

**Code
of the
Borough of
West Kittanning**

COUNTY OF ARMSTRONG
COMMONWEALTH OF PENNSYLVANIA

SERIAL NO.**6**.....

GENERAL CODE
www.generalcode.com

2010

**OFFICIALS
OF THE
BOROUGH OF WEST KITTANNING**

Borough Building
229 Arthur Street
West Kittanning, Pennsylvania 16201
Telephone: (724) 548-8577
website: www.westkittanningpa.com

2010

Mayor
BERNIE BOWSER, JR.

Borough Council
CLIFFORD J. NEAL, **Council President**
JIM SOBISKI, **Council Vice President**
BERNIE BOWSER, SR.
NANCY CAPONE
MICHELE COGLEY
PAULA HENRY
ED MORRIS

Secretary/Treasurer
JEANNE ENGLERT

Borough Solicitor
CHASE McCLISTER

CERTIFICATION
BOROUGH OF WEST KITTANNING

Office of the Borough Secretary

I, **JEANNE ENGLERT**, Borough Secretary of the Borough of West Kittanning, Pennsylvania, hereby certify that the chapters contained in this volume are based upon the original legislation of a general and permanent nature of the Borough Council of the Borough of West Kittanning, and that said legislation, as revised and codified, renumbered as to sections and rearranged into chapters, constitute the Code of the Borough of West Kittanning, County of Armstrong, Commonwealth of Pennsylvania, as adopted by ordinance of the Borough Council on May 4, 2010.

Given under my hand and the Seal of the Borough of West Kittanning, County of Armstrong, Commonwealth of Pennsylvania, this 4th day of May 21010, at the municipal offices of the Borough of West Kittanning.

s/ **JEANNE ENGLERT**

Borough Secretary

PREFACE

HISTORY: On the west side of the Allegheny River, in the foothills of the Appalachian Mountain Range, on the gently rolling bluffs overlooking Kittaning, Pennsylvania, lies the little Village of West Kittaning, once known as "Bellville," after John Cunningham laid it out in 1855. West Kittanning was incorporated as a borough in 1900; the first census in 1910 noted the population as 871. The 2000 census recorded the Borough's population at 1,199.

The Borough of West Kittanning has, over the years, passed through a process of legislative change common to many American communities. While only a few simple laws were necessary at the time of the establishment of the Borough, subsequent growth of the community, together with the complexity of modern life, has created the need for new and more detailed legislation for the proper function and government of the Borough. The recording of local law is an aspect of municipal history, and as the community develops and changes, review and revision of old laws and consideration of new laws, in the light of current trends, must keep pace. The orderly collection of these records is an important step in this ever-continuing process. Legislation must be more than mere chronological enactments reposing in the pages of old records. It must be available and logically arranged for convenient use and must be kept up-to-date. It was with thoughts such as these in mind that the Borough Council ordered the following codification of the Borough's legislation.

Contents of Code

The various chapters of the Code contain all currently effective ordinances of a general and permanent nature enacted by the Borough Council of the Borough of West Kittanning, including revisions or amendments to existing legislation deemed necessary by the Borough Council in the course of the codification.

Division of Code

The Code is divided into parts. Part I, Administrative Legislation, contains all Borough legislation of an administrative nature, namely, that dealing with the administration of government, that establishing or regulating municipal departments and that affecting officers and employees of the municipal government and its departments. Part II, General Legislation, contains all other Borough legislation of a regulatory nature. Items of legislation in this part generally impose penalties for violation of their provisions, whereas those in Part I do not.

Histories

At the end of the Scheme (list of section titles) in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the enactment number (e.g., ordinance number, local law number, bylaw number, resolution number, etc.), if pertinent, and the date of adoption. In the case of chapters containing parts or articles derived from more than one item of legislation, the source of each part or

WEST KITTANNING CODE

article is indicated in the text, under its title. Amendments to individual sections or subsections are indicated by histories where appropriate in the text.

General References; Editor's Notes

In each chapter containing material related to other chapters in the Code, a table of General References is included to direct the reader's attention to such related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Appendix

Certain forms of local legislation are not of a nature suitable for inclusion in the main body of the Code but are of such significance that their application is community-wide or their provisions are germane to the conduct of municipal government. The Appendix of this publication is reserved for such legislation and for any other material that the community may wish to include.

Disposition List

The Disposition List is a chronological listing of legislation, indicating its inclusion in the publication or the reason for its exclusion. The Disposition List will be updated with each supplement to the Code to include the legislation reviewed with said supplement.

Index

The Index is a guide to information. Since it is likely that this publication will be used by persons without formal legal training, the Index has been formulated to enable such persons to locate a particular section quickly. Each section of each chapter has been indexed. The Index will be supplemented and revised from time to time as new legislation is added.

Instructions for Amending the Code

All changes to the Code, whether they are amendments, deletions or additions, should be adopted as amendments to the Code. In doing so, existing material that is not being substantively altered should not be renumbered.

Adding new sections. Where new sections are to be added to a chapter, they can be added at the end of the existing material (continuing the numbering sequence) or inserted between existing sections as decimal numbers (e.g., a new section between §§ 65-5 and 65-6 should be designated § 65-5.1).

