

Code of Ordinances of the Borough of Red Lion

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Code of Ordinances
of the
Borough of Red Lion
York County, Pennsylvania

Published by Authority of the Borough

Adopted by *Ord. 2009-09-02*, 9/14/2009

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Officials
of the
Borough of Red Lion
County of
York, Pennsylvania

ELECTED OFFICIALS

Mayor - Robert A. Frutiger

Borough Council

President	-	Christina G. Frutiger
Vice President	-	Cynthia A. Barley
	-	Kelly Henshaw
	-	John Clemons
	-	Jeffrey P. Herrman
	-	Dennis Klinedinst
	-	Michael Gebhart
Tax Collector	-	Ann L. Reichard

APPOINTED OFFICIALS

Treasurer	-	Connie Boyer
Code Officer	-	Dan Shaw
Solicitor	-	D. Michael Craley, Esquire
Engineer	-	C. S. Davidson, Inc.
Auditors	-	Kochenour, Earnest, Smyser & Burg

FOREWORD

History

The Borough of Red Lion, which was named from a tavern sign, was incorporated on January 16, 1880. It consisted of 71 households and a population of 241. The population in the 1990's is expected to exceed 6,000 in approximately 2,400 households. Total acreage of the Borough is 838.4 with 24.3 miles of public streets.

Formal creation of the Borough was enhanced by the efforts of Catherine Meyer, known as the "Mother of Red Lion." Mrs. Meyer was part of nearly every movement directed towards the betterment of her beloved town and was the leading business spirit of the prosperous cigar manufacturing center.

In the early years of the newborn Borough, there were 150 cigar manufacturing factories, many of which were home occupations. By 1907, with the founding of the Red Lion Furniture Company, the manufacturing of wood products became the second industry for which Red Lion Borough would become known nationwide.

As a result of consolidations and automation, there are only a few cigar manufacturers remaining and the furniture industry has drastically changed from the ones that were the catalyst for the economic development of the Borough. Other diverse manufacturing activities include clothing, milling, plastics, steel fabrication, ammunition, engineering, tool and die making and motor vehicle parts. Although a healthy balance of industry and commerce exists, Red Lion has leaned toward a primarily residential community.

The pride of its people is one very important factor that has remained constant over the past 110 years, although the Borough of Red Lion 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.

The Code of Ordinances of the Borough of Red Lion was prepared by Keystate Publishers, Inc., and adopted by the Borough of Red Lion Borough Council on September 14, 2009, by *Ord. 2009-09-02*.

Organization

The Code contains four parts which are (1) the valid current ordinances of the Borough of Red Lion contained in Chapters 1 through 27, (2) the Appendix, which lists by abstracted title all ordinances of a temporary or "one time" nature, (3) the Table to the disposition of each ordinance ever enacted by the Borough of Red Lion, and (4) the Index, which is an alphabetical arrangement of subjects.

In the Code each Chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page at the beginning of each Chapter. The Index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which Chapter the subject might be found. The Appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment, if known.

The Table to disposition indicates what action has been taken by the Borough of Red Lion Borough Council with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix. Annual tax rate and budget ordinances are located only in the Table to Dispositioin. The Table to Disposition is a cross reference to the original ordinance books of the Borough of Red Lion, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 2009-09-02

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF RED LION, YORK COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

BE IT ENACTED AND ORDAINED by the Council of the Borough of Red Lion, and it is hereby enacted and ordained as follows:

Section 1. Adoption. The “Code of Ordinances, Borough of Red Lion,” as prepared and published for the said Borough of Red Lion, is hereby adopted as a consolidation, codification and revision of the ordinances of the Borough of Red Lion. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Borough of Red Lion organized as follows:

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Chapter 3 [Reserved]
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Chapter 25 Trees
Chapter 26 Water
Chapter 27 Zoning

APPENDIX

- A Annexation of Territory
- B Bond Issues and Loans
- C Franchises and Services
- D Governmental and Intergovernmental Affairs
- E Plan Approval
- F Public Property
- G Sewers
- H Streets and Sidewalks
- I Water
- J Zoning; Prior Ordinances

Table to Disposition of All Ordinances
 Table to Disposition of Significant Resolutions

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Borough of Red Lion shall be authoritative.

