

Chapter 1

Administration and Government

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Part 1**Preliminary Provisions****§1-101. Short Title.**

The short title of this Code of Ordinances prepared and published for the Borough of Hunker shall be the “Borough of Hunker Code of Ordinances.”

(Ord. 2014-01, 10/2/2014)

§1-102. Citation of Code of Ordinances.

The Borough of Hunker Code of Ordinances may be cited by Section number. The approved short form is “Code.” Thus, “Code, §27-101” refers to §101 of Chapter 27 of this Code of Ordinances.

(Ord. 2014-01, 10/2/2014)

§1-103. Arrangement of Code.

1. This Code is divided into Chapters which are subdivided as follows:
 - A. Subchapters, identified by capital letters, beginning with a Chapter title and number.
 - B. Parts, identified by Arabic numerals, beginning with a Part title and number.
 - C. Subparts, identified by Arabic numerals, beginning with a title.
2. The Sections of the Code are subdivided as follows:
 - A. Subsections, identified by Arabic numerals.
 - B. Paragraphs, identified by capital letters.
 - C. Subparagraphs, identified by Arabic numerals enclosed within parentheses.
 - D. Clauses, identified by lower case letters enclosed within parentheses.
 - E. Subclauses, identified by Arabic numerals followed by a parenthesis.
 - F. Items, identified by identified by lower case letters followed by a parenthesis.
 - G. Subitems, identified by small Roman numerals.

(Ord. 2014-01, 10/2/2014)

§1-104. Headings.

Chapter, Subchapter, Part, Subpart, Section, Subsection, Paragraph, Subparagraph, Clause, and Subclause headings contained in the Code may not be deemed to govern, limit, modify or affect the scope, meaning or intent of the Code. The headings of Sections, Subsections or other divisions of this Code are intended as mere captions to indicate the contents of the Section, Subsection or other division and shall not be deemed to be taken as titles of such Section, Subsection or other division, nor as any part of said Section, Subsection or other division unless expressly so provided.

(Ord. 2014-01, 10/2/2014)

§1-105. Tenses, Gender and Number.

Except as may be otherwise stated in any provision of this Code, the present tense includes the past and future tenses, and the future the present; the masculine gender includes the feminine and neuter, the feminine includes the masculine and neuter, and the neuter includes the masculine and feminine; and the singular includes the plural, and the plural the singular.

(Ord. 2014-01, 10/2/2014)

§1-106. Construction.

1. Except as may be otherwise specifically provided by any provision of this Code, the Statutory Construction Act of 1972, 1 Pa.C.S.A. §1501 *et seq.*, shall be applied in construing this Code.

2. *Effect of Repeal or Expiration of Code Section.*

A. The repeal of a Code Section or ordinance, or its expiration by virtue of any provision contained therein, shall not affect any right accrued or any offense committed, any penalty or punishment incurred, or any proceeding commenced before the repeal took effect or the ordinance expired.

B. When any ordinance repealing a former Code Section, ordinance, clause or provision shall itself be repealed, such repeal shall not be construed to revive such former Code Section, ordinance, clause or provision, unless it shall be expressly so provided.

3. *Saving Clause.* The provisions of this Code, so far as they are the same as those ordinances and regulations in force immediately prior to the adoption of this Code, are intended as a continuation of such ordinances, resolutions and regulations and not as a new enactment. The provisions of this Code shall not affect any suit or prosecution pending or to be instituted to enforce any of the prior ordinances or regulations. Except as specifically stated in this Code or in the ordinance adopting this consolidation, codification and revision of the ordinances and regulations, it is the intention of the Borough Council that no ordinance or regulation of the Borough be amended, revised or repealed by implication.

4. *Resolutions.* The provisions of this Code of Ordinances may contain resolutions, that is, actions of the Borough Council (in written form and designated "resolution") which did not require prior public notice in accordance with the provisions of the Borough Code, 53 P.S. §45101 *et seq.*, at the time of their passage by the Borough Council. Such "resolutions" are included herein for ease of reference and the Borough Council does not intend by their inclusion herein to require prior public notice before amending, revising or repealing such resolution or resolutions as may have been included herein in the future. It is the intention of the Borough Council that such actions of the Borough Council that may be included in this Code and specifically cited and designated as a resolution shall not become an ordinance (requiring prior public notice before amendment, revision or repeal) by the simple fact of inclusion in this Code.

