

BOROUGH OF EPHRATA
Lancaster County, Pennsylvania

ORDINANCE NO. 1587

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF EPHRATA, LANCASTER COUNTY, PENNSYLVANIA CHAPTER 57, MANAGER, BOROUGH, AND CHAPTER 305, VEHICLES AND TRAFFIC, TO ADOPT NEW POWERS AND DUTIES OF THE BOROUGH MANAGER RELATING TO STREET CLOSURES

WHEREAS, Borough Council has the authority to close any street or portion thereof to traffic in the Borough; and

WHEREAS, Borough Council desires to streamline the process for closing a street or portion thereof by amending Chapter 305 of the Code of the Borough of Ephrata, entitled Vehicles and Traffic, to delegate that authority to the appropriate Borough staff; and

WHEREAS, Section 1141 of the Borough Code, 8 Pa.C.S. § 101, *et seq.*, authorizes Borough Council to create the office of borough manager for the Borough of Ephrata ("Borough"); and

WHEREAS, Section 1142 of the Borough Code authorizes Borough Council to regulate the powers and duties of the borough manager by ordinance; and

WHEREAS, the Borough Council of the Borough of Ephrata desires and deems it to be in the best interest of Borough residents to amend the Borough's Chapter 57, entitled Manager, Borough, to adopt new powers and duties of the Borough Manager of the Borough of Ephrata relating to the temporary closing of Borough streets.

BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted by the Council of the Borough of Ephrata, Lancaster County, Pennsylvania as follows:

SECTION 1. Recitals. The above recitals are incorporated herein.

SECTION 2. Amendment to the Ephrata Code. Chapter 57, Manager, Borough, of the Code of the Borough of Ephrata is hereby amended as follows:

Chapter 57, Section 6, entitled "Powers and duties," is hereby amended by adding a new subsection (19) which shall read as follows:

§ 57-6 Powers and Duties.

(19) In addition to any other authority delegated to the Borough Manager pursuant to Chapter 305 of the Borough's Code of Ordinances, the Borough Manager shall have the authority to determine when streets or portions thereof shall be closed for routine construction or maintenance work, the duration of which is not expected to exceed 48 hours.

SECTION 3. Amendment to the Ephrata Code. Chapter 305, Vehicles and Traffic, of the Code of the Borough of Ephrata is hereby amended as follows:

Chapter 305, Section 6, entitled "Streets closed or restricted for construction, maintenance or special events," is hereby amended by adding the following underlined words:

§ 305-6 Streets closed or restricted for construction, maintenance or special events.

A. The Borough Council or its designee shall have authority to close any street or specific part of a street to vehicular traffic and to place barriers or station police officers at each end of the closed portion while construction or maintenance work is under way or a special event is being conducted on the closed portion. It shall be unlawful for any person to drive a vehicle upon any such closed portion.

SECTION 4. Repealer. All prior ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent they are inconsistent with this Ordinance. Except as expressly amended, nothing herein shall be deemed to affect or alter any other provision of the Ephrata Code.

SECTION 5. Savings Clause. In all other respects, the Borough Ordinances shall remain as previously enacted and ordained.

SECTION 6. Severability. If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be illegal or invalid by any court or administrative agency of competent jurisdiction, such illegal or invalid portion or provision shall be severable and shall not affect or impair any remaining portion of this Ordinance and Chapter, which shall remain in full force and effect.

SECTION 7. Effective Date. This Ordinance shall be effective immediately.


DULY ENACTED AND ORDAINED this 9th day of September, 2024 by the Council of the Borough of Ephrata, Lancaster County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF EPHRATA
Lancaster County, Pennsylvania

By: Thomas G. Reinhold
Thomas G. Reinhold, President

Attest:

Nancy C. Harris
Nancy C. Harris, PE, Secretary



Approved by me this 9th day of September, 2024.

By: Ralph E. Mowen
Ralph E. Mowen, Mayor