

# Code of Ordinances of the Borough of Chalfant

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**Code of Ordinances**  
**of the**  
**Borough of Chalfant**  
**Allegheny County, Pennsylvania**

**Published by Authority of the Borough**

Adopted by *Ord. 408*, 8/11/2011

Revised and Supplemented through:  
Supplement I; January 14, 2015

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Supplement I; January 14, 2015

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**Officials**  
**of the**  
**Borough of Chalfant**  
County of  
Allegheny, Pennsylvania

**ELECTED OFFICIALS**

Mayor - James Perry

Borough Council

President - Laurie Williams  
- Robert Hensell  
- Thomas Kasardo  
- Mark Swinney  
- Robert Lasser  
- Alia Pustorino  
- Chad Hoover

Tax Collector - Robert A. Baburich

**APPOINTED OFFICIALS**

Secretary - Kirsten A. Schwoegl  
Treasurer - Alia Pustorino  
Code Officer - Phil Dodge  
Solicitor - Evashavik, DiLucente & Tetlow, LLC.  
Engineer - Robert Zischkau, Jr.  
Auditor - Robert J. Tomasic, CPA



## FOREWORD

### *History*

This comprises the codification of the ordinances of the Borough of Chalfant. The Borough of Chalfant was originally settled in the latter half of the 1700's and was incorporated as a Borough on June 11, 1901, from parts of Wilkins Township.

The Code of Ordinances of the Borough of Chalfant was prepared by Keystate Publishers, Inc., and adopted by the Borough of Chalfant Borough Council on August 11, 2011 by *Ord. 408*.

### *Organization*

The Code contains four parts which are (1) the valid current ordinances of the Borough of Chalfant 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 Disposition of each ordinance ever enacted by the Borough of Chalfant, 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, if known.

The Table to Disposition indicates what action has been taken by the Borough of Chalfant 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 Chalfant, and to the location within the Code of each ordinance by number.





ORDINANCE NO. 408

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF CHALFANT, ALLEGHENY 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 Chalfant hereby ordains:

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

**TABLE OF CONTENTS**

Chapter 1 . . . . . Administration and Government  
Chapter 2 . . . . . Animals  
Chapter 3 . . . . . [Reserved]  
Chapter 4 . . . . . Buildings  
Chapter 5 . . . . . Code Enforcement  
Chapter 6 . . . . . Conduct  
Chapter 7 . . . . . Fire Prevention and Fire Protection  
Chapter 8 . . . . . Floodplains  
Chapter 9 . . . . . Grading and Excavating  
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 . . . . . [Reserved]  
Chapter 18 . . . . . Sewers and Sewage Disposal  
Chapter 19 . . . . . [Reserved]  
Chapter 20 . . . . . Solid Waste  
Chapter 21 . . . . . Streets and Sidewalks  
Chapter 22 . . . . . [Reserved]  
Chapter 23 . . . . . Stormwater Management  
Chapter 24 . . . . . Taxation; Special  
Chapter 25 . . . . . Trees  
Chapter 26 . . . . . [Reserved]  
Chapter 27 . . . . . Zoning

APPENDIX

A . . . . . Annexation of Territory

- B . . . . . Debt and Bond Issues
- 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

Table to Disposition of All Ordinances  
 Table to Disposition of Significant Resolutions

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 Chalfant 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 Chalfant 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 Chalfant 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 Chalfant 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.*

Section	Subject	Ordinance No., Section
		[Reserved]

B. *Revisions.*

Section	Subject	Ordinance No., Section
		[Reserved]

**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.*

<b>Section</b>	<b>Subject</b>
§§1-101–1-111	Preliminary Provisions
§§2-301–2-303	Farm Animals
§§5-201–5-203	Property Maintenance Code
§§6-201–6-202	Disorderly Conduct
§§7-201–7-206	Fire Insurance Proceeds Escrow

