

CODE OF ORDINANCES
of the
BOROUGH OF RUTLEDGE
Delaware County, Pennsylvania

Published by Authority of the Borough

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OFFICIALS
of the
BOROUGH OF RUTLEDGE

County of Delaware

Pennsylvania

ELECTED OFFICIALS

BOROUGH COUNCIL

Mayor	-	Paul Mecouch
President	-	Edward O. McGaughey
Vice President	-	Gregory Lebold
	-	Diane McGaughey
	-	Mark King
	-	Kurt Morrison
	-	C. Scott Shields
	-	Thomas Kopp
Auditors	-	Paul S. Garrity
	-	Catherine A. Myers
	-	Rose Marie Maio

APPOINTED OFFICIALS

Secretary	-	Arlene Sbraccia
Code Enforcement Officer	-	Harry T. Mirra
Building Inspector	-	Harry T. Mirra
Solicitor	-	Richard C. Tinucci, Esquire
Engineer	-	Catania Engineering Assoc.

FOREWORD

History

This comprises the codification of the ordinances of the Borough of Rutledge. The Borough of Rutledge was originally settled in 1884 and was incorporated as a Borough from parts of Township of Ridley, June 8, 1887.

The Code of Ordinances of the Borough of Rutledge was prepared by Penns Valley Publishers, a division of Fry Communications, Inc., and adopted by the Borough of Rutledge Council on July 2, 2001, by Ordinance Number 428.

Organization

The Code contains four parts which are (1) the valid current ordinances of the Borough of Rutledge 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 Key to the disposition of each ordinance ever enacted by the Borough of Rutledge, 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 Key to disposition indicates what action has been taken by the Borough of Rutledge 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 An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix.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 Key. The Key is a cross reference to the original ordinance books of the Borough of Rutledge, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 428

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF RUTLEDGE, DELAWARE 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 Rutledge," as prepared and published for the said Borough of Rutledge, is hereby adopted as a consolidation, codification and revision of the ordinances of the Borough of Rutledge. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Borough of Rutledge organized as follows:

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Chapter 1 Administration and Government
Chapter 2 Animals
Chapter 3 Bicycles [Reserved]
Chapter 4 Buildings [Reserved]
Chapter 5 Code Enforcement
Chapter 6 Conduct
Chapter 7 Fire Prevention and Fire Protection
Chapter 8 Floodplains
Chapter 9 Grading and Excavating [Reserved]
Chapter 10 . . . Health and Safety
Chapter 11 . . . Housing
Chapter 12 . . . Libraries [Reserved]
Chapter 13 . . . Licenses, Permits and General Business Regulations
Chapter 14 . . . Mobile Homes and Mobile Home Parks [Reserved]
Chapter 15 . . . Motor Vehicles and Traffic
Chapter 16 . . . Parks and Recreation
Chapter 17 . . . Planned Residential Development [Reserved]
Chapter 18 . . . Sewers and Sewage Disposal
Chapter 19 . . . Signs and Billboards
Chapter 20 . . . Solid Waste
Chapter 21 . . . Streets and Sidewalks
Chapter 22 . . . Subdivision and Land Development
Chapter 23 . . . Swimming Pools [Reserved]
Chapter 24 . . . Taxation; Special
Chapter 25 . . . Trees
Chapter 26 . . . Water [Reserved]
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 Rutledge 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 Rutledge 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 Rutledge 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 Rutledge 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	321, §305, Chapter 1200; 345; 364, §V; 365; 371; 387; Res. 10/12/1987

B. Revisions

Chapter,Part,Section	Subject	Ordinance No.
None		

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
1, 5C, §1-521	Creation of Planning Committee
1, 7, §§1-701 - 1-703	Firemen's Relief Association
6, 1, §§6-101 - 6-109	Curfew
15, Entire Chapter	Motor Vehicles and Traffic
24, 2, §§24-201 - 24-217	Realty Transfer Tax

B. Amendments

Chapter,Part,Section	Subject	Ordinance No.
1, 1, §1-102	Administration and Government; Borough Seal	44, §2
1, 2, §1-201	Administration and Government; Council Meetings; Regular Monthly Meetings	321, §101.1
2, 1, §2-102	Animals; Keeping of Dogs; Requirements; Compliance with the Rabies Prevention Control in Domestic Animals and Wildlife Act	321, §501.2
8, 6, §8-601	Floodplains; Administration; Permit Required	337, §1103.6
8, 6, §8-603	Floodplains; Administration; Watercourse Alterations	337, §1103.6
10, 2, §10-203	Health and Safety; Storage of Motor Vehicles on Private Property; Storage of Motor Vehicle Nuisances Permitted	377, §407.3
11, 1, §11-110	Housing; Renting of Dwellings and Apartments Including Maintenance and Occupancy Requirements; Renting of Dwellings	321, §811.3; 351, §V; 374
11, 1, §11-111	Housing; Renting of Dwellings and Apartments Including Maintenance and Occupancy Requirements; Licensing of the Operation of Multiple Dwellings and Rooming Houses	321, §812; 349; 364, §II; 374

