

Code of Ordinances of the Borough of Coplay

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CODE OF ORDINANCES

of the

BOROUGH OF COPLAY

Lehigh County, Pennsylvania

Published by Authority of the Borough

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OFFICIALS
of the
BOROUGH OF COPLAY
2017
County of Lehigh
Pennsylvania

ELECTED OFFICIALS

Mayor

Dean Molitoris

Council

President
Vice President

Louis Bodish
David Royer
Janet Eisenhauer
Mark Molitoris
Stephen Burker
Carl Luckenbach
Charles Sodl

Tax Collector

Jeffrey P. Deutsch

APPOINTED OFFICIALS

Borough Administrator
Engineer
Solicitor

Sandra A. Gyecsek
Daniel Witczak
James F. Preston

FOREWORD

History

This comprises the codification of the Ordinances of the Borough of Coplay. The Borough was originally settled in 1799 and was incorporated as a Borough on April 7, 1869, from parts of Upper Saucon Township.

The Code of Ordinances of the Borough was prepared by Penns Valley Publishers and adopted by the Borough Council on February 13, 1990 by Ordinance Number 623.

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 An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a chapter of the code book, or (4) is located in the appendix.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.

ORDINANCE NO. 623

AN ORDINANCE ADOPTING, BY REFERENCE, THE CODE OF ORDINANCES OF THE BOROUGH OF COPLAY, LEHIGH COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; ADOPTING STANDARD CODES BY REFERENCE; 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 HEREBY ORDAINS:

Section 1. Adoption. The "Code of Ordinances, Borough of Coplay," 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 1Administration and Government
- Chapter 2Animals
- Chapter 3Bicycles
- Chapter 4Buildings
- Chapter 5Code Enforcement
- Chapter 6Conduct
- Chapter 7Fire Prevention and Fire Protection
- Chapter 8Flood Plain Regulations
- Chapter 10Health and Safety
- Chapter 11Housing
- Chapter 12Libraries
- Chapter 13Licenses, Permits and General Business Regulations
- Chapter 14Mobile Homes and Mobile Home Parks
- Chapter 15Motor Vehicles and Traffic
- Chapter 17Planned Residential Development
- Chapter 18Sewers and Sewage Disposal
- Chapter 20Solid Waste
- Chapter 21Streets and Sidewalks
- Chapter 22Subdivision and Land Development
- Chapter 23Swimming Pools
- Chapter 24Taxation, Special
- Chapter 26Water
- Chapter 27Zoning

Appendix:

- B.Bond Issues and Loans
- C.Franchises and Services
- DGovernmental and Intergovernmental Affairs
- E.Plan Approval
- F.Public Property

GSewers
HStreets and Sidewalks
IWater

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 Coplay 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 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 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	410
		414
		445
		485
		492
		512
		531
		541
		542
		545
		547
		551
		552
		555
		558
		560
		562
		570
		571
		577
		611
		R-740
		R-836
		579
		586
		590
		618

B. Revisions

Chapter, Part, Section	Subject	Ordinance No.
1, 1, 251	Planning Commission	456
1, 3, 311-323	Emergency Management Agency	454
1, 7, 721-723	Firemen's Relief	R-280
2, 2, 102,107	Dogs at Large	323

Section 5. Land Use Ordinances. As a necessary part of codification the following land use ordinances are hereby enacted and amended, with deletions shown by ~~strike through~~ and additions by underline, as follows:

A. New Provisions.

Chapter, Part, Section	Subject	Ordinance No.
27, 13, 1309	Parties Appellant Before the Board	489
27, 13, 1310	Time Limitations	489
27, 13, 1311	Stay of Proceedings	489
27, 13, 1312	Appeal to Court	489
27, 14, 1401	Cause of Action	489
27, 15, 1502	Procedure for Landowner Curative Amendments	489
27, 15, 1503	Procedure for Borough Curative Amendments	489

