

**UNION CITY BOROUGH  
ERIE COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1151**

**AN ORDINANCE OF UNION CITY BOROUGH AMENDING BOROUGH ORDINANCE NO. 1118, GENERALLY KNOWN AS THE ZONING ORDINANCE, AMENDING SECTION 302.01 PERMIT REQUIREMENTS TO REQUIRE PERMITS FOR DUMPSTERS IN RESIDENTIAL ZONING DISTRICTS; ADOPTING A NEW SECTION 709 PERTAINING TO THE REGULATION OF RESIDENTIAL DUMPSTERS; AND PROVIDING FOR A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, on or about May 22, 2018, the Borough Council of the Union City Borough (the “Borough”) adopted Ordinance No. 1118, colloquially known as the Union City Borough Zoning Ordinance (the “Zoning Ordinance”); and

**WHEREAS**, express purposes and community development objectives advanced by the Zoning Ordinance include protecting property values to insure suitable, attractive and efficient development of the community as well as to encourage development of integrated and cohesive suburban development; and

**WHEREAS**, the Borough Council has determined that the use of Dumpsters in Residential Zoning Districts is potentially harmful to the qualities and characteristics of the Residential Zoning Districts and that it would be in the best interests of the citizens and residents of the Borough to adopt reasonable regulations pertaining to the use of such Dumpsters.

**NOW THEREFORE**, this 13th day of March, 2023, be it enacted and ordained by the Borough Council of the Union City Borough, Erie County, Pennsylvania, as follows:

1. Recitals. The recitals set forth above are incorporated herein as if more fully set forth.

2. Amendment of Section 302.1. That section 302.1 of the Zoning Ordinance, entitled "Permit Requirement" be amended through the inclusion of the underlined terms as follows:

302.01 Permit Requirement

A Zoning Permit is required to be issued prior to the start of any of the following activities, unless otherwise exempted under Section 302.02 of this Ordinance:

- A. Erection, construction, placement, or alteration of any building or structure
- B. Construction of an addition to a building or structure, including decks and porches
- C. Demolition or moving of a building or structure
- D. Making or effecting a change of use of vacant land or any building or structure
- E. Making any change or extension to a nonconforming use
- F. Construction or installation of swimming pools, spas or hot tubs with a holding capacity of over thirty-six inches (36") of water in depth.
- G. Construction or alteration of signs except as exempted in this Ordinance (see Article 9, Signs).
- H. Any temporary use and/or structure that requires a zoning permit under Section 302.03 of this Ordinance.
- I. Placement or setting of a Dumpster in a Residential Zoning District in accordance with Section 709 of this Ordinance for a period in excess of three (3) months. Permitted Dumpsters may not be relocated without issuance of a new Permit.

3. Adoption of Section 709. That a new Section 709, entitled Dumpsters, be added to the Zoning Ordinance, as follows:

709 Dumpsters

Dumpsters shall be permitted in all Zoning Districts. Dumpsters, not including temporary construction waste Dumpsters, utilized in R-1 Suburban Residential Districts, R-2 Urban Residential Districts and RLB Residential Limited Business Districts shall conform with the following:

- (A) Dumpsters shall not be set or placed in front yards, in a front yard line of sight, or in the required setbacks.



(B) No more than one (1) Dumpster with a maximum size of eight (8) yards may be located at a Single Family Dwelling.

(C) Multiple-Family Dwellings may be served with multiple Dumpsters, but the total yardage of all Dumpsters may not exceed ten (10) yards.

(D) Dumpsters shall have a lid, which shall be secured and closed at all times.

(E) Dumpsters may not be overfilled with garbage or rubbish, and garbage and rubbish may not be located outside the Dumpster.

(F) Dumpsters must be watertight and may not leak fluids.

(G) Noxious odors may not emanate from Dumpsters.

(H) Dumpsters shall only be used for the collection of garbage or rubbish generated at the property on which it is located and may not be used for the collection of industrial, commercial or hazardous waste.


14. Repealer. Any Ordinances, rules, or resolutions, or parts of Ordinances in conflict herewith, are hereby repealed.


15. Severability. The provisions of this Ordinance are severable. 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 that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

16. Effective Date. This Ordinance shall become effective immediately upon its proper execution by the Borough Mayor.


**DULY ENACTED AND ORDAINED** this 13th day of March, 2023, by the Borough Council of the Union City Borough, Erie County, Pennsylvania, in lawful session duly assembled.

ATTEST:

  
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Cindy Wells, Secretary

  
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Riley Cross, President

APPROVED

  
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Natalie Wilmoth, Mayor

I certify that the above is a true copy of the Union City Borough, Erie County, Pennsylvania, Ordinance No. 1151, adopted by the Union City Borough Council on March 13, 2023, and advertised in the Corry Journal on February 28, 2023.

  
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Cindy Wells, Secretary

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