*B. Amendments.*

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§1-202	Permissible Salary Based on Population	332, §2
§1-401	Recognition of Chalfant Volunteer Fire Company Relief Association	328, §1-301
§1-402	Foreign Fire Insurance Tax Monies Received	328, §1-303
§1-503	Fees Established	366, §3
§1-504	Collection of Fees	366, §4
§1-505	Notification of Taxpayer	366, §5
§2-103	Seizure of Dog	258, §3
§2-108	Penalties	258, §8; 328, §2-108; 340, §2
§2-204	Penalties	328, §2-204; 340, §2
§4-101	Application for Occupancy Permit	286, §3
§4-106	Penalties	286, §9; 328, §4-206; 340, §2
§4-209	Penalties	328, §4-309; 340, §1
§6-105	Procedure upon Violation	328, §6-105
§6-106	Penalties	328, §6-106; 340, §2
§6-307	Penalties	262, §4.01; 328, §6-307; 340, §2
§6-403	Penalties	253, §6; 328, §6-403; 340, §2
§6-504	Vehicles on Private Property	294, §4
§6-507	Penalties	294, §6; 328, §6-507; 340, §2
§6-604	Penalties	328, §6-604; 340, §2
§6-705	Penalty	328, §6-705; 340, §2
§7-102	Authority	328, §7-202
§8-101	Purpose	330, §I
§8-103	Application for Permit Requirements	330, §III
§8-104	Special Permit Procedures	330, §IV
§8-105	Criteria for Issuing Special Permit	330, §V
§8-108	Provisions	330, §VIII
§9-111	Penalties	288, §1; 328, §9-111; 340, §1

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§10-103	Penalties	205, §1; 328, §10-203; 340, §2
§10-206	Remedies	306, §6; 328, §10-306; 340, §2
§10-303	Storage of Motor Vehicle Nuisances Prohibited	328, §10-403
§10-307	Penalties	328, §10-407; 340, §1
§10-407	Penalties	328, §10-507; 340, §1
§11-102	Penalties	319; 328, §11-102; 340, §2
§13-104	License Fees Established	317, §4
§13-208	Penalties	328, §13-308; 340, §2
§13-305	Two or More Alarms per Month	326, §5
§13-307	Failure to Register; Penalty	326, §7; 340, §2
§13-402	Penalties	237, §2; 328, §10-102; 340, §2
§15-202	Speed Limits Established	328, §15-202
§15-205	Stop Intersections	328, §15-205
§15-406	Reclamation Costs	328, §15-406
§15-504	Registration of Motorized Bicycles; Fee	265, §4
§15-513	Penalties	265, §18; 328, §3-113; 340, §2
§16-102	Park Hours	328, §16-102
§16-103	Prohibited Conduct	328, §16-103
§16-107	Enforcement and Penalties	328, §16-107; 340, §2
§18-304	Dye Testing and Fee	397, §4
§18-305	Transfer of Land Ownership	397, §5
§18-310	Violations and Fines	397, §10
§20-109	Penalties	353, §IX
§21-103	Permit Provisions	220, §3
§21-109	Penalties	220; 328, §21-109; 340, §1
§21-305	Penalties	328, §21-305; 340, §2
§23-113	Enforcement Procedures and Remedies	354B, §113
§24-207	Powers of Tax Collector	401, §7
§24-209	Violations	407, §9
§24-313	Penalties	277, §13; 328, §24-413; 340, §2
§25-105	Penalties	328, §25-105; 340, §2

*C. Repeals.*

<b>Ord./Res.</b>	<b>Subject</b>
Ord. 225	Open Burning
Ord. 328, §7-108	Open Burning; Penalties

**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:

<b>Section</b>	<b>Short Title</b>
	[Reserved]

**Section 7. Land Use Amendments.** The Borough of Chalfant 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:

<b>Section</b>	<b>Subject</b>
	[Reserved]