(Ord. 2014-01, 10/2/2014)

§1-107. Normal Numbering.

1. *Chapters.* Chapters are numbered sequentially in Arabic throughout this Code.
2. *Parts.* Parts are numbered sequentially in Arabic throughout this Code.
3. Whenever other divisions are necessary, Chapters shall be divided into Subchapters, Parts into Subparts and designated with the Chapter or Part number followed by a capital letter. For instance, Chapter 1 may be divided into Subchapters 1A and 1B.
4. *Sections.* Sections are numbered sequentially throughout a Chapter and a Part such that the first number or numbers is the Chapter number, followed by a hyphen, followed by the Part number, followed by the Section number within the Part. For example, "§1-101" designates Chapter 1, Part 1, Section 1. Similarly, "§27-305" designates Chapter 27, Part 3, Section 5.
5. *Internal Divisions of Sections.* Whenever internal divisions are necessary, Sections shall be divided into Subsections, Subsections into Paragraphs, Paragraphs into Subparagraphs, Subparagraphs into Clauses, and Clauses into Subclauses, and Subclauses into Items, designated as follows:
 1. Subsection.
 - A. Paragraph.
 - (1) Subparagraph.
 - (a) Clause.
 - 1) Subclause.
 - a) Item.
 - i. Subitem.

(Ord. 2014-01, 10/2/2014)

§1-108. Special Numbering Problems.

1. *Addition of New Units Between Existing Units.* If it becomes necessary to introduce a new Chapter, Part or Section between existing Chapters, Parts or Sections, the new Chapter, Part or Section shall be designated by the addition of a capital letter suffix to the preceding Chapter, Part or Section number. Thus, a Chapter introduced between Chapters 5 and 6 would be Chapter 5A and Sections in that Chapter would be numbered, for instance, "§5A-101." If it becomes necessary to introduce a Part between existing Parts 5 and 6 the new Part would be Part 5A and Sections in that Part would be numbered, for instance, "§5-5A01." A new Section introduced between existing Sections 5 and 6 would be "§5-105A." When a number of new Parts or Sections have been introduced the Chapter or Part shall be renumbered.
2. If it becomes necessary to introduce a Subsection between Subsections, for instance, Subsections .5 and .6, the new Subsection would be numbered Subsection .5-A.
3. If it becomes necessary to introduce a unit smaller than a Subsection between existing units, the entire Subsection shall be revised and renumbered.
4. *Vacated Numbers.* Whenever a number is vacated by a revocation or repeal, the remaining elements in the overall unit shall retain their old numbers until the overall unit is completely revised. Prior to revision, the vacated number may be marked:

“[Reserved].”

(Ord. 2014-01, 10/2/2014)

§1-109. Amending Code.

1. All ordinances passed subsequent to the adoption of this Code which amend, repeal or in any way affect this Code shall be numbered in accordance with the numbering system of this Code and printed for inclusion herein. In the case of repealed Chapters, Parts, Sections, Paragraphs, Clauses or other part or provision hereof, by subsequent ordinance, such repealed portions may be excluded from this Code by omission from reprinted pages affected thereby. The subsequent ordinances as numbered and printed, or omitted in the case of repeal, shall be prima facie evidence of such subsequent ordinances until such time as this Code and subsequent ordinances omitted are readopted as a new Code by the Borough Council.

2. Amendment to any provision of this Code shall be made by specific reference to the Chapter, Part, Section and/or Subsection number of this Code in the following language:

A. *Amendment or Revision.* “Chapter ___, Part ___, Section ___, Subsection ___, is hereby amended (revised) to read as follows . . .” The amended or revised provisions may then be set out in full as desired.

B. *Addition.* “Chapter ___, Part ___, Section ___, Subsection ___, is hereby amended by the addition of the following . . .” The new provision shall then be set out in full as desired.

C. *Repeal.* “Chapter ___, Part ___, Section ___, Subsection ___, is hereby repealed in its entirety.”

3. It is the intention of the Borough Council that the numbering scheme of this Code be adhered to in enacting future ordinances. In the event that any ordinance or other enactment be adopted which does not conform to the numbering system of this Code, it is the intention of the Borough Council that such enactment be renumbered in the process of supplementing, revising or updating this Code to conform to the numbering scheme of this Code. The Borough Council hereby acknowledges and confirms that the numbering scheme herein is for ease of reference and that the renumbering of any enactment when added to this Code shall not in any manner affect the validity of said enactment.

