

Code of Ordinances of the Borough of Akron

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Code of Ordinances
of the
Borough of Akron
Lancaster County, Pennsylvania

Published by Authority of the Borough

Adopted by *Ord. 00037*, 10/8/2007

Revised and Supplemented through:
Supplement VII; February 9, 2015

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Supplement I; June 9, 2008

Supplement II; September 14, 2009

Supplement III; January 10, 2011

Supplement IV; June 13, 2011

Supplement V; June 10, 2013

Supplement VI; December 9, 2013

Supplement VII; February 9, 2015

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Officials
of the
Borough of Akron
County of
Lancaster, Pennsylvania

ELECTED OFFICIALS

Mayor - John McBeth

Borough Council

President - Thomas J. Murray
Vice-President - Perry Lorah
- Daniel McCormac
- John Taylor
- Earl Shirk
- Justin Gehman
- Jeffrey Shirk

Tax Collector - Ann S. Nolt

APPOINTED OFFICIALS

Manager - Daniel Guers
Secretary - Susan Davidson
Treasurer - Robert Ober
Chief of Police - Thomas Zell
Solicitor - Shirk & Mejia, LLP
Engineer - Arro Consultants
Auditors - Weinhold, Nickel & Company, LLP

FOREWORD

History

This comprises the codification of the ordinances of the Borough of Akron. The Borough of Akron was incorporated in 1895.

The Code of Ordinances of the Borough of Akron was prepared by Keystone Publishers, Inc., and adopted by the Borough of Akron Borough Council on October 8, 2007, by *Ord. 00037*.

Organization

The Code contains four parts which are (1) the valid current ordinances of the Borough of Akron 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 Table to the disposition of each ordinance ever enacted by the Borough of Akron, 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.

The Table to disposition indicates what action has been taken by the Borough of Akron 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 Table. The Table is a cross reference to the original ordinance books of the Borough of Akron, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 00037

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF AKRON, LANCASTER 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 of Akron hereby enacts and ordains as follows:

Section 1. Adoption. The "Code of Ordinances, Borough of Akron," as prepared and published for the said Borough of Akron, is hereby adopted as a consolidation, codification and revision of the ordinances of the Borough of Akron. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Borough of Akron organized as follows:

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Chapter 1 Administration and Government
Chapter 2 Animals
Chapter 3 [Reserved]
Chapter 4 [Reserved]
Chapter 5 Code Enforcement
Chapter 6 Conduct
Chapter 7 Fire Prevention and Fire Protection
Chapter 8 [Reserved]
Chapter 9 [Reserved]
Chapter 10 Health and Safety
Chapter 11 Housing
Chapter 12 [Reserved]
Chapter 13 Licenses, Permits and General Business Regulations
Chapter 14 [Reserved]
Chapter 15 Motor Vehicles and Traffic
Chapter 16 Parks and Recreation
Chapter 17 Stormwater Management
Chapter 18 Sewers and Sewage Disposal
Chapter 19 Signs
Chapter 20 Solid Waste
Chapter 21 Streets and Sidewalks
Chapter 22 Subdivision and Land Development
Chapter 23 [Reserved]
Chapter 24 Taxation; Special
Chapter 25 [Reserved]
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
E	Plan Approval
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 of Akron 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 Akron 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 Akron 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 Akron 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. New Enactments, Amendments and Repeals. As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized:

A. *New Enactments.*

Section	Subject
§§1-101–1-111	Preliminary Provisions

B. *Amendments.*

Section	Subject	Ordinance No., Section
§1-502	Substitute "Mayor" for "Burgess"	28, §2
§5-108	Update to 2006 Maintenance Code	00021
§5-210	Substitute "Magisterial District Justice"	00008, §10
§6-303	Substitute "Police Officer" for "Elected Official"	229, §3
§7-106	Substitute "Magisterial District Justice"	214, §6

Section	Subject	Ordinance No., Section
§10-101	Grass, Weeds and Other Nuisance Vegetation Prohibited - reduce from 10 inches to 6 inches	114, §1
§10-105	Borough May Remove Following Notice	114, §5
§13-105	License	359, §5
§13-107	Change name to "Solicitations of Funds for Charitable Purposes Act 10 P.S. §162.1 <i>et seq.</i> "	359, §7
§13-108	Change name to "Solicitations of Funds for Charitable Purposes Act 10 P.S. §162.1 <i>et seq.</i> "	359, §8
§13-305	Fee to be set by Resolution	387, §5
§13-306	Fees to be set by Resolution	387, §6
§15-302	Additional Stop Intersections Established, Corrected or Clarified	303, Art. III, §2; 348, §2; 350, §1; 403, §§1, 2
§15-303	Additional Speed Restrictions Established, Corrected or Clarified	303, Art. III, §3; 335A, §1; 00006, §1; 00007, §1
§18-106	Substitute "Magisterial District Justice"	207, §6
§18-107	Substitute "Magisterial District Justice"	207, §7
§18-208	Substitute "Magisterial District Justice"	207, §7
§19-110	Substitute "Magisterial District Justice"	377, §10
§20-108	Substitute "Magisterial District Justice"	354, §8
§26-501	Substitute "Magisterial District Justice"	146, §500; 162, §4; 99006, §8

C. Repeals.

Ordinance/Resolution	Subject
Ordinance 290	Property Maintenance

Section 5. Land Use Amendments. The Borough of Akron Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapter 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.

Section	Subject	Ordinance No.
§22-706	Penalties	00030, §7905
§27-1606	Enforcement, Penalties, and Remedy	12-8-97A, §1606

Section 6. Procedural Changes. The following minor procedural changes have been made to existing Borough of Akron ordinances:

- A. Grammatical, nomenclature and spelling errors and updates have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms, usages and to update style;
- 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, etc.

Section 7. Ratification. Any and all past ordinances of the Borough that are codified herein are hereby ratified and reconfirmed and thereby readopted, to the extent necessary to provide for their effectiveness.

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 of Akron 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 Akron 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 Akron. Whosoever shall violate the provisions of this Section shall be prosecuted, pursuant to Section 3301 of the Borough Code.

Section 11. Severability of Parts of Codification. It is hereby declared to be the intention of the Borough of Akron 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.

Section 12. Effective Date. This Ordinance shall take effect October 9, 2007.

ENACTED AND ORDAINED this 8th day of October, 2007.

ATTEST:

Borough of Akron

/s/ Susan Davidson
Secretary

/s/ Thomas J. Murray
President, Borough Council

APPROVED this 8th day of October, 2007.

/s/ John H. McBeth
Mayor

Fee Resolutions

Except as specifically set forth herein, all previous fee resolutions adopted by the Council are hereby preserved in all respects.

