

**BOROUGH OF UNION CITY  
ERIE COUNTY, PENNSYLVANIA  
ORDINANCE NO. 1126**

AN ORDINANCE OF THE BOROUGH OF UNION CITY, ERIE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NUMBER 1118, AS AMENDED, ENTITLED THE UNION CITY BOROUGH ZONING ORDINANCE, AS ADOPTED ON OR ABOUT MAY 22, 2018; AMENDING SUBSECTION D(12) OF SECTION 701.02, ENTITLED FENCES AND WALLS, TO REQUIRE A MINIMUM OF APPROXIMATELY TWO (2) FOOT SETBACK FROM A LOT LINE FOR FENCES; PROVIDING FOR A REPEALER, SEVERABILITY AND FOR AN EFFECTIVE DATE.

**WHEREAS**, The Borough Council ("Borough Council") of the Borough of Union City (the "Borough") wishes to amend Ordinance No. 1118, the Union City Borough Zoning Ordinance, to require a minimum setback of approximately two (2) foot from a lot line.

**NOW THEREFORE** on this 28th day of May 2019 **IT IS HEREBY ENACTED AND ORDAINED** by the Borough Council of the Borough of Union City, Erie County, Pennsylvania as follows:

**Section 1. Recitals.** That the above recitals are incorporated as if more fully set forth herein.

**Section 2.** That Subsection D (12) of Section 701.02 of Ordinance 1118, as amended, entitled "Fences and Walls" is amended through the inclusion of underlined items and the deletion of items struck out, as follows:

701.02 Fences and Walls.

D. Fences shall comply with the following:

12. A fence ~~may~~ shall be built ~~without~~ a minimum setback of two (2) foot from a lot line. ~~however a minimum of a one foot setback is recommended to provide future maintenance of the fence.~~

**Section 3.** In all other respects, Ordinance No. 1118, as amended, is confirmed and ratified.

**Section 4. Repealer.** All other ordinances or sections of ordinances, which are inconsistent herewith, are hereby repealed.

**Section 5. Severability**

If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Union


City that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**Section 6.** Effective Date

The provisions of this ordinance shall become effective immediately as permitted by law.

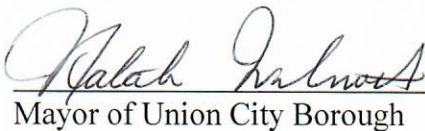
**THIS ORDINANCE NO 1126 IS DULY ORDAINED AND ENACTED** this 28th day of May 2019, by the Borough Council of the Borough of Union City, Erie County, Pennsylvania, in lawful session duly assembled.

ATTEST:

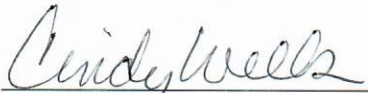
  
Borough Secretary

  
President of Borough Council

APPROVED this 28th day of May 2019

  
Mayor of Union City Borough

I certify that the above is a true copy of the Borough of Union City, Erie County, Pennsylvania, Ordinance No. 1126 adopted by the Union City Borough Council on May 28, 2019 and advertised in the *Corry Journal* on May 17, 2019.

  
Union City Borough Secretary

# 2052824.v1