

CODE OF ORDINANCES

of the

BOROUGH OF HALIFAX

Published by Authority of the Borough

Adopted February 2, 1987

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CONTENTS

Borough Officials v
Foreword vii
Decree of Incorporation . . . ix
Adopting Ordinance. xi

Chapter 1 Administration and Government 1
Chapter 2 Animals 25
Chapter 3 Bicycles. 31
Chapter 4 Buildings 33
Chapter 5 Code Enforcement. 41
Chapter 6 Conduct 43
Chapter 7 Fire Prevention and Fire Protection 53
Chapter 8 Flood Plain Regulations 57
Chapter 9 Grading and Excavating. 71
Chapter 10. Health and Safety 73
Chapter 11. Housing 91
Chapter 12. Libraries 93
Chapter 13. Licenses, Permits and General Business
 Regulations. 95
Chapter 14. Mobile Homes and Mobile Home Parks. 103
Chapter 15. Motor Vehicles and Traffic. 105
Chapter 16. Parks and Recreation. 129
Chapter 17. Planned Residential Development 135
Chapter 18. Sewers and Sewage Disposal. 137
Chapter 19. Signs and Billboards. 147
Chapter 20. Solid Waste 149
Chapter 21. Streets and Sidewalks 155
Chapter 22. Subdivision and Land Development. 165
Chapter 23. Swimming Pools. 185
Chapter 24. Taxation, Special 187
Chapter 25. Trees 201
Chapter 26. Water 203
Chapter 27. Zoning. 205

Appendix:

A. Annexation of Territory A-3
B. Bond Issues and Loans A-5
C. Franchises and Services A-7
D. Governmental and Intergovernmental Affairs. A-9
E. Plan Approval A-11
F. Public Property A-13
G. Sewers. A-15
H. Streets and Sidewalks A-17
I. Water A-21
J. Zoning; Prior Ordinances. A-23

Key to the Disposition of All Ordinances

Index

OFFICIALS

of the

BOROUGH OF HALIFAX

County of Dauphin

Pennsylvania

ELECTED OFFICIALS

Mayor - Larry Richwine

Council

President - William Hoy

Vice-President - Bonnie Lidle

Members

Allen Kinsinger

Jeffery Enders

Larry Rank

James Brown

Durwood Miller

APPOINTED OFFICIALS

Secretary/Treasurer - David Hoover

Solicitor - Linus Fenicle

History

This comprises the codification of the Ordinances of the Borough of Halifax. The Borough of Halifax was originally settled in July 18, 1784 and was incorporated as a Borough on May 29, 1875 from parts of Halifax Township. The Decree of Incorporation, containing a description of the original boundaries of the Borough is on the following page.

The Code of Ordinances of the Borough was prepared by Penns Valley Publishers and adopted by the Borough Council on February 2, 1987 by Ordinance number 153.

Organization

The code contains four parts which are (1) the valid current ordinances of the Borough 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, 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 codifiers and the 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 key. The key is a cross reference to the original ordinance books of the Borough, and to the location within the code of each ordinance by number.

DECREE OF INCORPORATION

IN THE MATTER OF THE	:	IN DAUPHIN COUNTY
APPLICATION TO	:	QUARTER SESSIONS
INCORPORATE THE TOWN	:	
OF HALIFAX INTO A	:	JANUARY SESSION 1875
BOROUGH.		NO. 85

An now May 29th, 1875, the court confirm the judgment of the grand jury, and decree that the said Town of Halifax, be incorporated into a Borough in conformity with the prayer of the petitioners, that the corporate style and tile thereof should be the Borough of Halifax, that the boundaries thereof shall be as follows, viz:

Beginning at the northwest corner of Henry Fleager's land, thence by the same, south seventy-seven (77) degrees, east twenty and one-half ($20\frac{1}{2}$) perches to a post, thence by land of Adam Snyder, north twenty and one-half ($20\frac{1}{2}$) degrees, east sixty and one-half ($60\frac{1}{2}$) perches to a black oak root; thence by land of John Boyer and the heirs of Joseph Boyer, deceased, north sixty (60) degrees, west seven and one-half ($7\frac{1}{2}$) perches to a stone; thence by same, north seventy-eight (78) degrees west, one hundred forty-three and six tenths ($143\text{-}6/10$) perches to the Susquehannah River, thence down said river south four (4) degrees west, forty-five (45) perches south, seventeen and one-half ($17\frac{1}{2}$) degrees west, forty (40) perches south, twenty (20) degrees west, twenty-eight (28) perches to the line of Adam Geiger's land, thence by lands of Adam Geiger, Mrs. Minzer, McCoys heirs and others, south seventy-six and one-half ($76\frac{1}{2}$) degrees east one hundred nineteen and one-half ($119\frac{1}{2}$) perches to the middle of a public road; thence along said road and land, late of Christian Lyter, Esq., dec'd, north twenty and one-half ($20\frac{1}{2}$) degrees west, twenty and one-half ($20\frac{1}{2}$) perches; thence along said land, late of said Lyter dec'd, south seventy-seven (77) degrees east thirty-nine (39) perches to a post and thence by said last mentioned lands and land of Henry Fleager, north fifteen (15) degrees west, forty and one-half ($40\frac{1}{2}$) perches to the place of beginning, and that the annual Borough election shall be held on the third (3rd) Tuesday of February, in each year, in accordance with and subject to all the provisions of the laws regulating Township and Borough elections, and declare said Borough a separate election and school district. The court further decrees and fix the first election in said Borough for the election of the officers, provided for by law, at the public school house in said Borough, at which place all elections shall be held, upon Tuesday, June 29th, 1875, between the hours of 8 o'clock a.m. and seven (7) o'clock p.m., of said day and designate C.D. Waldron to give due notice of said election and the manner thereof, and the court further decree that Thomas J. Sawyer, Esq. be the judge, and Joseph B. Markley and William B. Gray, Esq. be the inspectors of said election.