(Ord. 2014-01, 10/2/2014)

§1-110. Altering Code.

It shall be unlawful for any person to change or amend by addition or deletion any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with such Code in any manner whatsoever, except by ordinance or resolution or other official act of the Borough Council.

(Ord. 2014-01, 10/2/2014)

§1-111. Penalties.

1. *Penalty Where No Penalty Provided.* Whenever in this Code or in any ordinance of the Borough any act is prohibited or is declared to be unlawful, or whenever in this

Code or other ordinance the doing of any act is declared to be unlawful, and no specific penalty is provided therefor:

A. *Violations of Health, Safety and Welfare Provisions.* For violations of ordinances adopting building, housing, property maintenance, health, fire or public safety codes; and for ordinances regulating water services, water pollution, air pollution and noise, the following penalty shall be provided:

(1) Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

B. *Other Violations.* All other penalties, except for penalties in Chapter 15, “Motor Vehicles and Traffic” (based on the Vehicle Code, 75 Pa.C.S.A. §101 *et seq.*), penalties and ordinances adopted under the authority of the Municipalities Planning Code, 53 P.S. §10101 *et seq.*, earned income tax ordinances adopted under the Local Tax Enabling Act, 53 P.S. §6913, and ordinances adopted under authority of the Sewage Facilities Act, 35 P.S. §750.1 *et seq.*, should provide, generally:

(1) Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

2. The imposition of a penalty under the provisions of this Code shall not prevent the revocation of any permit or license or the taking of other punitive or remedial action where called for or permitted under the laws of the Commonwealth of Pennsylvania and the United States of America. In addition, the Borough may institute injunctive, mandamus or any other appropriate action or proceeding at law or in equity for the enforcement of this Code. Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, mandamus, or other appropriate forms of remedy or relief.

(Ord. 2014-01, 10/2/2014)

Part 2**Borough Secretary/Treasurer****§1-201. Single Individual Authorized to Serve in Both Offices.**

Pursuant to Borough Code, §1104, 53 P.S. §46104, the Borough Council of the Borough of Hunker is hereby authorized to appoint a single individual to serve simultaneously in the capacity of Borough Secretary and Borough Treasurer.

(Ord. 53, 7/10/2008, §1)

Part 3**Compensation of Council Members, Mayor and Council President****§1-301. Compensation.**

Compensation shall be paid to members of Borough Council at a rate of \$30 per monthly meeting (\$360 per year) and for the office of Mayor and President of Council \$40 per meeting (\$480 per year).

(Ord. 48, 1/6/2000, §1)

§1-302. Salaries.

Such salaries shall be payable monthly or quarterly for the duties imposed by the provisions of the Borough Code, 53 P.S. §45101 *et seq.*

(Ord. 48, 1/6/2000, §2)

Part 4**Open Records Policy****§1-401. Purpose.**

The purpose of this policy is to assure compliance with Act 3 of 2008, the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 *et seq.*, as amended; to provide access to public records of Hunker Borough; to preserve the integrity of Hunker Borough's records; and to minimize the financial impact to the residents of the Borough regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records.

(*Ord. 54, 7/10/2008*)

§1-402. Designated Open Records Officer.

It is the policy of the Borough to require the presence of a designated employee when public records are examined and inspected and to charge reasonable fees for duplication of public records of the Borough. Hunker Borough designates the Borough Secretary as the Open Records Officer, responsible for assuring compliance with the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 *et seq.*, in accordance with the following guidelines:

A. The Borough Secretary is responsible for minimizing, where possible, the financial impact to the Borough regarding the resources utilized in the receipt and processing of public record request and the retrieval and copying of public records.

B. All requests for public records of the Borough under this policy shall be specific in identifying and describing each public record requested. In no case shall the Borough be required to create a public record which does not exist or to compile, maintain, format or organize a public record in a manner in which the Borough does not currently compile, maintain, format or organize the public record. All requests for public records shall be submitted in writing and include the date of the request; requester's name, address and telephone number; certification of United States residency; signature of requester; and if duplication is requested, appropriate payment.

