

Code of Ordinances
of the
Borough of Oklahoma
Westmoreland County, Pennsylvania

Published by Authority of the Borough

Adopted by *Ord. 2015-04*, 12/14/2015

KEYSTATE PUBLISHERS, INC.
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Officials
of the
Borough of Oklahoma
County of
Westmoreland, Pennsylvania

ELECTED OFFICIALS

Mayor - Donald Emerick

Borough Council

President - Ronald Norton
Vice President - Larry Lizik
- Lisa Cali
- Christine Emerick
- Adam Lockhart

Tax Collector - Joyce A. Spillers

APPOINTED OFFICIALS

Secretary - Alecia Sherbondy
Solicitor - Gregory Cecchetti, Esquire
Code Officer - Lee Schumaker
Engineer - Senate Engineering Company

FOREWORD

History

This comprises the codification of the ordinances of the Borough of Oklahoma. The Borough of Oklahoma was incorporated in 1931.

The Code of Ordinances of the Borough of Oklahoma was prepared by Keystone Publishers, Inc., and adopted by the Borough of Oklahoma Borough Council on December 14, 2015, by *Ord. 2015-04*.

Organization

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 An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix.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

ORDINANCE NO. 2015-04

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF OKLAHOMA, WESTMORELAND 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 Oklahoma hereby ordains:

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

TABLE OF CONTENTS

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 Floodplains
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 [Reserved]
Chapter 18 Sewers and Sewage Disposal
Chapter 19 [Reserved]
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 [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

Table of Disposition of All Ordinances
 Table of 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 Oklahoma 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 Oklahoma 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 Oklahoma 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 Oklahoma 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
15, Entire Chapter	Motor Vehicles and Traffic	104, 167, 174, 198, 6/9/2003A

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.*

Section	Subject
§§1-101–1-111	Preliminary Provisions
§§6-101–6-102	Disorderly Conduct
§§6-201–6-204	Restricting Discharge of Firearms and Dangerous Projectiles
§§13-301–13-309	Transient Retail Business
15, Entire Chapter	Motor Vehicles and Traffic

B. *Amendments.*

Section	Subject	Ordinance No., Section
§1-211	Tax Collector Appointed	Res. 2002-1
§2-105	Licensed Dogs	2005-2, §5
§5-102	Modifications Made in BOCA National Existing Structures Codes	207A, §2
§5-210	Penalties	185, §10; 204A, §3
§6-301	Ball Playing, Snowballing and Throwing	106, 8/19/1966; 204A, §10
§6-406	Penalties	163, §6, 204A, §8
§6-507	Enforcement Against Persons	2012-01, §7
§6-511	Effect of Payment of Towing and Storage Charges	2012-01, §11
§6-512	Permits	2012-01, §12
§6-606	Penalty for Violation	191, §6, 204A, §10
§7-314	Violations and Penalties	2015-02, §XIV
§8-310	Enforcement	2010-10, Art. III, §3.10
§10-105	Penalty for Violation	109, §5; 204A, §12
§10-204	Penalty for Violation	182, §4; 204A, §13
§10-303	Violation	165, §3
§10-304	Prosecution	165, §4
§11-105	Penalty for Violation	175, §5; 204A, §18
§13-101	License Required to Operate Amusement Machines	41, §1
§13-102	License Fee; License Not Transferable Between Owners; New License Not Required When Machine Replaced by Another	41, §2; 177, §1

Section	Subject	Ordinance No., Section
§13-103	Inspection of Licensed Machines	41, §3
§13-104	Exhibit of License upon Request; Suspension of License	41, §4
§13-105	Penalty for Violation	41, §5; 100, §1; 204A, §14
§13-201	License Required to Operate Junk Yards and Similar Establishments.	53, §1
§13-208	Penalty for Violation	53, §8; 204A, §15
§13-406	Fees	2003-02, §6
§16-102	Penalty for Violation	164; 197; 204A, §19
§16-201	Commitment for All Residents and Invited Guests	2014-06
§18-105	Penalty for Violation	112, §5; 204A, §20
§18-206	Conditions to Be Fulfilled Before Making Connection	139, §6; 145, §1; 157, §1
§18-210	Penalty for Violation	139, §10; 204A, §21
§18-211	Sewer Service Charges and Industrial Cost Recovery Charges Adopted	158, §A
§18-230	Proposed Extensions of System by Developers	169, Art. X, §§1001–1014
§18-231	Delinquencies, Violations and Remedies	169, Art. XI, §§1101–1102; 204A, §22
§18-304	Penalty for Violation or Failure to Comply	189A, §3
§18-305	Penalty for Acts Involving Falsification of Records or Tampering with Monitoring Devices or Methods	189A, §4
§18-402	Authority, Findings, and Purpose	2010-12, Art. II
§18-507	Violation	6/9/2003B, §7
§20-124	Penalties	2012-03, §24
§21-104	Permit Required	166, §5
§21-111	Penalty for Violation	166, §11; 204A, §23
§21-201	Sledding Restricted on Streets and Alleys	113
§21-222	Penalty for Violation	184; 204A, §24
§21-312	Enforcement Against Persons	2014-04, §12

C. Repeals.

Ord./Res.	Subject
	[Reserved]

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:

Section	Short Title
	[Reserved]

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

Section	Subject
	[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:

Section	Subject	Ordinance No., Section
§22-903	Violations and Penalties; Enforcement	12/8/2014, §115-46
§27-202	Definitions	196, Art. II, §2.20; 206B, §1
§27-509	Slaughterhouses	196
§27-510	Fences and Walls in Residential Districts	196
§27-901	Duties of the Zoning Officer	196, Art. IX, §9.10
§27-904	Enforcement and Penalties	196, Art. IX, §9.40; 206B, §10

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

Section	Subject	Ordinance No., Section
		[Reserved]

Section 8. Procedural Changes. The following minor procedural changes have been made to existing Borough of Oklahoma 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 Oklahoma 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 Oklahoma 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 Oklahoma. 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 Oklahoma 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 14th day of December, 2015.

ATTEST:

Borough of Oklahoma

/s/ Alecia Sherbondy
Secretary

/s/ Ronald Norton
President, Borough Council

APPROVED this 14th day of December, 2015.

/s/ Donald Emerick
Mayor