Chapter,Part,Section	Subject	Ordinance No.
13, 1, §13-101	Licenses, Permits and General Business Regulations; Peddling; Definitions	321, §203.1
13, 1, §13-104	Licenses, Permits and General Business Regulations; Peddling; Fee	321, §203.4; 351, §I
13, 2, §13-203	Licenses, Permits and General Business Regulations; Distribution of Handbills; Fee	321, §202.3
13, 3, §13-306	Licenses, Permits and General Business Regulations; Contractors' Registration; Fee for Licenses	350, §1401.6
13, 3, §13-309	Licenses, Permits and General Business Regulations; Contractors' Registration; Issuance, Refusal and Renewal of License	350, §1401.9
18, 2, §18-201	Sewers and Sewage Disposal; Sewer Rentals; Sewer Rental Rate	180, §1; 223, §1
18, 2, §18-203	Sewers and Sewage Disposal; Sewer Rentals; Tax Collector's Expenses	180, §3
20, 1, §20-101	Solid Waste; Packing Garbage and Refuse for Collection and Disposal; Refuse Containers	321, §404.1
20, 1, §20-102	Solid Waste; Packing Garbage and Refuse for Collection and Disposal; Scavenging	321, §404.2
20, 2, §20-211	Solid Waste; Disposal of Municipal Solid Waste; Joint Cooperation Agreement	368, §11
20, 2, §20-212	Solid Waste; Disposal of Municipal Solid Waste; Adoption of Solid Waste Management Plan	368, §12
21, 1, §21-103	Streets and Sidewalks; Excavations in Streets and Terraces; Permit Fees	321, §205.3; 351, §II; 354
21, 4, §21-406	Streets and Sidewalks; Installation of Sidewalks and Curbs; Specifications	321, §701.6; 364, §I
21, 5, §21-503	Streets and Sidewalks; Encroachments and Obstructions Upon Sidewalks; Temporary Storage	321, §702.3; 351, §III

Chapter,Part,Section	Subject	Ordinance No.
24, 1, §24-101	Taxation, Special; Per Capita Tax; Definitions	312, §1

C. Repeals

Chapter,Part,Section	Subject
99	Prohibiting the Planting of Certain Trees
192	Authorizing Periods of Blackouts
201	Providing for the Use of Special Police During War
321, §§206.1 - 206.5	Inspection of Poles, Wires and Cables
321, §§207.1 - 207.4	Inspection of Gas and Water Mains
321, §§503.1 - 503.9	Rabies Control

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
None	

Section 7. Land Use Amendments. The Borough of Rutledge 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
27, 6, §27-615	Zoning; General Regulations; Fences

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.
22, 3, §22-301	Subdivision and Land Development; Fee Schedule	322, §301

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

Ordinance No.	Subject	Ordinance No.
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None		
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Section 8. Procedural Changes. The following minor procedural changes have been made to existing Borough of Rutledge 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 of Rutledge 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 Rutledge 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 Rutledge. 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 2nd day of July, 2001.

ATTEST:

BOROUGH OF RUTLEDGE

/s/ Jennifer Juliano

By /s/ Edward O. McGaughey

APPROVED this 2nd day of July, 2001.

/s/ Paul R. Mecouch
Paul Mecouch, MAYOR

FEE RESOLUTION

SUBJECT	FEES
BUILDING PERMIT FEES	
1. Yearly registration	\$50.00
2. Residential	
A. New houses and new multi-residential construction including living space, garage, cellars/basements	\$0.40/s.f.; \$250.00 min.
B. Additions of any residential classification	\$0.40/s.f.; \$200.00 min.
C. Residential repairs/internal renovations which involve structural modifications	\$25.00/\$1,000.00 est. cost; \$75.00 min.
D. Raze, remove, tear down any residential building or structure	\$25.00/\$1,000.00 est. cost; \$100.00 min.
E. Swimming pools (in-ground)	\$25.00/\$1,000.00 est. cost; \$100.00 min.
F. Swimming pools (above ground)	\$50.00
G. Decks	\$0.40/s.f.; \$75.00 min.
H. Sheds (over 100 s.f.)	\$50.00
I. Fences	\$25.00
3. Commercial	
A. New construction and additions	\$850.00 for first 2,000 s.f. \$350.00 each add. 1,000 s.f. up to 10,000 s.f. \$150.00 each add. 1,000 s.f.
B. Repairs and renovations	\$45.00 per \$1,000 est. costs; \$150.00 min.
C. Raze, remove or tear down any commercial or industrial building or structure	\$150.00 per \$1,000.00 est. cost; \$200.00 min.

