

**UNION CITY BOROUGH  
ERIE COUNTY PENNSYLVANIA  
ORDINANCE NO. 1161**

AN ORDINANCE OF THE BOROUGH OF UNION CITY,  
COUNTY OF ERIE, COMMONWEALTH OF  
PENNSYLVANIA, AMENDING ORDINANCE NO. 1045, AS  
AMENDED, KNOWN AS THE BOROUGH OF UNION CITY  
MOTOR VEHICLE NUISANCE ORDINANCE BY AMENDING  
SECTION 6, ENTITLED PENALTIES FOR VIOLATION,  
SECTION 7 REMEDIES NOT MUTUALLY EXCLUSIVE,  
SECTION 8 REPEALER, AND SECTION 9 EFFECTIVE DATE  
AND PROVIDING FOR A REPEALER, SEVERABILITY AND  
AN EFFECTIVE DATE.

**WHEREAS**, on or about July 13, 2004, the Borough Council of the Union City Borough (the "Borough Council"), adopted Ordinance No. 1045, entitled the Borough of Union City Motor Vehicle Nuisance (the "Ordinance"), which, from time to time, has been amended; and

**WHEREAS**, the Borough Council desires to again amend the Ordinance to reflect the modification of the enforcement of and penalties for those in violation of the Ordinance; and

**WHEREAS**, the Borough Council finds that such amendments are in the best interest of the citizens and residents of the Borough and expressly desires to ratify the remainder of the Ordinance.

**NOW THEREFORE**, this 27<sup>th</sup> day of June, 2023, **BE IT ORDAINED AND ENACTED** by the Borough Council, Union City Borough, Erie County, Pennsylvania, the following:

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

**Section 2. Amendment of Section 6 of the Ordinance.** That Section 6 of the Ordinance 1045, the Borough of Union City Motor Vehicle Nuisance Ordinance, entitled Penalties for Violation, is amended through the deletion of terms struck out and the addition of underlined terms as follows:

**Section 6. — Penalties for Violation.** ~~Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be guilty of a summary offense and shall be sentenced to pay a fine of not more than Three Hundred Dollars (\$300.00), and/or to undergo imprisonment for a term not to exceed thirty (30) days, plus the costs of prosecution. Each day that a violation of this ordinance continues or is committed shall constitute a separate offense.~~

**Section 6. Administration and Enforcement.**

The Borough Code Enforcement Officer, also known as the Code Official, shall enforce this Ordinance. The Code Enforcement Officer shall provide for the enforcement of this Ordinance pursuant to the Borough Ordinance 1111, adopted on or about August 22, 2017, as amended, known as the Quality of Life Ticketing Ordinance.

**Section 3. Amendment of Section 7 of the Ordinance.** That Section 7 of the Ordinance 1045, the Borough of Union City Motor Vehicle Nuisance Ordinance, entitled Remedies Not Mutually Exclusive, is amended through the deletion of terms struck out and the addition of underlined terms as follows:

~~**Section 7. — Remedies not Mutually Exclusive.** The remedies provided herein for the enforcement of this ordinance, or remedy provided by law shall not be deemed mutually exclusive, rather they may be employed simultaneously or consecutively, at the option of the Borough of Union City.~~

**Section 7. Violations.**

The Borough Code Enforcement Officer shall engage in the disposition of violation tickets issued pursuant to Ordinance 1111, as amended, through bringing summary proceedings against the offender before the Magisterial District Judge. Any person who shall violate any of the provisions of this Ordinance upon conviction thereof before a Magisterial District Judge shall be sentenced to pay fines as expressed in Ordinance 1111, as amended, in addition to the costs of prosecution. Failure to pay such fine and cost may lead to a sentence of imprisonment in the Erie County Prison for a period not to exceed thirty (30) days. The continuation of such violation for each successive day shall continue a separate offense and the person(s) allowing or permitting this continuation or violation may be prosecuted as provided above for each separate offense.

