapons within the Borough limits.

**460.02 Explosives**

It shall be unlawful to fire off any explosive thing or substance such as firecrackers, squibs, rockers, or any kind of fireworks within the Borough limits unless a license or permit has been granted by council.

**460.99 Enforcement and fines**

Police officers or any other public officer shall enforce all provisions of this Article. Any person violating the provisions of this article shall be fined twenty five (25) Dollars or imprisoned not more than ten (10) days, or both.

**ARTICLE 470.00 VACANT STRUCTURES****470.01 Safe and sanitary maintenance**

All vacant structures shall comply with the following minimum standards for safe and sanitary maintenance:

A. Every roof, foundation, and exterior wall shall be weather tight, watertight, and rodent-proof, and shall be kept in sound condition and good repair.

B. Every window, exterior door and basement or cellar door and hatchway shall be weather tight, watertight, rodent-proof and locked and in sound working condition and good repair.

C. Every outside stair, porch and appurtenance shall be safe to use and capable of supporting the load that normal use may cause to be place thereon, and shall be kept in sound condition and good repair.

D. The exterior of every structure or accessory structure shall be maintained free of broken windows.

loose shingles, crumbling stone or brick, or excessive peeling paint.

## **Chapter 5 Streets, Utilities, and Public Services**

### **ARTICLE 500. STREETS AND SIDEWALKS**

#### **500.01 Street and sidewalk width**

No street shall be less than twenty feet wide, and no alley shall be less than fourteen feet wide within the limits of the Borough. The width of a sidewalk along all streets sixty feet wide shall be eight feet wide; on fifty and forty foot streets, six feet wide, and on twenty foot streets, four feet wide.

#### **500.02 Permit required**

- A. A permit is required to dig into any Borough street, alley, sidewalk, or curb.
- B. Any person working in the vicinity of a Borough street or alley who causes damage to a street, alley, curb, or sidewalk will be required by this article to obtain a permit and deposit the necessary fees as required to correct damage.
- C. Public utilities will obtain street excavation permits for work performed by their own forces or by contract. It will be the permittee's responsibility to comply with Section 5 of Act 172 of the General Assembly of the Commonwealth of Pennsylvania, as amended.

#### **500.03 Owner's responsibility**

Property owners having frontage on an open public street or alley are required to construct and maintain sidewalks, curbs, handicap ramps and cross-over driveways. This shall be at the expense of the property owner. Furthermore, all work must be done in accordance with this article, meet standards and specifications established and maintained by Borough Engineering, require approval of the Borough Engineer, and the issuance of a work order.

#### **500.04 Concrete required**

All sidewalks, curbs, handicap ramps and cross-over driveways must be made of concrete that conforms to the specifications and standards maintained by the Bureau of Engineering and the PennDOT Specifications Form 408 and latest revisions.

#### **500.05 Obstructions**

No person shall put or erect or cause to be put or erected any obstruction in the right-of-way of any public thoroughfare, except for steps and/or open porches now in existence and essential for ingress and egress to property abutting the sidewalk area, providing such obstruction does not extend beyond the property line into the sidewalk area more than four feet.

#### **500.99 Enforcement and penalty**

The code enforcement officer shall enforce all provisions of this Article. Any person violating the provisions of this article will, upon conviction, be fined one hundred (100) dollars for each offense plus costs, and in the default of payment, be imprisoned for not more than ten (10) days.

### **ARTICLE 510. SEWERS**

**510.01 Definitions**

**Authority:** B.C.I. Municipality Authority.

**Improved property:** Any property within the Borough upon which there is a structure intended for human habitation or use, and from which sewage and/or industrial waste shall be or may be discharged.

**510.02 General sanitary regulations**

**A.** The owner of any improved property within the Borough within 150 feet of the sewer system shall at his expense install suitable toilet facilities and connect such facilities to the sanitary sewerage system in accordance with the provisions of this Article, within sixty (60) days after the date of official notice. If any owner, after notice as provided herein, refuses or neglects to connect such premises with the sewerage system, the Borough shall cause the connection to be made at the owner's expense. If the owner refuses to pay, a municipal lien shall be filled.

