

**UNION CITY BOROUGH
ERIE COUNTY PENNSYLVANIA
ORDINANCE NO. 1139**

AN ORDINANCE OF THE BOROUGH OF UNION CITY, COUNTY OF ERIE, COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 1111, KNOWN AS THE BOROUGH OF UNION CITY QUALITY OF LIFE TICKETING ORDINANCE BY AMENDING SECTION 3, ENTITLED ENFORCEMENT AND SECTION 4, ENTITLED VIOLATION TICKET DISPOSITION TO INCORPORATE THE ADOPTION OF A NEW GARBAGE AND RECYCLING COLLECTION ORDINANCE; AND PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, on or about August 22, 2017, the Borough Council of the Union City Borough (the "Borough Council"), adopted Ordinance No. 1111, entitled the Borough of Union City Quality of Life Ticketing Ordinance (the "Ordinance"); and

WHEREAS, the Borough Council desires to amend the Ordinance to reflect that the Borough Council recently repealed Ordinances 987 and 1107 relating to the collection of recyclables, and replaced them with Ordinance 1138 governing the collection of garbage and recyclables; 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 13th day of July, 2021, **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 3 of the Ordinance. That Section 3 of the Ordinance 1111, the Borough of Union City Quality of Life Ticketing Ordinance, entitled Enforcement, is amended through the deletion of terms struck out and the addition of new underlined terms as follows:

Section 3. Enforcement

A. The provisions of any article so enumerated below shall be enforced by Borough of Union City police officers and code enforcement officers who are sworn to uphold and enforce the law of the municipality. The ability of code enforcement officers to also enforce certain provisions of the covered Ordinances does not in any way affect

the ability of police officers to enforce the Ordinances as currently provided within each covered Ordinance.

B. Council may change those sections covered under this Ordinance from time-to-time by Ordinance, however, at the time of the adoption of this Ordinance, the following ~~chapters~~ Ordinances, or parts of Ordinances, are deemed and ordained to be under the jurisdiction of this enforcement process:

1. Ordinance No. 1066, as amended, known as The Union City Borough Property Maintenance Code
2. ~~Ordinance No. 987, as amended by Ordinance No. 1107, governing collection of recyclables.~~
3. ~~2.~~ Ordinance No. 1110, governing sidewalk construction, reconstruction, repair, sidewalk snow and ice removal
4. ~~3.~~ Ordinance No. 1045, governing the storage of nuisance motor vehicles and motor vehicle parts.

C. In addition to those Ordinances expressed above, the following Ordinances, or parts of Ordinances, are deemed and ordained to be under the jurisdiction of this enforcement process:

1. Ordinance No. 1138, governing the collection of garbage and recyclables.

D. Any violation of the provisions on any article as enumerated in this chapter may be caused for a violation ticket to be issued to the violator.

~~D.~~ E. A violation ticket shall be served upon the violator in one the following manners:

1. By handing the ticket or notice of violation to the violator;
2. By handing it to an adult resident of the subject property;
3. By leaving or affixing the notice or violation ticket to the property where the violation exists; or
4. By mailing the notice or violation ticket to the violator's address of record through first class mail with a certificate of mailing.

E. F. Each day after the issuance of a ticket that a violation continues or is permitted to continue constitutes a separate offense for which a separate fine may be imposed.

F. G. If the Borough has corrected a violation, the cost thereof shall be charged to the owner of the property through any means available to the Borough, including applicable interest rate for municipal liens at a rate of ten percent (10%) pursuant to the Municipal Claims Act at 53 P.S. §7103.

Section 3. Amendment of 4 of the Ordinance. That Section 4 of the Ordinance 1111, the Borough of Union City Quality of Life Ticketing Ordinance, entitled Violation Ticket Disposition, is amended through the deletion of terms struck out and the addition of new underlined terms as follows:

Section 4. Violation Ticket Disposition

A person in receipt of a violation ticket shall have ten (10) days within which to pay the amount of the ticket to the Borough. In the event that payment for the ticket is not remitted within ten (10) day's time, such failure to pay shall result in the issuance of a non-traffic citation for the offense as enumerated in ~~the Property Maintenance Code Ordinance 1066, Ordinance 987 as amended by 1107 1138, Ordinance 1110, and/or Ordinance 1045,~~ as such Ordinances may be amended or replaced.

Section 4. Repealer. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

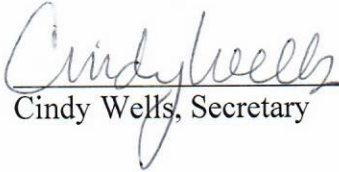
Section 5. Severability. If any sentence, clause, section or amendment of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or amendments 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 amendment thereof not been included herein.

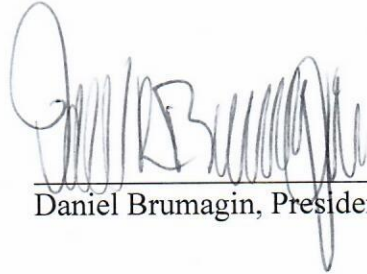
Section 6. Effective Date. This Ordinance shall become immediately effective as soon as permitted by applicable law.

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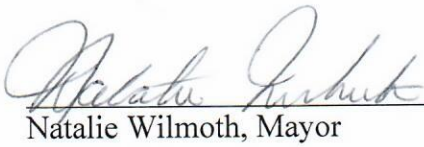
DULY ORDAINED AND ENACTED this 13th day of July, 2021, by the Borough Council of the Borough of Union City, Erie County, Pennsylvania, in lawful session duly assembled.

ATTEST:

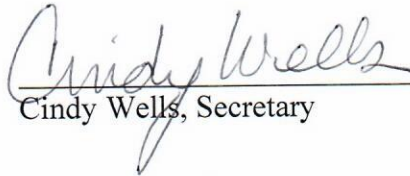

Cindy Wells, Secretary


Daniel Brumagin, 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.1139 adopted by the Union City Borough Council on July 13, 2021 and advertised in the Corry Journal on June 28, 2021.


Cindy Wells, Secretary