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

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§27-208	Accessory Buildings or Fences	266; 367, §6
§27-405	Performance Standards	266, §405
§27-503	Causes of Actions	266
§27-504	Enforcement Notice	266
§27-505	Enforcement Remedies	266, §504
§27-506	Enactment of Zoning Ordinance Amendments	266
§27-507	Procedure for Landowner Curative Amendments	266
§27-508	Procedure for Borough Curative Amendments	266
§27-509	Zoning Hearing Board	266, §506
§27-510	Hearings	266

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

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
		[Reserved]

**Section 8. Procedural Changes.** The following minor procedural changes have been made to existing Borough of Chalfant 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 \_\_\_, Article \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby amended [revised] to read as follows...”
- B. Additions - “Chapter \_\_\_, Article \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby amended by the addition of the following...”
- C. Repeal - “Chapter \_\_\_, Article \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby repealed in its entirety.”

**Section 10. Responsibility for Code of Ordinances.** It shall be the responsibility of the Borough of Chalfant 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 Chalfant 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 of Chalfant. Whosoever shall violate this Section shall be guilty of an offense under §4911, “Tampering with Public Records or Information,” of the Crimes Code, 18 Pa.C.S.A. §4911, and shall be prosecuted under that Section of the law.

**Section 12. Severability of Parts of Codification.** It is hereby declared to be the intention of the Borough of Chalfant 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 11<sup>th</sup> day of August, 2011.

ATTEST:

Borough of Chalfant

/s/ Kirsten A. Schwoegl  
Secretary

/s/ Laurie Williams  
President, Borough Council

APPROVED this 16<sup>th</sup> day of August, 2011.

/s/ James Perry  
Mayor





## Fee Schedule

Subject	Fees
<b>DELINQUENT TAX AND CLAIM</b>	§§1-503, 1-504
<b>ATTORNEY FEE SCHEDULE</b>	
Preparing and sending letter to taxpayer regarding payment	\$50
Preparing magistrate's complaint	\$75
Appearing at magistrate's hearing	\$250
Preparing arbitration complaint	\$150
Appearing at arbitration trial	\$350
Negotiation and preparation of payment plan agreements	\$75
Preparing writ of <i>scire facias sur</i> tax lien in furtherance of sheriff sale of land	\$600
Title search for sheriff sale	\$150
Taking default judgment	\$150
Issuance of writ of execution	\$150
Attending sheriff's sale	\$250
Amending tax liens, trials, pleadings for litigation or other legal work not itemized above	\$90 hourly
All clerical work not itemized above	\$50 hourly
<b>BUILDINGS</b>	
Building permit	\$15 per 1,000
Occupancy permit	§4-101 \$50
<b>LICENSES, PERMITS, AND GENERAL BUSINESS REGULATIONS</b>	
Amusement devices license	§13-104
Class One: video games, machines or devices commonly called "poker" games or machines. Any device utilizing a screen or viewing area similar to a television screen. Any television game, video game or similar type of equipment. Any type of game referred to as a "Pac Man" game.	\$300 per annum
Class Two: miscellaneous entertainment devices, pool tables and pinball machines.	\$75 per annum
Class Three: jukeboxes, shuffleboards and bowling machines.	\$40 per annum
False alarms	§13-305
service charge for each false alarm in excess of two in any calendar month	\$50
<b>MOTORIZED BICYCLES</b>	§15-504
Annual registration	\$0.50
<b>SEWER CONNECTION</b>	
Dye testing	§18-304
fee accompanying certificate	\$20

<b>Subject</b>	<b>Fees</b>
Transfer of land ownership	\$18-305
fee accompanying certificate	\$20
<b>STREET EXCAVATIONS</b>	
Opening	
each opening within Borough rights of way for a maximum opening of 30 square feet	\$100
Additional in excess of the first 30 square feet	\$1 per square feet
Permit provisions	\$21-103
deposit for resurfacing	\$150
reimbursement at end of 6 months after the final resurfacing	\$150

*(Res. 518, 8/11/2011)*