And the court further decree that the Burgess or Chief Executive Officer of said Borough shall serve as a member of the Town or Borough Council, with full powers as such and shall preside at the meetings of said Council.

(Signed) Jno. J. Pearson, Judge

(Seal)

ATTEST: (Signed) Thomas G. Fox (Clerk)

An Ordinance adopting the Code of Ordinances of the Borough of Halifax.

The Borough hereby ordains:

Section 1. Adoption. The "Code of Ordinances, Borough of Halifax," as prepared and published for the said Borough by Penns Valley Publishers, Harrisburg, Pennsylvania, 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 penal ordinances of the Borough organized as follows:

Chapter 1.	Administration and Government
Chapter 2.	Animals
Chapter 4.	Buildings
Chapter 6.	Conduct
Chapter 7.	Fire Prevention and Fire Protection
Chapter 8.	Flood Plain Regulations
Chapter 10.	Health and Safety
Chapter 12.	Libraries
Chapter 13.	Licenses, Permits and General Business Regulations
Chapter 15.	Motor Vehicles and Traffic
Chapter 16.	Parks and Recreation
Chapter 18.	Sewers and Sewage Disposal
Chapter 20.	Solid Waste
Chapter 21.	Streets and Sidewalks
Chapter 22.	Subdivision and Land Development
Chapter 24.	Taxation, Special

Appendix:

A.	Annexation of Territory
B.	Bond Issues and Loans
C.	Franchises and Services
D.	Governmental and Intergovernmental Affairs
H.	Streets and Sidewalks

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 Halifax 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 Halifax 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 Halifax 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

<u>Chapter, Part, Section</u>	<u>Subject</u>	<u>Ordinance No.</u>
15, Parts 1 - 6	Motor Vehicles and Traffic	37, 37 (amd.), 37(Amd.), 37(Amd.), 37A, 39, 44, 70, 76, 78, 79, 95, 95(Amd.), 95(Amd.), 106, 119, 127

B. Revisions

<u>Chapter, Part, Section</u>	<u>Subject</u>	<u>Ordinance No.</u>
1, §§401 - 403	Firemens Relief Association	40
6, Part 1, §§101, 102	Conduct	69
10, Part 2	Motor Vehicle Nuisances	130
10, Part 3	Equipment/material nuisances	130
10, Part 4	Property maintenance standards	130
13, Part 1, §§101-106	Public Exhibitions/Amusements	30, \$I
13, Part 2, §§201-209	Transient Retail Business	30, §§V & VI
16, Part, §§101-109	Parks and Recreation	139
21, Part 1, §§101-121	Street Excavations	43
24, Part 1, §§101-113	Realty Transfer Tax	99

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

<u>Chapter,Part,Section</u>	<u>Short Title</u>
1, §§101-103	Meetings of Governing Body
1, §§121-123	Compensation of Elected Officials
1, §§131-138	Office of Borough Manager
1, §141	Office of Secretary/Treasurer
1, §151-154	Appointment of Independent Auditor
1, §§321,322	Creation of Police Department
2, Part 2	Regulating Noisy Animals
6, Part 2	Loitering regulations
6, Part 3	Tampering with Public Property
6, Part 4	Littering regulations
15, Parts 1-11	Motor Vehicles, Parking and Traffic
21, Part 2	Snow and Ice removal from sidewalks

B. Amendments

<u>Chapter, Part, Section</u>	<u>Short Title</u>	<u>Ordinance No.</u>
1, Part 1, §§301, 302	Borough Planning Commission	108
2, Part 1, §101	Keeping of Bees	42
4, Part 2, §§204, 205	Dangerous Structures	98
7, Part 1, §104	Fire Protection	131

C. Repeals

<u>Ord. No.</u>	<u>Short Title</u>	<u>Ord. No.</u>	<u>Short Title</u>
1	Prevention of Nuisances	30, §§II	Business regs.
11	Bicycles	III, IV	(in part)
13	Distribution of Advertising	92	Tax on House Trailers
26	Board of Health	113	Water meter rates
29	Established building lines		

Section 6. 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 sections have been revised where necessary to comply with the Crimes Code or the Motor Vehicle Code.

Section 7. 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 8. 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's Code of Ordinances and shall be available for public inspection.

Section 9. 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 three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days.

Section 10. 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
February , 1987

BOROUGH OF HALIFAX

By: /s/ Allen I. Kinsinger
President of Council

ATTEST:

/s/ Marlin E. Bailets
Secretary

APPROVED this 2nd day of
February , 1987.

By: /s/ Brydon Lidle, Jr.
Mayor