4. Siding, storm doors or storm windows, replacement windows in existing opening, replacement of cabinets or counter and installation of new shingles on an existing roof does not require a building permit.
5. Building permit fees are doubled where work has begun prior to or without a building permit.
6. A minimum of 24 hour notice is required for all work requiring inspection.

CERTIFICATE OF OCCUPANCY¹

- | | | |
|----|-------------------------------|---|
| 1. | Residential | \$50.00 |
| 2. | Commercial | \$175.00 |
| 3. | Apartments | \$40.00 first apartment
\$20.00 each succeeding apartment
unit inspected at same time |
| 4. | Reinspection fee ² | \$30.00 |

If a smoke detector system fails upon inspection or if the applicant fails to keep the inspection appointment, the applicant shall resubmit an application and a second fee.

CONTRACTORS REGISTRATION FEE

- | | | |
|----|--|---------|
| 1. | Builders, developers, contractors, subcontractors,
sign contractors, paving contractors, decorators, and others | \$50.00 |
| 2. | Renewal fee | \$30.00 |

HANDBILL DISTRIBUTION LICENSE FEE \$15.00 per year

MUNICIPAL CLAIMS AND LIENS ATTORNEYS FEE

- | | | |
|----|---------------------|---------|
| 1. | Per hour | \$95.00 |
| 2. | Filing fees | |
| 3. | Out of pocket costs | |

¹This fee is for existing structures only. All new residential, commercial or apartment construction will receive a certificate of occupancy as part of the final inspection under the building permit.

²A reinspection fee will be charged for each certificate of occupancy reinspection if the structure fails the initial inspection.

PEDDLING LICENSE FEE \$40.00 per license/per year

PLUMBING FEE SCHEDULE

1. New work in dwellings including five fixtures for each plan filed \$50.00
2. New work, alterations, additions or renewals in buildings other than dwellings including five fixtures \$50.00
3. For each fixture, waste inlet and automatic water heater in excess of five combined items, in addition to new work fee per plan \$5.00
4. Alterations, additions or renewals in dwellings and other buildings including three fixtures, for each plan filed \$15.00
5. The tapping of main sewer, per unit, for each plan filed \$100.00
6. Alterations, additions or renewals of sewer laterals or connections, for each plan filed \$50.00
7. Where work for which a permit is required by Borough Code is started prior to obtaining the required permit, the fees set forth herein for such permit shall be doubled; the payment of such double fee shall not relieve any persons from fully complying with the requirement of the Borough Code in the execution of the work or from any other penalties prescribed herein.
8. The Plumbing Inspector shall be authorized to charge an additional fee computed at an hourly rate of \$20 per hour, or fraction thereof, for the time actually expended to conduct a second reinspection on work performed incorrectly.
9. A certificate of insurance of at least \$50,000 per person, \$100,000 per incident and \$25,000 property damage must be filed with the Borough before a permit is issued.

RENTING DWELLING OPERATING LICENSE FEE \$30.00

RENTING MULTIPLE DWELLINGS OR ROOMING HOUSES OPERATING LICENSE FEE

1. Each apartment \$30.00
2. Each rooming unit \$30.00
3. Reinspection \$20.00 per hour, or fraction thereof

SCAVENGING PERMIT \$5.00

SEWER FEE \$139.19/household unit

SIDEWALK AND CURB INSTALLATION

1. Permit fee \$10.00

2. Permit fee if work is started prior to obtaining permit \$20.00

SIDEWALK TEMPORARY STORAGE PERMIT \$4.00

SIGNS (FLAT, FREE STANDING OR PROJECTING) \$75.00

STREET AND TERRACE EXCAVATIONS

1. New curb cut/opening \$50.00

2. Street opening (cartway) \$50.00 first 50 l.f.;
\$15.00 each additional l.f.,
or fraction thereof

3. Street opening (other) \$25.00 first 50 l.f.;
\$10.00 each additional l.f.,
or fraction thereof

4. Utility pole removal/replacement
or new installation \$5.00 each

5. Removal and replacement of curbing \$1.00 l.f.; \$50.00 max.

SUBDIVISION AND LAND DEVELOPMENT FEES

Type of Plan	General Fee	Additional Fee for Each Lot Over Two
Per plan-single lot into two lots	\$300.00	\$50.00 per lot

TRASH FEE \$82.74/household unit

(Res. 7/2/2001)