

**BOROUGH OF VANDERGRIFT
ORDINANCE NO. 1 OF 2023**

**AN ORDINANCE OF THE BOROUGH OF VANDERGRIFT, COUNTY
OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA,
AMENDING CHAPTER 337-6 BALL PLAYING, SNOWBALLING AND
THROWING STONES AND OTHER MISSILES UPON OR ONTO
STREETS, ALLEYS OR SIDEWALKS PROHIBITED**

WHEREAS, the Borough of Vandergrift is empowered to establish Ordinances to protect the health, safety, and welfare of the public and for the benefit of the residents and citizens of the Borough of Vandergrift by and through the powers granted under and pursuant to the Borough Code of the Commonwealth of Pennsylvania at 8 Pa.C.S. Section 101 et. seq; and,

WHEREAS, the Borough of Vandergrift enacted an Ordinance codified in the Borough Code of the Borough of Vandergrift at Code Section 337-6 prohibiting ball playing, including throwing, kicking or knocking of any ball, snowballing and the throwing of any stones or other missiles of any kind upon or onto any street, alley or sidewalk in the Borough of Vandergrift; and,

WHEREAS, the Borough of Vandergrift deems that this Ordinance must be amended in order to modernize and clarify the use of recreational equipment upon public thoroughfares, streets, alleys or sidewalks in the Borough of Vandergrift;

NOW THEREFORE, the Borough of Vandergrift does hereby enact and ordain as follows:

1. The provisions of Code Section 337-6 are hereby repealed, in full, and shall be renamed and restated as follows:

Section 337-6. Snowballing and throwing stones and any other non-recreational items upon or onto streets, alleys or sidewalks prohibited. The throwing of snowballs, stones or any other item, for non-recreational purposes, or the kicking of the same on or onto any street, alley or sidewalk in the Borough of Vandergrift is hereby prohibited.

2. The provisions of Section 337-7 – Violations and penalties are hereby repealed and shall be replaced with the following:

Section 337-7 – Any person who violates any provision of this Article shall, upon condition, be sentenced to pay a fine of not less than \$300.00 and the costs of prosecution.

REPEALER

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any inconsistency.

SEVERABILITY

If any clause, sentence, paragraph or part of this Ordinance, or the application thereof to any person or circumstance, shall for any reason by adjudged by a court of competent jurisdiction to be invalid, such judgement shall not affect, impair or invalidate the remainder of this Ordinance nor the application of such clause, sentence, paragraph or part to other persons or circumstances, directly involved in the controversy in which such judgement shall have been rendered. It is hereby declared to the legislative intent that this Ordinance would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage.

CODIFICATION

The provisions of this Ordinance shall be codified, annually, by update of the Code of the Borough of Vandergrift.

EFFECTIVE DATE:

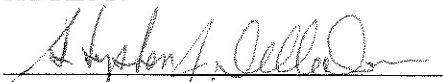
This ordinance shall be effective immediately.

This Ordinance being Ordained and Enacted this 3rd day of January, 2023 by the Council of the Borough of Vandergrift at a public meeting of the Borough Council of the Borough of Vandergrift at Vandergrift, Pennsylvania.

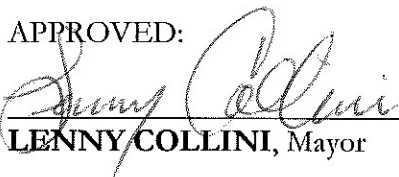
BOROUGH OF VANDERGRIFT


KATHLEEN CHVALA, President
Vandergrift Borough Council

ATTEST:


STEPHEN J. DELLEDONNE, (SEAL)
Borough Secretary

APPROVED:


LENNY COLLINI, Mayor