

Code of Ordinances of the Borough of Carnegie

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Code of Ordinances
of the
Borough of Carnegie
Allegheny County, Pennsylvania

Published by Authority of the Borough

Adopted by *Ord. 2384*, 12/10/2012

Revised and Supplemented through:
Supplement I; June 8, 2015

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The Borough of Carnegie Code of Ordinances was adopted by the Borough of Carnegie by *Ord. 2384* and published by Keystate Publishers, Inc., on December 10, 2012. It has been subsequently revised and supplemented as follows:

Supplement I; June 8, 2015

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Officials
of the
Borough of Carnegie
County of
Allegheny, Pennsylvania

ELECTED OFFICIALS

Mayor - Jack Kobistek

Borough Council

President	- Patrick J. Catena, II
Vice President	- Susan Demko
	- Philip C. Boyd
	- Richard D’Loss
	- Joseph V. Luvara
	- Michael J. Sarsfield

Tax Collector - Margaret Bowman

APPOINTED OFFICIALS

Manager	- Steve Beuter
Chief of Police	- Jeffrey L. Kennedy
Administrative Assistant	- Renea Holden
Administrative Assistant	- Tammy J. Minney
Ordinance Officer	- Alfred T. Roma
Solicitor	- Joseph G. Lucas, Esq.
Engineer	- KLH Engineers
Auditor	- Hosack, Specht, Muetzel and Wood, LLP

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FOREWORD

History

This comprises the codification of the ordinances of the Borough of Carnegie. Incorporated on March 1, 1894, Carnegie was formed when two smaller boroughs, Mansfield and Chartiers facing each other across Chartiers Creek and joined by family, geography, industry and religions, merged. The new borough was named after Andrew Carnegie himself in return for his gift of both Carnegie High School which he had built, and the Andrew Carnegie Free Library and Music Hall which he had built and endowed, and which keeps watch over the community from its perch atop Library Hill today.

The Code of Ordinances of the Borough of Carnegie was prepared by Keystone Publishers, Inc., and adopted by the Borough of Carnegie Borough Council on December 10, 2012, by *Ord. 2384*.

Organization

The Code contains four parts which are (1) the valid current ordinances of the Borough of Carnegie contained in Chapters 1 through 27, (2) the Appendix, which lists by abstracted title all ordinances of a temporary or “one time” nature, (3) the Table of disposition of each ordinance ever enacted by the Borough of Carnegie, and (4) the Index, which is an alphabetical arrangement of subjects.

In the Code each Chapter is separated by a divider tab, and specific ordinances can be located by subject on the contents page at the beginning of each Chapter. The Index may also be used to search for a subject when one is looking for general information on a particular subject, or if it is not known in which Chapter the subject might be found. The Appendix consists of several general categories containing a chronological listing of short subject descriptions along with a reference to the original ordinance and its date of enactment, if known.

The Table of disposition indicates what action has been taken by the Borough of Carnegie Borough Council with regard to every ordinance ever enacted. An ordinance has either been (1) specifically repealed, (2) superseded by another ordinance, (3) is located in a Chapter of the Code book, or (4) is located in the Appendix. Annual tax rate and budget ordinances are located only in the Table of Disposition. The Table of Disposition is a cross reference to the original ordinance books of the Borough of Carnegie, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 2384

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF CARNEGIE, ALLEGHENY COUNTY, PENNSYLVANIA; CONSOLIDATING, REVISING, AMENDING AND REPEALING CERTAIN ORDINANCES; ENACTING CERTAIN NEW PROVISIONS; PROVIDING A PROCEDURE FOR AMENDING THE CODE AND FOR THE CITATION OF THE CODE AND THE EFFECTIVE DATE THEREOF; ESTABLISHING RESPONSIBILITY FOR MAINTENANCE OF THE CODE; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PRESCRIBING PENALTIES FOR VIOLATION.