Section 2. Citation and Effective Date. The codification referred to in Section 1 of this ordinance shall be known and cited officially as the “Borough of Red Lion Code of Ordinances,” and all future ordinances shall make reference thereto. This ordinance shall become effective on November 1, 2009.

Section 3. Saving Clause. The provisions of the Borough of Red Lion Code of Ordinances, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the Borough of Red Lion Code of Ordinances shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. New Enactments, Amendments and Repeals. As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:

A. *New Enactments.*

Section	Subject
§§1-101–1-111	Preliminary Provisions
§§6-301–6-306	Curfew

B. *Amendments.*

Section	Subject	Ordinance No., Section
§4-101	Property Owners to Number Buildings Correctly	7511-16; 9711-6, §101-1
§4-105	Violations and Penalties	7511-16; 9711-6, §101-5
§5-106	Violations and Penalties	2004-06-04

Section	Subject	Ordinance No., Section
§6-104	Violations and Penalties	812-6; 868-14; 9711-6, §73-4
§6-204	Violations and Penalties	996-7
§6-403	Violations and Penalties	849-4; 868-15; 9711-6, §154-4
§7-204	Violations and Penalties	961-1; 9711-6, §136-4
§7-307	Violations and Penalties	7911-14
§7-406	Violations and Penalties	8210-9; 9711-6, §122-6
§10-201	Certain Vegetation Prohibited; Nuisances	7511-20
§10-204	Violations and Penalties	7511-20; 9711-6, §92-4
§10-301	Definitions	868-18; 985-2; 2003-07-12
§10-304	Violations and Penalties	868-18; 9711-6, §144-4
§10-315	Violations and Penalties	791-1; 9711-6, §82-5
§10-402	Violations and Penalties	2002-09-09
§10-503	Exceptions	8210-8; 2003-06-07
§10-504	Violations and Penalties	8210-8; 9711-6, §105-4
§11-102	Definitions; Word Usage	7511-21
§11-111	Inspections; Authority of Code Enforcement Officer	7511-21
§11-112	Licensing of the Operation of Rooming Houses	7511-21; 797-12; 868-20; 9711-6, §132-12
§11-114	Notice of Violation	7511-21; 827-3
§11-115	Violations and Penalties	7511-21; 827-3; 9711-6, §132-15
§11-206	Violations and Penalties	922-2; 9711-6, §158-6
§13-104	Violations and Penalties	2/13/1953; 868-22; 9711-6, §77-4
§13-207	Violations and Penalties	925-6; 9711-6, §87-7
§13-307	Violations and Penalties	7511-22; 9711-6, §193-7
§13-405	Violations and Penalties	868-23; 9711-6, §127-5
§15-204	Prohibited Turns at Intersections by Certain Vehicles	9711-6, §205-10
§15-311	Parking Prohibited when Streets to be Swept	9711-6
§15-313	Violations and Penalties	9711-6, §205-29; 2004-03-02

