

ARTICLE 115
Ordinances and Resolutions

- 115.01 Enactment.
- 115.02 Publication.
- 115.03 Effective date.
- 115.04 Compilation.
- 115.05 Franchise ordinances printed at
expense of grantee.
- 115.06 Enforcement of ordinances and
laws.

CROSS REFERENCES

Enforcement - see 3rd Class Charter Law §412 (53 P.S. §41412);
3rd Class §1017 (53 P.S. §36017)
Publication - see 3rd Class Charter Law §608(a); 3rd Class §1014 (53 P. S. §36014)
Form, introduction and reading of legislation - see 3rd Class Charter Law
§41607(b) (53 P.S. §41607(b))

115.01 ENACTMENT.

(a) Every legislative act of Council shall be by ordinance or resolution. No ordinance shall be adopted without the affirmative vote of at least three members of Council, and no ordinance or resolution shall be introduced unless reviewed by the City Solicitor and is in written or typewritten form. Every ordinance shall be read by title only upon introduction as a bill, unless one member of Council requests it to be read at length. Except for amendments, it shall be read by title only upon final passage which shall not occur sooner than three days following its introduction. A complete copy of every bill introduced shall be available for public inspection at the City Clerk's office during regular office hours. The vote upon every motion, ordinance or resolution shall be taken by roll call, and the yeas and nays shall be entered upon the minutes. (Ord. 14-2002. Passed 5-22-02.)

(b) All ordinances adopted by Council shall be submitted forthwith to the Mayor who shall, within ten days after such submission, either approve an ordinance by affixing his signature thereto or disapprove it by returning it to Council through delivery to the City Clerk together with a statement of his objections thereto. No ordinance shall take effect without the Mayor's approval unless he fails to return it to Council within ten days after receiving it or unless Council, upon reconsideration of the ordinance on or after the third day following its return, by resolution agreed to by four of its members, decides to override the Mayor's veto. (Ord. 2-1962 §230.)

115.02 PUBLICATION.

(a) Every proposed ordinance, except as otherwise herein provided, prescribing a penalty for the violation thereof shall be forthwith published not more than sixty days nor less than seven days prior to passage in at least one and not more than two newspapers printed or circulated within the City. Publication of any proposed ordinance shall include either the full text thereof or the title and a brief summary prepared by the City Solicitor setting forth all the provisions in reasonable detail and a reference to a place within the City where copies of the proposed ordinance may be examined. If the full text is not included a copy thereof shall be supplied to the same newspaper of general circulation in the City at the time the public notice is published. If the full text is not included an attested copy thereof shall be filed in the County law library or other County office designated by the County Commissioners who may impose a fee no greater than that necessary to cover the actual costs of storing such ordinances. In the event substantial amendments are made in the proposed ordinance or resolution, before voting upon enactment, Council shall within ten days readvertise in one newspaper of general circulation in the City, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendments.

(b) At least one week and not more than three weeks prior to the first reading of any proposed building code, ordinance, housing code, ordinance, fire prevention code, ordinance, electrical code, ordinance, plumbing code, ordinance, or zoning ordinance, or any standard or nationally recognized code, ordinance or any changes or variations of any standard or nationally recognized code, or parts thereof, by Council, an information notice of intention to consider such ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents, and a reference to the place or places within the City where copies of the proposed building code, housing code, fire prevention code, electrical code, plumbing code or zoning ordinance or any standard or nationally recognized code may be examined or obtained, shall be published in the manner herein provided for the publication of ordinances. Not less than three copies of any such building code, ordinance, housing code, ordinance, fire prevention code, ordinance, electrical code, ordinance, plumbing code, ordinance, or zoning ordinance or any standard or nationally recognized code, ordinance, shall be made available for public inspection and use during business hours for at least three months after adoption, and printed copies thereof shall be supplied upon demand, at cost.

(c) In any case in which maps, plans or drawings of any kind are to be adopted as part of an ordinance, Council may instead of publishing the same as part of the ordinance, refer, in publishing the ordinance or a summary thereof, to the place where such maps, plans or drawings are on file and may be examined.

(d) All ordinances shall, within one month after their passage, be certified and recorded by the City Clerk, in a book provided by the City for that purpose, which shall be at all times open to the inspection of citizens. All ordinances, resolutions, motions or other proceedings of Council may be proved by the certificate of the City Clerk under the corporate seal, and when printed or published in book or pamphlet form by authority of the City, shall be read and received as evidence in all courts and elsewhere without further proof.
(Ord. 18-1980 §1. Passed 8-19-80.)

115.03 EFFECTIVE DATE.

Ordinances shall take effect when provided therein except that no ordinance, except the budget ordinance, shall take effect less than twenty days after passage by Council and approval by the Mayor and, in the case of an ordinance imposing a tax or a license fee, less than thirty days after such time unless Council by resolution, declares an emergency with respect to such ordinance, at least four members of Council voting in favor of such resolution. (Ord. 1-1989 § 1. Passed 1-17-89.)

115.04 COMPILATION.

All ordinances and resolutions shall be compiled and codified by the City Clerk and City Solicitor as provided in Section 125.02. (Ord. 2-1962 § 233.)

115.05 FRANCHISE ORDINANCES PRINTED AT EXPENSE OF GRANTEE.

When any person desires the passage by Council of an ordinance conferring the right or privilege on them to use or occupy the streets, lanes, alleys or other highways of the City for the erection of poles or wires, or for the construction of tracks thereon, or for the laying of pipes or conduits thereunder, or for any other overhead, surface or underground construction or apparatus, before such ordinance shall be printed for the use of the members of Council prior to the first reading thereof, such person for or on whose account such ordinance shall have been introduced, shall pay to the City Treasurer fifty dollars (\$50.00) for each ordinance to cover the cost of printing the same. All payments so made to the City Treasurer shall be applied to the credit of the proper item of the supply department appropriation. (1944 Code Ch. 1 § 7.)

115.06 ENFORCEMENT OF ORDINANCES AND LAWS.

(a) All officers of the City shall enforce obedience to such laws of the Commonwealth, ordinances of the City, and orders of the Mayor or Council, as may be the duty of such officers respectively to enforce, and shall notice all complaints, and institute such proceedings as may be necessary. (1944 Code Ch. 1 § 6.)

(b) All prosecutions for the violation of the ordinances of the City and all proceedings for the recovery of fines, penalties and forfeitures imposed thereby shall be brought and conducted as prescribed by general law and the Codified Ordinances. (1972 Code §2-57.)