The Borough of Carnegie hereby ordains:

Section 1. Adoption. The *Borough of Carnegie Code of Ordinances*, as prepared and published for the said Borough of Carnegie by Keystate Publishers, Inc., is hereby adopted as a consolidation, codification and revision of the ordinances of the Borough of Carnegie. Chapters 1 through 27 thereof contain the text of the body of all general administrative and regulatory ordinances of the Borough of Carnegie organized as follows:

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Chapter 1	Administration and Government
Chapter 2	Animals
Chapter 3	[Reserved]
Chapter 4	Buildings
Chapter 5	Code Enforcement
Chapter 6	Conduct
Chapter 7	Fire Prevention and Fire Protection
Chapter 8	Floodplains
Chapter 9	Grading and Excavating
Chapter 10	Health and Safety
Chapter 11	Housing
Chapter 12	[Reserved]
Chapter 13	Licenses, Permits and General Business Regulations
Chapter 14	[Reserved]
Chapter 15	Motor Vehicles and Traffic
Chapter 16	Parks and Recreation
Chapter 17	[Reserved]
Chapter 18	Sewers and Sewage Disposal
Chapter 19	[Reserved]
Chapter 20	Solid Waste
Chapter 21	Streets and Sidewalks
Chapter 22	Subdivision and Land Development
Chapter 23	[Reserved]
Chapter 24	Taxation; Special
Chapter 25	Trees
Chapter 26	Water
Chapter 27	Zoning

APPENDIX

A	Annexation of Territory
B	Bond Issues and Loans
C	Franchises and Services
D	Governmental and Intergovernmental Affairs
E	Plan Approval
F	Public Property
G	Sewers
H	Streets and Sidewalks
I	Water
J	Zoning; Prior Ordinances

Table of Disposition of All Ordinances

Table of Disposition of Significant Resolutions

The Appendix of the volume lists, by subject matter, in chronological order, the titles (or an abstract of title) of enactments of special nature or of historical interest, for the complete text of which the official records of the Borough of Carnegie shall be authoritative.

Section 2. Citation and Effective Date. The codification referred to in Section 1 of this ordinance shall be known and cited officially as the *Borough of Carnegie Code of Ordinances*, and all future ordinances shall make reference thereto. This ordinance shall become effective immediately upon publication of notice of final enactment as required by law.

Section 3. Saving Clause. The provisions of the *Borough of Carnegie Code of Ordinances*, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of said Code, are intended as a continuation of such ordinances and regulations and not as a new enactment. The provisions of the *Borough of Carnegie Code of Ordinances* shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations.

Section 4. Consolidation and Revision. As a necessary part of codification, the following provisions are hereby consolidated and revised as indicated:

A. *Consolidations.*

Section	Subject	Ordinance No., Section
		[Reserved]

B. *Revisions.*

Section	Subject	Ordinance No., Section
		[Reserved]

Section 5. New Enactments, Amendments and Repeals. As a necessary part of codification, the following ordinances are hereby enacted, amended and repealed as summarized by short title:

A. New Enactments.

Section	Subject
§§1-101–1-111	Preliminary Provisions
§§1-1001–1-1006	Fire Insurance Proceeds Escrow
§§6-601–6-605	Residential Picketing

B. Amendments.

Section	Subject	Ordinance No., Section
§1-201	Council Meeting; Time and Location	436, §1; 973; 1085, §1
§1-315	Fee	2053, §2; 2200, §2
§2-105	Penalty for Violation	973, 1047
§2-201	Prohibition and Penalty	737, 973, 1047
§2-303	Penalty	2143, §3
§2-407	Penalty for Violation	943, 973, 1047
§2-502	Feed Wild Animals	2316, §2
§2-503	Unattended Domestic Animal Food	2316, §3
§2-606	Penalty for Violation	958, §6; 973, 1047
§4-105	Inspections	2359, §405
§4-106	Board Up Permits	2359, §406
§5-203	Penalty for Violation	2072, §3; 2254, 2272, §2
§5-302	Prohibited Conduct	2084, §2
§5-303	Duty to Remove Graffiti	2084, §3
§5-304	Sale of Spray Paint Containers and Indelible Markers	2084, §4
§5-405	Permit Fee	802, §4; 878, §2; 2065, §1; 2079, §1
§5-406	Violations and Penalties	802, §5; 878, §3; 973; 1047, 2087, §4
§6-103	Penalty for Violation	900, §3; 1047
§6-201	Frequenting Disorderly Locations	741, 973, 1073, §1
§6-303	Penalty for Violation	898, §3; 973, 1047
§6-402	Penalty	888, §2; 973, 1047
§6-501	Use Restricted	739, 973, 1047
§7-106	Penalties	2360, §406

