

BOROUGH OF FOREST CITY

ORDINANCE NUMBER 492

An Ordinance of the Borough of Forest City, Susquehanna County, Commonwealth of Pennsylvania, an Ordinance placing a Moratorium on the cutting of any streets in the Borough of Forest City for two (2) years after the competition of final paving of borough streets; Establishing the Penalties for Violations of the Ordinance; and Establishing a Right of Ordinance Severability and Setting Forth an Ordinance Date of Effect.

WHEREAS, Under the Borough Code (Act 43 of 2012)... The Borough is empowered to make such regulations as may be necessary for the health, safety, and general welfare of the Borough.

WHEREAS, the Borough of Forest City has installed new sanitary collection lines (the Project) throughout the total confines of the Borough; and

WHEREAS, the as result of the Project, the Borough paved all of the roads within the confines of the Borough effected by the Project; and

WHEREAS, prior to the start of the Project, all utility companies who provide utilities within the confines of the Borough were informed of the Project and requested to perform any scheduled maintenance, upgrading and/or replacement of the utilities prior to the competition of the Project as the streets would be paved upon competition of the Project and permits for cutting of the newly paved streets would only be issued for emergency reasons.

Be It Ordained and Enacted by the Borough of Forest City, Susquehanna County, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same that the Borough of Forest City hereby authorizes the following:

Section 1. Moratorium:

A moratorium shall be in effect for a period of two (2) years from the effective date of this Ordinance, denying the issuance of pave cut permits for the opening of any Borough street by any person or entity for any reason except for an emergency purpose. If such an emergency is found to exist, the Borough's Pave Cut Ordinance shall be followed in all aspects.

Section 2. Enforcement:

It shall be the duty of the Borough Police Department, Code Enforcement Officer and/or Code Inspections, Inc. to enforce the terms of this Ordinance and secure compliance with the requirements thereof.

Section 3. Penalties.

Any person, firm or corporation who shall violate any provision of this Ordinance, shall upon conviction thereof be sentenced to pay a fine of not more than Five Hundred (\$500.00) Dollars. Every day that a violation of this Ordinance continues, shall constitute a separate offense.

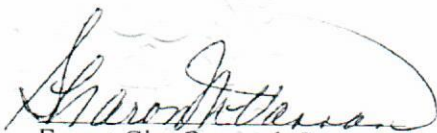
Section 4. Severability.

If any sentence, clause, section or part of this Ordinance is for any reason be 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 the Ordinance. It is hereby declared as the intent of the Borough of Forest 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 5. Effective Date.


This Ordinance shall take effect thirty (30) days from the date of enactment

ORDAINED AND ENACTED this 3rd day of June, 2013.


Forest City Borough Secretary


Forest City Borough Council President

The foregoing Ordinance is approved on the 3rd day of June, 2013.


Forest City Borough Mayor