**B.** All sanitary sewage and industrial waste shall be discharged into a sewer except as permitted by the Department of Environmental Resources of the Commonwealth of PA.

**C.** It shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage. No privy, privy vault, septic tank, cesspool or similar receptacle shall be connected with a sewer. When a public sewer becomes accessible, the use of cesspools, sinks, wells, privy vaults, septic tanks or other private sewage disposal systems shall cease and their use for the disposal of sewage shall be abandoned. They shall be cleaned and filled under the direction and supervision of the Borough or the Authority.

**D.** The Authority has the right to refuse or terminate service.

**510.03 Permit, connection fee, and connection**

A permit is required to connect to the sewer. An application and a connection fee is required to obtain a permit. Connection shall be made under the supervision of the Authority. All costs shall be borne by the owner except unusual or extraordinary costs.

**510.04 Service lines**

**A.** Each property must have its own service line. Each unit of a duplex or townhouse requires its own line.

**B.** Where a commercial or industrial complex consists of more than one building, the Authority reserves the right to determine the number of service lines.

**C.** Every service line shall be maintained in a sanitary and safe condition.

**510.05 Authority as agent**

B.C.I. Municipal Authority is hereby appointed as agent of the Borough for providing rules and regulations for the use of the sewer system, issuing permits, approving connections, making inspections, taking samples, etc.

**510.06 The Authority empowered**

**A.** The Borough grants the Authority all easements, rights of way, and any other rights and privileges necessary to maintain and operate a sewer system including the right to go over, under, or along any street, alley, or other Borough property.

**B.** The rights and privileges granted the Authority in section A are subject to the condition that the Authority shall restore such properties to at least the same condition as existed prior to such use.



**510.98 Enforcement**

Borough and Authority officials shall enforce all provisions of this Article. These Official are authorized to enter any premises at any reasonable time for the purpose of making inspections and performing duties under this Article.

**510.99 Penalties**

Any person, firm or corporation who violates any provision of this article shall, upon conviction, be subject to a fine of no more than \$1,000, plus costs.

**ARTICLE 520. STREET NAMING and ADDRESSING****520.01 Purpose**

Addressing enables fire, rescue, ambulance companies, law enforcement, etc. to easily locate a residence or business.

**520.02 Implementation and Administration**

Coalport Borough shall implement, administer, and enforce this ordinance. See ordinance 161.

## Chapter 6 BUILDING CODE

### ARTICLE 600. PRIMACY OF UNIFORM CONSTRUCTION CODE

A. The act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act, and the Uniform Construction Code adopted under section 301 of the Pennsylvania Construction Code Act shall apply to the construction, alteration, repair and occupancy of all buildings and structures within Coalport Borough.

B. Primacy.--This section and any ordinance, rule or regulation adopted pursuant to this section shall not supersede or abrogate the Pennsylvania Construction Code Act or the Uniform Construction Code and shall be construed and read in pari materia with them.

### ARTICLE 601. ASSESSMENT PERMIT REQUIRED FOR ALL CONSTRUCTION

#### 601.01 Purpose

The purpose of this Article is to promote uniform taxation of all taxable properties within the borough.

#### 601.02 Assessment Permit requirements and applicability

It shall be unlawful to construct or make renovations to any building including construction that is exempt under the Pennsylvania Construction Code Act without first obtaining an Assessment Permit from the Borough. Exemptions under the Construction Code which require a permit in the Borough include utility and miscellaneous structures under 1000 square feet, recreational buildings, and renovations which would require the property to be reassessed under the Fourth to Eighth Class County Assessment Law, 72 P.S. §5453 101, et seq.

#### 601.03 Fees

All applications for a permit shall be accompanied by a fee.

