

BOROUGH OF OLD FORGE
LACKAWANNA COUNTY, PENNSYLVANIA
ORDINANCE No. 6 of 2024

AN ORDINANCE AMENDING CHAPTER 14 OF THE OLD FORGE BOROUGH CODE ENTITLED “CODE ENFORCEMENT OFFICER” TO CREATE THE POSITION OF DEPUTY CODE ENFORCEMENT OFFICER FOR THE BOROUGH OF OLD FORGE.

NOW, THEREFORE IT IS HEREBY ENACTED AND ORDAINED, by the Borough Council of the Borough of Old Forge, Lackawanna County, Pennsylvania, that it is hereby enacted and ordained by the authority of the laws by which Boroughs are governed as follows:

Chapter 14 “Code Enforcement Officer” of the Code of the Borough of Old Forge, is hereby amended to read as follows:

Chapter 14. Code Enforcement Officer

§ 14-1. Position created.

- A. The position of Code Enforcement Officer is hereby created.
- B. The position of Deputy Code Enforcement Officer is hereby created.

§ 14-2. Duties and responsibilities.

The Code Enforcement Officer and Deputy Code Enforcement Officer shall:

A. Be charged with administration and enforcement of the duly adopted Borough codes and related ordinances, specifically:

- (1) Chapter 175, Floodplain Management Ordinance.
- (2) The Pennsylvania Uniform Construction Code.
- (3) Chapter 350, Zoning.
- (4) Chapter 305, Subdivision and Land Development.
- (5) The Code of the Borough of Old Forge.
- (6) Other duly adopted ordinances related to construction and site development.

B. Provide testimony at hearings of the Old Forge Borough Zoning Hearing Board.

C. Issue Borough permits only when there is compliance with the provisions of the duly adopted ordinances of the Borough and with the laws of the commonwealth. Permits for construction or uses requiring a special exception or variance shall be issued only upon order of the Old Forge Borough Zoning Hearing Board. Permits requiring a conditional use shall be issued only upon order of the Borough Council.[3]

D. Conduct inspections as specifically requested by the Borough.

E. Issue enforcement notices and orders in writing by certified or registered mail or serve personally as described below upon persons, firms, or corporations deemed by the Code Enforcement Officer to be in violation of the terms of a Borough ordinance/ordinances directing them to correct all conditions found in violation. If any such person or persons does not comply with the written notice of violation within a prescribed period of time, the Code Enforcement Officer shall notify the Borough Council for its action or, if authorized in advance, file civil complaint with the Magisterial District Judge. However, no such filing shall be made until the expiration of the appeal period.

F. Act on the behalf of the Borough of Old Forge in any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, demolition, maintenance or use of any building or structure or to restrain, correct, or abate such violation so as to prevent the occupancy or use of any business or use in or about such premises.

G. Revoke by order a building or zoning permit issued under a mistake of fact or contrary to the law or the provisions of the Borough ordinances.

H. Record and file all applications and plans for permits and the actions taken thereon at the Borough offices. All applications, plans, and documents shall be a public record.

I. Serve as liaison with federal, state, county and local officials as required.

J. Post properties and/or direct the posting of properties as required by state laws and legal notice.

K. Provide notice to the Borough offices prior to the issuance of any permit.

L. Perform other related codes duties as required by Council from time to time.

M. The position of Code Enforcement Officer and Deputy Code Enforcement Officer may be full time or part time as determined by Borough Council from time to time by resolution.

O. The position of Code Enforcement Officer and/or Deputy Code Enforcement Officer may be a person, third party agency, firm or corporation contracted or retained to act on behalf of the Borough of Old Forge to administer and perform one or more of the duties and responsibilities set forth in § 14-2 of this Ordinance.

§ 14-3. Supervision.

The Borough Manager shall directly supervise the activity of the Code Enforcement Officer and Deputy Code Enforcement Officer.

§ 14-4. Compensation.

The Code Enforcement Officer and Deputy Code Enforcement Officer appointed by Council shall receive compensation as shall be determined and fixed by Borough Council from time to time by resolution.

The provisions of this Ordinance are severable. If any sentence, clause, or section of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, or sections of this Ordinance. It is hereby declared to be the intent of the Council of the Borough of Old Forge that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, or section not been included herein.

§ 14-5. Repealer.

Any Ordinance conflicting with this Ordinance shall be and the same is hereby repealed insofar as the same affects this Ordinance.

This Ordinance shall become effective immediately upon enactment.

ENACTED this 7 day of May 2024.

ATTEST:

BOROUGH OF OLD FORGE

Marykenna Bartolotta
Secretary of Council

[Signature]
President of Council

Date: 5-7-2024

Robert J. Legg
Approved by the Mayor

This is to certify that the foregoing Ordinance was duly approved by the Council of the Borough of Old Forge, County of Lackawanna and Commonwealth of Pennsylvania at this meeting held on the 7 day of May 2024.

Marykenna Bartolotta
SECRETARY