

BOROUGH OF SOUTH CONNELLSVILLE  
FAYETTE COUNTY, PENNSYLVANIA

ORDINANCE NO. 330

AN ORDINANCE OF THE BOROUGH OF SOUTH CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 75, TO SET PERMIT FEES, TO REQUIRE ZONING COMPLIANCE, TO REQUIRE ANNUAL RENEWALS, TO INCREASE PENALTIES, AND TO PROVIDE FOR SEPARATE DAILY VIOLATIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Borough of South Connellsville previously adopted Ordinance No. 75 relating to the establishment, maintenance, regulation, and permitting of junk yard, salvage yards, and other places used and maintained for collection, storage, and disposal of used or second-hand goods and materials, equipment, and machinery; and

WHEREAS, the Borough Council of the Borough of South Connellsville desires to update Ordinance No. 75 in various respects in order to address the increased costs associated with such regulation and permitting, to require annual renewals, to require zoning compliance, and to strengthen enforcement against violators; and

WHEREAS, the Borough of South Connellsville has the power to enact ordinances regulating junk yards, salvage yards, and other places used and maintained for collection, storage, and disposal of used or second-hand goods and materials, equipment, and machinery, pursuant to the Borough Code, 8 Pa.C.S.A. § 1202; and

WHEREAS, the Borough of South Connellsville has the power to enact ordinances with criminal fines and penalties up to a maximum of One Thousand and 00/100 Dollars (\$1,000.00) and to establish daily violations pursuant to the Borough Code, 8 Pa.C.S.A. § 3321; and

WHEREAS, the Borough of South Connellsville has the power to make and adopt all ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of this Commonwealth as may be expedient or necessary for the proper management, care and control of the borough and its finances and the maintenance of peace, good government, safety and welfare of the borough and its trade, commerce and manufactures pursuant to the Borough Code, 8 Pa.C.S.A. § 1203.

**BE IT ENACTED AND ORDAINED** by the Borough Council of the Borough of South Connellsville, Fayette County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained as follows:

**Section 1.** Amendment of Section 2 to Set Permit Fees, Require Zoning Compliance, and Require Annual Renewals. The Borough Council hereby amends Ordinance No. 75, by deleting Section 2 and replacing it with the following:

“Section 2.—No such yard or place shall be hereafter established or conducted with first obtaining from the Borough Secretary a permit for the establishment thereof, which permit shall be in writing and shall specify the name of the person, firm, association or corporation to whom the same is granted, the precise nature of the business to be established and/or conducted, and the location where the same is to be conducted, and which shall be issued upon application as a matter of right and upon (i) showing of compliance with all applicable zoning and land use ordinances and regulations and (ii) the payment of a license fee for the use of the Borough in the amount of Two Hundred Fifty and 00/100 Dollars (\$250.00), or such other amount as may be set by ordinance or resolution adopted by Borough Council. Such permit, when issued, shall remain in force only for the calendar year in which such permit is issued and shall be renewed for each subsequent calendar year.”

**Section 2.** Amendment of Section 5 to Increase Penalties. The Borough Council hereby amends Ordinance No. 75, by deleting Section 5 and replacing it with the following:

“Section 5.—Any person, firm, association or corporation violating any of the terms and provisions of this Ordinance shall be guilty of a summary offense and upon conviction thereof, before any court of competent jurisdiction, shall be sentenced to pay a fine not less than Five Hundred and 00/100 Dollars (\$500.00) and not more than One Thousand and 00/100 Dollars (\$1,000.00), and in default thereof, to under imprisonment for a period of up to thirty (30) days. Each day during which any such business is conducted or maintained in violation of this Ordinance shall constitute a separate offense within the meaning thereof.”

**Section 3.** Severability. It is herein declared that the provisions of this Ordinance are severable, and if any provisions, portions, or sections of this Ordinance are declared to be illegal, invalid, or unconstitutional, the decisions of any Court, which makes declarations, shall not impair or affect any of the remaining portions of this Ordinance.

**Section 4.** Repealer. Any ordinance or part of any ordinance that conflicts with the provisions of this ordinance is hereby repealed to the extent of any such conflict on the effective date of this ordinance.

**Section 5.** Effective Date. This Ordinance shall become effective immediately.

This Ordinance is duly ORDAINED AND ENACTED by a majority of the members of the Borough Council of the Borough of South Connellsville at a duly advertised public meeting held on the 11 day of October, 2022.

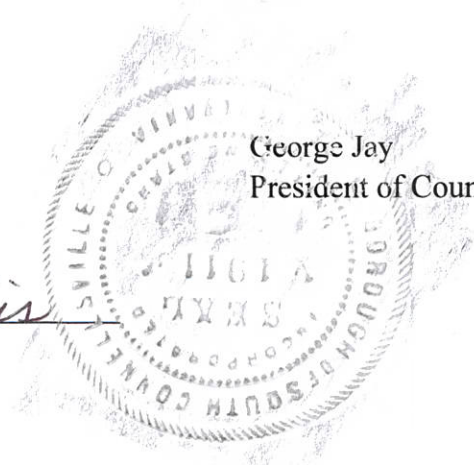
BOROUGH OF SOUTH CONNELLSVILLE

By:  \_\_\_\_\_

George Jay  
President of Council

ATTEST: (SEAL)

Kelly Addis  
Kelly Addis  
Borough Secretaty



Examined and Approved this 11 day of October, 2022.

By: Donald Ringer  
Donald Ringer  
Mayor