B. Revised Provisions

Chapter, Part, Section	Subject	Ordinance No.
27, 2, 201	Definition of Terms	489, §2.1
27, 4, 405	Conversion of Dwellings	489, §4.5
27, 8, 801	Special Exception Uses	489, §8.1
27, 9, 901(2)(B)	Nonconforming Buildings and Uses; Changes	489, §9.1
27, 10, 1003(D)	General Prohibited Uses	489, §10.6
27, 11, 1101(1)	Use and Location; Business or Industrial Signs	489, §11.1
27, 12, 1201	Appointment & Provisions of Zoning Officer	489, §12.1
27, 12, 1202(2)	Zoning Permits	489, §12.2
27, 12, 1204	Temporary Permits	489, §12.4
27, 13, 1301	Zoning Hearing Board	489, §§13.1 -13.3, 13.7
27, 13, 1302	Hearings	489, §§13.5 13.8
27, 13, 1303	Jursidiction	489, §13.9
27, 13, 1304	Special Exception	489, §14.10
27, 13, 1306	Procedure; Special Exception	489, §13.12
27, 13, 1307	Variances	489, §13.13 §13.14

Chapter, Part, Section	Subject	Ordinance No.
27, 13, 1308	Specific Types of Variances	489, §13.15
27, 14, 1403	Enforcement Penalties	489, §14.1
27, 15, 1501	Enactment of Zoning Ord. Amendment	489, §15.1 and 15.2

C. Repealed Provisions. The following provisions of Chapter 27, Zoning, are repealed, the text of which is indicated by strike-through, and are summarized as follows:

Part, Section	Subject	Ordinance No.
27, 1306	Property Near Municipal Building	489, §13.6

Section 6. 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	Short Title
2, 1, 101,103,104,105,106	Dogs at Large
15, Entire Chapter	Motor Vehicles: Traffic, Loading, Parking, Off/On Street Metered Parking, Removal/Impoundment, Snow/Ice Emergencies, Pedalcycles & Pedestrian Regulations
23, 1, 101-112	Private Swimming Pools

B. Amendments

Chapter,Part,Section	Short Title	Ordinance No.
1, 1, 211,213	Board of Health	388, §§11-13
1, 2, 241	Civil Service Comm.	367, §1
1, 2, 271	Plumber's License	455, §1.6
1, 5, 504	Police Protection	R-450,663,678
1, 9, 922	Plumber's License	455, §1.5
3, 1, 104,105	Bicycle Regulations	359, §445

Chapter,Part,Section	Short Title	Ordinance No.
7, 1, 104	Wood Burning Stoves	588, §4
8, 2, 209	Building Permits	600, §2.10
11, 1, 103	Moving Permit	453, §3
11, 2, 210,212,213,215	Rooming House License	559, §10,12,13, 15
13, 3, 301	Peddler's License	428, §1
13, 4, 401,402	Telephone Pole License	83
13, 5, 502	Police Protection Permit	592,§2
18, 1, 102-104,106,113	Sanitary Sewers	603, §§2-4,6,13
21, 3, 302	Permit Fees	364, §2
21, 4, 403	Permit Fees	339, §3
24, 1, 105	Business Priv. License	608, §5
24, 3, 302	Earned Income Tax	477, §2
24, 4, 401,402,406	Occ. Privilege Tax	481, §§1,2,6
24, 5, 509,513	Per Capital Tax	549, §§9,13
24, 6, 609	Special Head Tax	527, §9

C. Repeals

Ord. No.	Short Title
83, In Part	Utility Poles
257	Licensing
Am. 257	Licensing
299	Licensing
311	Licensing
349	Licensing
360	Licensing
365	Fuels
391, In Part	Licensing
395	Licensing
403	Sidewalks

Ord. No.	Short Title
405	Keeping of Pigs
423	False Alarm Reports
482	Cable T.V. Tax
499	Vending Machines
504	Housing
519	Disorderly Conduct
587	Park Regulations
R-912	Vending Machines

Section 7. 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	Short Title
5, 1	BOCA Basic Plumbing Code, 1987 Ed.
5, 2	BOCA Basic Building Code, 1987 Ed.
5, 3	BOCA Fire Prevention Code, 1987 Ed.

Section 8. 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 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 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 Coplay's 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 Coplay. Whosoever shall violate this section shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs, and, 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 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 13 day of
February, 1990

BOROUGH OF COPLAY

By: /s/ Helen Schnecker
President of Council

ATTEST:

/s/ Warren P. Miller
Secretary

EXAMINED AND APPROVED this 13th day of
February, 1990.

By: Josephine F. Shemanski
Mayor