Section	Subject	Ordinance No., Section
§8-202	Issuance of Building Permit	2051, §2.01
§8-210	Enforcement	2051, §2.09
§8-401	General	2051, §4.00
§8-405	Development Which May Endanger Human Life	2051, §4.04
§8-501	General	2051, §5.00
§8-503	Application Review Procedures	2051, §5.02
§8-504	Special Technical Requirements	2051, §5.03
§9-112	Responsibility of the Administrator and Appeals	2354, §110
§9-201	General	2354, §201
§9-304	Retaining Walls and Fences	2354, §304
§9-402	Violations and Penalties	2354, §401
§10-204	Penalty for Violation	773, §4; 973, 1047
§10-301	Property Owner Responsibilities	2160, §§2–10
§10-406	Penalty	1020, §6; 1047
§10-513	Penalties	1010, §13; 1047
§10-706	Variances and Noise Control Board	2094, §6
§10-707	Enforcement	2094, §7
§10-810	Violations and Penalties	1044, §10; 1047
§11-104	Disruptive Conduct	2286, §4
§11-109	Fees	2286, §9
§11-110	Penalties	2286, §11
§13-102	Application for Permit; Fees; Exceptions	141, §2; 723, §2; 973
§13-105	Penalty for Violation	141, §7; 723, §5; 973, 1047
§13-204	Rates	899, §4
§13-302	Penalty for Violation	743, §2; 973, 1047
§13-407	Fees	1035, §7
§13-411	Penalty	1035, §11; 1047
§13-506	Fees	2012, §6; 2307, §1
§15-112	Vehicle Weight Limits Established	973, 1004, §1; 1021, §1; 1099, §1

Section	Subject	Ordinance No., Section
§15-113	Certain Classes of Vehicles Prohibited on Certain Highways; Certain Times	973, 1038, §1; 1047, 2134, §1
§15-114	Vehicles of Certain Weights Prohibited on Certain Streets	973; 976, §§1, 2, 3; 1047, 2186, 2194
§15-409	Procedure on Arrest	973
§15-412	Use of Slugs and Defacing of Parking Meters; Penalties	973
§15-505	Payment of Charges Under Protest	973
§15-704	Penalties	973, 1047
§15-806	Penalty for Violation	973
§16-103	Penalty for Violation	2067, §1
§18-101	Definitions	1008, §1
§18-107	Penalty	1008, §7; 1047
§18-506	Penalties	1094, §6
§18-614	Penalty	2042, §5
§18-708	Penalties	2129, §608
§20-102	Definitions	1088, §3
§20-109	Penalties	1088, §9; 2018, §1
§20-202	Authorized Means of Collection of Garbage and Refuse; Permits	742, §3; 987, §1; 2010, §1; 2017, §1; 2041, §1; 2044, §1; 2083, §1
§20-303	Penalties	913, §3; 973, 987, §1; 1047
§20-404	Penalties	1041, §4; 1047
§20-501	Definitions	1065, §1
§20-513	Penalties	1065, §13
§20-526	Penalties	1072, §6
§21-123	Penalties	2287, §24
§21-203	Fee	2123, §1
§21-206	Penalties	2123, §1
§21-310	Penalty for Violation	973, 1047
§21-403	Fire Hydrants to Remain Visible and Accessible	2156, §5
§21-405	Penalties	2156, §5

Section	Subject	Ordinance No., Section
§21-503	Penalty for Violation	426, §3; 728, §3; 973, 1047
§21-511	Special Permit for Restaurant	1052, §1
§24-201	Definitions	809, §1
§24-204	Collection at Source	809, §4; 1029, §1
§24-207	Fines and Penalties for Violations of Part	809, §7; 973
§24-309	License Fee	2126, §10; 2339, Art. III
§24-314	Violations and Penalties	2126, §15
§24-506	Penalty	981, §8
§24-1104	Fees to Be Accrued and Claims to Be Filed	2151
§25-105	Violations and Penalties	2352, §111
§26-104	General Discharge Prohibitions	2356, §104
§26-105	Discharge of Pollutants Associated With Industrial Or Commercial Activities	2356, §105
§26-106	Controlling Spills, Dumping or Disposal of Materials	2356, §106