Section	Subject	Ordinance No., Section
§15-405	Payment of Towing and Storage Charges	9711-6, §205-34
§15-903	Schedule III: Prohibited Right Turns on Red Signal	9711-6, §205-57
§15-904	Schedule IV: Prohibited Turns at Intersections.	9711-6, §205-58
§15-916	Schedule XV: Parking Prohibited at All Times	9711-6, §205-69; 989-4; 993-4; 9911-9; 2002-06-04; 2003-07-14; 2004-03-01; 2004-10-12
§15-919	Schedule XVIII: Special Purpose Parking Zone	9711-6, §205-72; 9911-9
§15-926	Schedule XXIII: No Parking During Scheduled Street Sweeping	9711-6
§15-1004	Violations and Penalties	9711-6, §205-80; 2002-12-14
§16-103	Violations and Penalties	769-12; 9711-6, §150-3
§18-123	Violations and Penalties	1115-1; 9711-6, §163-22
§18-210	Violations and Penalties	1115-2; 9711-6, §163-33
§18-306	Violations and Penalties	754-3; 9711-6, §163-39
§18-405	Notice of Violation, Remedies, and Penalties	8412-6; 931-1; 9810-5; 992-3; 2002-11-13; 2003-03-05
§18-510	Violations and Penalties	891-3; 9711-6, §163-59
§18-602	Violations and Penalties	6/5/1931; 868-6; 9711-6, §176-9
§19-106	Violations and Penalties	893-5; 9711-6, §172-6
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§20-105	Collection	747-8; 781-2; 783-6; 849-5; 855-5; 8812-17; 8910-9; 9711-6, §176-4
§20-106	Violations and Penalties	747-8; 909-8; 9711-6, §176-5
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§20-108	Authority of Contracting Collector	747-8; 2007-06-09
§20-208	Violations and Penalties	909-9; 9711-6, §176-17
§20-306	Violations and Penalties	932-4; 969-5; 9711-6, §176-23; 2003-06-09
§21-107	Violations and Penalties	113; 9711-6, §180-7

Section	Subject	Ordinance No., Section
§21-203	Permit Fees	721-2; 2002-08-07
§21-227	Violations and Penalties	721-2; 9711-6, §180-34
§21-304	Violations and Penalties	7511-24; 827-4; 9711-6, §180-38
§21-414	Violations and Penalties	854-4; 9711-6, §180-52
§23-805	Penalties	3/14/2005, §805
§24-112	Violations and Penalties	264-2; 9711-6, §189-12
§24-312	Violations and Penalties	268-1; 9711-6, §189-29
§24-413	Permitted Uses of Tax	2007-11-10
§24-414	Penalties, Enforcement; Collection Actions	2007-11-10
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C. Repeals.

Ord./Res.	Subject
565-11	Fire Alarm Systems
745-5	Shade Tree Commission
7612-20	Fire Alarm Systems
8212-15	Fire Alarm Systems
884-4	Fire Alarm Systems
9111-2	Solid Waste
9511-7	Solid Waste

Section 5. Procedural Changes. The following minor procedural changes have been made to existing Borough of Red Lion ordinances:

- A. Grammatical and spelling errors have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms and usages;
- C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Borough Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

Section 6. Amending the Code of Ordinances. The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

- A. Amendment or Revision - “Chapter ___, Article ___, Section ___, Subsection ___ is hereby amended [revised] to read as follows...”
- B. Additions - “Chapter ___, Article ___, Section ___, Subsection ___ is hereby amended by the addition of the following...”
- C. Repeal - “Chapter ___, Article ___, Section ___, Subsection ___ is hereby repealed in its entirety.”

Section 7. Responsibility for Code of Ordinances. It shall be the responsibility of the Borough of Red Lion Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the Borough of Red Lion Code of Ordinances and shall be available for public inspection.

Section 8. Penalties. It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Borough of Red Lion. Whosoever shall violate this Section shall be guilty of an offense under §4911, “Tampering with Public Records or Information,” of the Crimes Code, 18 Pa.C.S.A. §4911, and shall be prosecuted under that Section of the law.

Section 9. Severability of Parts of Codification. It is hereby declared to be the intention of the Borough of Red Lion that the Chapters, Parts, Sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining Chapters, Parts, Sections, paragraphs, sentences, clauses or phrases of this codification.

ENACTED AND ORDAINED by the Council of the Borough of Red Lion, County of York, Pennsylvania, this 14th day of September, 2009.

ATTEST:

Red Lion Borough Council

/s/ Connie L. Boyer
Asst. Secretary

/s/ Christina G. Frutiger
President

APPROVED/DISAPPROVED this 14th day of September, 2009.

/s/ R.A. Frutiger
Mayor

