

ORDINANCE NO. 27 of 1997

WHEREAS, to promote the common good health, safety and general welfare of the Borough of Mill Village, it is felt desirable to establish a Right of Way Ordinance.

NOW THEREFORE, BE IT ORDAINED AND ENACTED, AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MILL VILLAGE, COMMONWEALTH OF PENNSYLVANIA:

Section 1. Duties and Powers: It shall be the responsibility of the Borough Council to provide for the regulation of activity in the rights of way with the Borough including but no limited to the planting, maintenance and removal of trees and shrubs and the installation of driveways and drain tile. It shall be the responsibility of Borough Council to take the appropriate action with owners with respect to the proposed removal or installation of any obstruction or change within the Borough Right of Way.

Section 2. Borough Council shall consider, investigate, make findings and report and recommend upon any special matter or question coming within the scope of any proposed work in the Borough Right of Way as indicated on County Index Maps.

Section 3. Mill Village Borough Council shall have the right to order the removal of any obstruction within the Borough Right of Way. A Ten (10) Day Notice shall be given to remove the obstruction or to obtain the approval of Borough Council for a plan of remediation.

Section 4. Enforcements, Violations and Penalties

Enforcement.

The Borough Council shall have the power to promulgate and enforce rules, regulations and specifications concerning the right of way of any street, alley, sidewalk or other public place in the Borough.

Violations.

Any person who violates any provision of this ordinance or who fails to comply with any notice issued pursuant to provisions of the ordinance, upon being found guilty of violation, shall be subject to a fine not to exceed \$100.00 for each separate offense. Each day during which any violation of the provisions of this ordinance occur or continue shall be a separate offense.

Penalties.

Upon failure of any owner to comply with the terms of notices, the Borough may cause the work to be done by the Borough and levy and collect the cost thereof from the owner of the property. The cost of such work shall be a lien upon the premises from the time of the commencement of the work, which date shall be fixed by the Borough Council and filed with the Borough Secretary. Any such lien may be collected by action in assumpsit or by lien filed in the manner provided by law for the filing and collection of municipal liens.

Section 5. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

Section 6. The within Ordinance shall take effect upon final approval by Borough Council, signature by the Mayor and advertising according to law.

Theodore A. Szall
President, Mill Village Borough Council

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Examined and approved this __16th__ day of __October__, 1997.

Joseph E. Sam
Mayor

Attest: Mary S. Powell
Secretary