C. Repeals.

Ord./Res.	Subject
	[Reserved]

Section 6. Adoption of Standard Codes by Reference. As a necessary part of codification, the following ordinances are hereby enacted by reference as standard codes summarized by short title:

Section	Short Title
	[Reserved]

Section 7. Land Use Amendments. The Borough of Carnegie Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapters 22 and 27 thereof which is attached hereto and made part hereof by reference hereto as if fully set out at length herein, with deletions shown by ~~strike-through~~ and additions shown by underline, all of which is briefly summarized hereinafter.

A. *New Provisions.* The following provisions are new provisions which are being added to the Code, are underlined throughout the text, and are summarized as follows:

Section	Subject
	[Reserved]

B. *Revised Provisions.* The following provisions of the Code are revised, the text of which indicates deletions by ~~strike-through~~ and additions shown by underline, and are summarized as follows:

Section	Subject	Ordinance No., Section
§22-301	Procedure to Be Followed	763, Art. IV, §401; 2307, §1.F
§22-605	Sanitary Sewers	763, Art. VII, §705; 973
§22-609	Requirements for Permits	763, Art. VII, §709; 973
§22-701	Preventive Remedies	763, Art. VIII; 973
§22-702	Enforcement Remedies	763, Art. VIII, §801; 973

C. *Repealed Provisions.* The following provisions of the Code are repealed, the text of which indicates deletions by ~~strike-through~~, and are as follows:

Section	Subject	Ordinance No., Section
	[Reserved]	

Section 8. Procedural Changes. The following minor procedural changes have been made to existing Borough of Carnegie ordinances:

- A. Grammatical and spelling errors have been corrected where necessary;
- B. Minor changes have been made to correct obsolete terms and usages;
- C. The penalty provisions have been revised where necessary to comply with the Pennsylvania Borough Code, Vehicle Code, Municipalities Planning Code and the Local Tax Enabling Act.

Section 9. Amending the Code of Ordinances. The procedure for amending the Code of Ordinances shall include the citation of the Chapter, Part, Section and subsection to be amended, revised, repealed or added as follows:

- A. Amendment or Revision - “Chapter __, Part __, Section __, Subsection __ is hereby amended [revised] to read as follows...”
- B. Additions - “Chapter __, Part __, Section __, Subsection __ is hereby amended by the addition of the following...”
- C. Repeal - “Chapter __, Part __, Section __, Subsection __ is hereby repealed in its entirety.”

Section 10. Responsibility for Code of Ordinances. It shall be the responsibility of the Borough of Carnegie Secretary to maintain an up-to-date certified copy of the Code of Ordinances. This copy shall be the official copy of the *Borough of Carnegie Code of Ordinances* and shall be available for public inspection.

Section 11. Penalties. It shall be unlawful for anyone to change, alter or tamper with the Code of Ordinances in any manner which will intentionally misrepresent the laws of the Borough of Carnegie. Whosoever shall violate this Section shall be guilty of an offense under §4911, “Tampering with Public Records or Information,” of the Crimes Code, 18 Pa.C.S.A. §4911, and shall be prosecuted under that Section of the law.

Section 12. Severability of Parts of Codification. It is hereby declared to be the intention of the Borough of Carnegie that the Chapters, Parts, Sections, paragraphs, sentences, clauses and phrases of this codification are severable. If any Section, paragraph, sentence, clause or phrase of this Code is declared unconstitutional, illegal or otherwise invalid by the judgment or decree of a court of competent jurisdiction, that invalidity shall not affect any of the remaining Chapters, Parts, Sections, paragraphs, sentences, clauses or phrases of this codification.

ENACTED AND ORDAINED this 10th day of December, 2012.