Construction costing under \$500.00 will incur a fee of \$15.00

Construction costing \$500.00 to \$2,500.00 will incur a fee of \$25.00

Construction costing over \$2,500.00 will incur a fee of \$50.00

#### 601.99 Enforcement and penalties

The code enforcement officer shall enforce all provisions of this Article. Any person found guilty of a violation of this article shall pay a fine of \$250.00 Dollars for each offense plus costs, and in the default of payment, be imprisoned for not more than 15 days.

### ARTICLE 620. FLOOD PLAIN MANAGEMENT

See Ordinance 133.

### TABLES OF SPECIAL ORDINANCES

NOTE: The Codified Ordinances cover all ordinances of a general and permanent nature. The provisions of such general and permanent ordinances are set forth in full in the Codified Ordinances. References must be made frequently to many special ordinances, particularly those related to property, such as dedications, vacating of property, easements, purchase, sale, etc. In the following Tables A through H, all such ordinances are listed. These tables list ordinances chronologically by subject, and include both a citation to and brief description of each ordinance.

Table A - Franchises

Table B - Easements

Table C - Vacating Streets and Alleys

Table D - Dedication and Plat Approval

Table E - Acquisition and Disposal of Real Property

Table F - Lease of Real Property

Table G - Street Grade Levels and Change of Street Name

Table H - Annexation and Detachment of Territory

### TABLES OF SPECIAL ORDINANCES

#### TABLE A - FRANCHISES

Ord. No.	Date	Description
15	1903	To Coalport Light, Heat and Power to erect, maintain and operate an electric transmission and distribution system.
16	1903	to furnish street lighting.
23	1905	To Clearfield and Cambria Telephone to construct and maintain overhead and underground apparatus.
88		To PA Electric to furnish street lighting.
152	1993	To B.C.I. Municipality Authority to construct a sewer system.

#### TABLE B - EASEMENTS

Ord. No.	Date	Description
137	1987	Authorizes easements for sewer system.
138	1987	Authorizes easements for sewer system.
152	1993	Authorizes easements for sewer system.

**TABLE C - VACATING STREETS AND ALLEYS**

Ord. No.	Date	Description
30	1916	Railroad St. between Spruce St. and Mink Alley.
31	1916	Mink Alley from Lumber Alley to Railroad St.
32	1916	Mill St. from Lumber Alley to Railroad St.
33	1916	Lumber Alley from Spruce to Chestnut.
34	1916	Bear Alley from Railroad to Forest.
35	1916	Fawn Alley from Railroad St. to Lumber Alley.
36	1916	Deer Alley between Railroad St. and Lumber Alley.
38	1917	Forrest St. between Chestnut St. and Spruce St.
39	1917	Wood St. between Chestnut St. and Spruce St.
40	1917	Bear Alley between Forest St. and Wood St.
56	1939	Railroad St. between Spruce St. and Chestnut St.
64	1946	Deer Alley from Turtle St. to Union St.
140	1988	Mill St. between Railroad St. and Lumber Alley.

**TABLE D - DEDICATION AND PLAT APPROVAL**

Ord. No.	Date	Description
95	1967	Opens Lumber St.
100	1969	Opens Oak St.
164	2000	Reopens Union St. between Chestnut St. and Fawn Alley.

**TABLE E - ACQUISITION AND DISPOSAL OF REAL PROPERTY**

Ord. No.	Date	Description
135	1986	Sold water system to Clearfield County Municipal Services and Rec. Authority

**TABLE F - LEASE OF REAL PROPERTY**

Ord. No.	Date	Description
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**TABLE G - STREET GRADE LEVELS AND CHANGE OF STREET NAME**

Ord. No.	Date	Description
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**TABLE H - ANNEXATION AND DETACHMENT OF TERRITORY**

Ord. No.	Date	Description
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- 27        1910    Boundary lines, streets, and alleys of the Borough.
- 47        1922    Annexed adjacent land to the Borough.

Obtained and enacted this 7<sup>th</sup> day of November, 2016 by the Governing body of the  
aforementioned Municipality in lawful session duly assembled.

Attest Borough of Codport

By: [Signature]

Secretary [Signature]

Date: Nov 7<sup>th</sup> 2016

270