**Section 4. Amendment of Section 8 of the Ordinance.** That Section 8 of the Ordinance 1045, the Borough of Union City Motor Vehicle Nuisance Ordinance, entitled Repealer, is amended by the deletion of terms struck out and the addition of underlined terms as follows:

~~**Section 8. — Repealer.** — All ordinances or parts of ordinance which are inconsistent herewith are hereby repealed. Ordinance No. 980 is specifically repealed.~~

**Section 8. Remedies not Mutually Exclusive.** The remedies provided herein for the enforcement of this ordinance, or any remedy provided by law, shall not be deemed mutually exclusive; rather they may be employed simultaneously or consecutively, at the option of the Borough of Union City.

**Section 5. Amendment of Section 9 of the Ordinance.** That Section 9 of the Ordinance 1045, the Borough of Union City Motor Vehicle Nuisance Ordinance, entitled Effective Date, is amended by the deletion of terms struck out and the addition of underlined terms as follows

~~**Section 9. Effective Date.** This Ordinance shall become effective immediately upon its enactment and as otherwise provided by law.~~

**Section 9. Repealer.** All ordinance or parts of ordinances which are inconsistent herewith are hereby repealed. Ordinance No. 980 is specifically repealed.

**Section 6. Addition of Section 10 to the Ordinance.** That Section 10 is added to Ordinance 1045, the Borough of Union City Motor Vehicle Nuisance Ordinance to reflect the Effective Date of the Ordinance adoption with the addition of underlined terms as follows:

**Section 10. Effective Date.** This Ordinance shall become effective immediately upon its enactment and as otherwise provided by law.

**Section 7. Repealer.**

Any Ordinances, Rules or Resolutions or parts of any Ordinances, Rules or Resolutions in conflict herewith are hereby repealed.

**Section 8. Severability.**

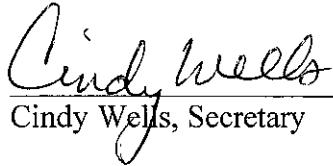
If any section, subsection, paragraph, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this Ordinance is declared for any reason to be illegal, unconstitutional or invalid by any court of competent jurisdiction or other tribunal, such decision shall not affect or impair the validity of this Ordinance as a whole, or any other section, subsection, paragraph, provision, regulation, limitation, restriction, sentence, clause, phrase, word or remaining portion of this Ordinance. Borough Council hereby declares that it would have adopted this Ordinance and each section, subsection, paragraph, provision, regulations, limitation, restriction, sentence, clause, phrase or word hereof irrespective of the fact that any one or more of the sections, subsections, paragraphs, provisions, regulations, limitations, restrictions, sentences, clauses, phrases or words may be declared illegal, unconstitutional or invalid.

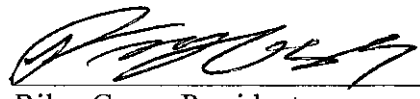
**Section 9. Effective Date.**

This Ordinance shall take effect and be in force immediately after enactment as provided by law.

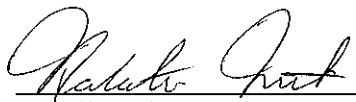
**DULY ORDAINED AND ENACTED** this 27<sup>th</sup> day of June, 2023, by the Borough Council of the Borough of Union City, Erie County, Pennsylvania, in lawful session duly assembled.

ATTEST:

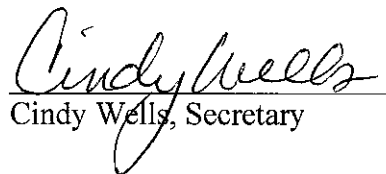
  
Cindy Wells, Secretary

  
Riley Cross, President

APPROVED

  
Natalie Wilmoth, Mayor

I certify that the above is a true copy of the Borough of Union City, Erie County, Pennsylvania, Ordinance No. 1161 adopted by the Union City Borough Council on June 27<sup>th</sup>, 2023 and advertised in the Corry Journal on June 17<sup>th</sup>, 2023.

  
Cindy Wells, Secretary