Adding new chapters. New chapters should be added in the proper alphabetical sequence in the appropriate division or part (e.g., Part I, Administrative Legislation, or Part II, General Legislation), utilizing the reserved chapter numbers. New chapter titles should begin with the key word for the alphabetical listing (e.g., new legislation on abandoned vehicles should be titled "Vehicles,

PREFACE

Abandoned" under "V" in the Table of Contents, and a new enactment on coin-operated amusement devices should be "Amusement Devices" or "Amusement Devices, Coin-Operated" under "A" in the Table of Contents). Where a reserved number is not available, an "A" chapter should be used (e.g., a new chapter to be included between Chapters 166 and 167 should be designated Chapter 166A).

Adding new articles. New articles may be inserted between existing articles in a chapter (e.g., adding a new district to the Zoning Regulations) by the use of "A" articles (e.g., a new article to be included between Articles XVI and XVII should be designated Article XVIA). The section numbers would be as indicated above (e.g., if the new Article XVIA contains six sections and existing Article XVI ends with § 166-30 and Article XVII begins with § 166-31, Article XVIA should contain §§ 166-30.1 through 166-30.6).

Supplementation

Supplementation of the Code will follow the adoption of new legislation. New legislation or amendments to existing legislation will be included and repeals will be indicated as soon as possible after passage. Supplemental pages should be inserted as soon as they are received and old pages removed, in accordance with the Instruction Page which accompanies each supplement.

Acknowledgment

The assistance of the Borough officials is gratefully acknowledged by the editor. The codification of the legislation of the Borough of West Kittanning reflects an appreciation of the needs of a progressive and expanding community. As in many other municipalities, officials are faced with fundamental changes involving nearly every facet of community life. Problems increase in number and complexity and range in importance from everyday details to crucial areas of civic planning. It is the profound conviction of General Code that this publication will contribute significantly to the efficient administration of local government. As Samuel Johnson observed, "The law is the last result of human wisdom acting upon human experience for the benefit of the public."

TABLE OF CONTENTS

Tools for Finding Information – In addition to the municipality’s legislation, this publication contains tools to help locate information: table of contents, index, chapter outlines (schemes), and a disposition list.

Chapters – Chapters are generally discrete pieces of legislation but can also be made up of several individual pieces on a related topic. In that case, the individual pieces are arranged into articles or parts within the chapter. If you are familiar with a former number or title, look for it chronologically in the disposition list.

Reserved Chapters – In the numbering of chapters, space has been provided for the convenient insertion, alphabetically, of later enactments. Help in selecting an appropriate number for a new chapter is available from the editor. See also the “Instructions for Amending the Code” in the Preface.

Section Numbering – A chapter-related section-numbering system is employed. Each section of every item of legislation is assigned a number, which indicates both the number of the chapter in which the item of legislation is located and the location of the section within that chapter. Thus, the fourth section of Chapter 6 is § 6-4.

Scheme – The scheme is the list of section titles that precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the scheme titles are repeated as section headings in the text.

Page Numbers – A unique page-numbering system has been used in which each chapter forms an autonomous unit. The first page of each chapter is the number of that chapter followed by a colon and the numeral “1.” Thus, Chapter 6 begins on page 6:1. By the use of this system, it is possible to add or to change pages in any chapter, or add new chapters, without affecting the sequence of subsequent pages.

WEST KITTANNING CODE

PART I: ADMINISTRATIVE LEGISLATION

| | | |
|-----|----------------------------------------------------------------|------|
| 1. | General Provisions | 1:1 |
| | Article I Adoption of Code | |
| 5. | Authorities, Municipal | 5:1 |
| | Article I West Hills Area Water Pollution Control Authority | |
| 13. | Intermunicipal Agreements | 13:1 |
| | Article I Armstrong County Task Force | |
| 22. | Officers and Employees | 22:1 |
| 31. | Salaries and Compensation | 31:1 |

PART II: GENERAL LEGISLATION

| | | |
|------|------------------------------------------|-------|
| 39. | Adult Uses | 39:1 |
| 44. | Amusement Devices | 44:1 |
| 55. | Bicycles | 55:1 |
| 59. | Brush, Grass and Weeds | 59:1 |
| 66. | Buildings, Dangerous | 66:1 |
| 71. | Burning, Open | 71:1 |
| 75. | Construction Codes, Uniform | 75:1 |
| 78. | Curfew | 78:1 |
| 110. | Junkyards and Junk Dealers | 110:1 |
| 121. | Mobile Homes and Mobile Home Parks | 121:1 |
| 131. | Peddling and Soliciting | 131:1 |
| | Article I Transient Retail Merchants | |
| 149. | Sewers and Sewage Disposal | 149:1 |
| | Article I Sewer Connections | |
| 158. | Solid Waste | 158:1 |

TABLE OF CONTENTS

164. Streets and Sidewalks..... 164:1
 Article I Snow Removal; Obstructions; Excavation and
 Construction Standards
 Article II Street Grades
 Article III Removal of Borough Property
 Article IV Openings and Excavations

169. Swimming Pools, Hot Tubs and Spas 169:1

172. Taxation..... 172:1
 Article I Realty Transfer Tax

177. Trees 177:1

181. Utility Facilities..... 181:1

186. Vehicles and Traffic 186:1

190. Vehicles, Junked and Abandoned 190:1

200. Zoning 200:1

APPENDIX

DISPOSITION LIST

INDEX