ATTEST:

Borough of Carnegie

/s/ Jeffrey C. Harbin
Secretary

/s/ Richard D’Loss
President, Borough Council

APPROVED this 10th day of December, 2012.

/s/ John Kobistek
Mayor

Approved as to Form:

/s/ Joseph G. Lucas
Joseph G. Lucas, Esquire

Fee Schedule

Subject	Fees
ADMINISTRATION AND GOVERNMENT	
tax certifications	
fee	\$1-315
per tax certification	\$20
per duplicate tax statement shall be charged to the party requesting the service	\$3.50
BUILDINGS	
vacant property registration	
registration statement and fees; local agent	\$4-104
registration fees	
per building for residential properties	\$250
per building for commercial properties	\$400
inspection fees:	
per building (this fee shall include the initial inspection and one reinspection)	\$200
subsequent re-inspections	\$150 each
inspections	
per inspection	\$100
warrant to perform inspection	\$200
permits	
boarding permit	\$200
escrow fee	\$1,000
renewal fee for a boarding permit	\$500
CODE ENFORCEMENT	
application fee for demolition or razing a building or structure	\$50
occupancy permits	
permit fee	\$5-405
residential property-owner occupied	
initial permit/inspection	\$25
residential property-rental	
initial permit/inspection	\$25

Subject	Fees
should property be reinspected within 1 year time period due to vacancy, the fee for reinspection	\$10
commercial property	
initial permit/inspection	\$50
HEALTH AND SAFETY	
noise control	
variances and Noise Control Board	§10-706
application fee	\$150
HOUSING	
registration, licensing and inspection of non-owner occupied buildings	
fees for annual registration and licensing for all non-owner occupied dwelling units	§11-109 \$25
LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS	
amusements, public meetings and public performances	
application for permit; fees; exceptions	§13-102
circus	\$25 for each performance
carnival	\$25 per day
public dance	\$10 per day
public meeting	\$5 for each meeting
all other entertainments	\$5 per day
alarm systems	
rates	§13-204
for applicants of property in the Borough of Carnegie to be connected into the system and use it	\$10
for applicants of property outside the Borough of Carnegie to be connected into the system and use it	\$15
peddlers, canvassers and transient merchants	
fees	§13-407
initial fee to cover the expenses of investigation	\$10
in addition to the initial license fee to the Borough Secretary, as follows:	
per day	\$2
per month	\$20

Subject	Fees
per year	\$100
sexually oriented business operations	
permit fee	§13-506 \$1,250
SOLID WASTE	
collection of solid waste	
authorized means of collection of garbage and refuse; permits	§20-202
license fee	\$250
STREETS AND SIDEWALKS	
curb cuts and driveway construction	§21-203
fee	\$25
special permits for restaurants	§21-511
application non-refundable filing fee	\$25
SUBDIVISION AND LAND DEVELOPMENT	
procedure	
procedure to be followed	§22-301
filing fee	\$50 plus \$10 for each lot in said subdivision
TAXATION; SPECIAL	
mechanical amusement devices	
license fee	§24-309
all video poker machines	\$1,000
all video mechanical devices	\$300
all non-video mechanical devices	\$300
all juke boxes	\$100
Should any such device be installed after July 1 of each year, and an application therefor is made after such date, then in such event, the license fee for that particular year, until December 31 shall be as follows:	
all video poker machine	\$500
each video mechanical device	\$150
each non-video mechanical device	\$150
each juke box	\$50
business privilege tax	

Subject	Fees
license	§24-506
application for the initial license	\$100
renewal	\$100 each renewal
schedule of attorney's fees	§24-903
legal services	
filing of lien	\$150
title Search	\$200
preparation and service of Writ of Scire Facias	\$400
required additional notice and presentation of related motions regarding Federal tax liens, judgments and mortgages	\$150
alternative service of legal pleadings	\$280
entry of judgment	\$120
preparation of writ or execution and attend initial sheriff sale	\$600
preparation of documents and attendance at second sheriff's sale	\$600
installment payment agreement at taxpayer's request	\$100
services not covered above	\$150/hr–attorney \$75/hr–paralegals \$50/hr–law clerks

(Res. 2012-018, 12/10/2012)