C. The Open Records Officer shall make good faith effort to determine whether each record requested is a public record.

D. The Borough shall facilitate a reasonable response to a request for Hunker Borough's public records. In no case is the Borough expected to provide extraordinary staff to respond to the request, but will respond in a manner consistent with the Borough's administrative responsibilities and consistent with the requirements of the Pennsylvania Right-to-Know Law, 65 P.S. §67.101 *et seq.*

E. The designated Open Records Officer shall respond to the requester within 5 business days from the date of receipt of the written request. If the Borough does not respond within 5 business days of the receipt thereof, the request is deemed denied.

F. The response provided by the Borough shall consist of (1) approval for access to the public record; (2) review of the request by the designated Open

Records Officer; or (3) denial of access to the record requested.

G. If access to the public record requested is approved, the public record shall be available for access during the regular business hours of the Borough. The designated Open Records Officer shall cooperate fully with the requester, while also taking reasonable measures to protect Borough public records from the possibility of theft and/or modification. The presence of the Open Records Officer is required when public records are examined and inspected.

H. Fees for duplication of public records shall be established by the Office of Open Records. The Borough may, at its discretion waive fees.

I. In the event the estimated cost of fulfilling a request submitted under this policy is expected to exceed \$100, the designated Open Records Officer shall obtain the expected cost in advance of fulfilling the request to avoid unwarranted expense of Borough resources.

J. If the request is being reviewed, the notice provided by the Borough shall be in writing and include the reason for the review and the expected response date, which shall be within 30 days of the notice of review. If the Borough does not respond within 30 days thereof, the request is deemed denied. Review of the request is limited to situations where:

- (1) The record requested contains information which is subject to access, as well as information which is not subject to access that must be redacted prior to a grant of access. The redacted information is considered a denial as to that information.
- (2) The record requires retrieval from a remote location.
- (3) A timely response cannot be accomplished due to staffing limitations.
- (4) A legal review is necessary to determine whether the record requested is a public record.
- (5) The requester has failed to comply with the Borough's policy and procedure requirements.
- (6) The requester refuses to pay the applicable fees.
- (7) The extent or nature of the request precludes a response within the required time period.

Upon a determination that one of the factors listed above applies, the Borough shall send written notice to the requester within 5 business days of receipt of the request for access. The notice shall include a statement notifying the requester that the request for access is being reviewed, the reason for the review, a reasonable date that a response is available. If the date that a response is expected to be provided is in excess of 30 days, following the 5 business days allowed for, the request for access shall be deemed denied unless the requester has agreed in writing to an extension to the date specified in the notice. If the requester agrees to the extension, the request shall be deemed denied on the day following the date specified in the notice if the agency has not provided a response by that date.

K. If access to the record requested is denied, the notice provided by the Borough shall be in writing as indicated on the form attached hereto entitled "Denial of Request to Review and/or Duplicate Hunker Borough Records."

L. If the request is denied or deemed denied, the requester may file an appeal with the Commonwealth's Office of Open Records within 15 business days of the mailing date of the Borough's notice of denial, or within 15 days of a deemed denial. The appeal shall state the grounds upon which the requester asserts that the record is a public record and shall address any grounds stated by the agency for delaying or denying the request.

M. Within 30 days of the mailing date of the final determination of the appeals officer, the requester or Borough may file a petition for review or other document as required by rule of court with the Court of Common Pleas for Westmoreland County. The decision of the court shall contain findings of fact and conclusions of law based upon the evidence as a whole. The decision shall clearly and concisely explain the rationale for the decision. A petition for review under this Section shall stay the release of documents until a decision is issued.

(Ord. 54, 7/10/2008)

**BOROUGH OF HUNKER
STANDARD RIGHT-TO-KNOW REQUEST FORM**

PLEASE PRINT LEGIBLY:

Date of Request _____

Request Submitted by: E-MAIL U.S. MAIL FAX IN-PERSON

Name of Requester _____

Street Address _____

City/State/County (Required) _____

Telephone (Optional): _____

RECORDS REQUESTED:

*Provide as much specific detail as possible so the agency can identify the information.

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

Right to Know Officer: _____

Date Received by the Agency: _____

Agency Five (5)-Day Response Due: _____

****Public bodies may fill anonymous verbal or written requests. If the requester wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written request need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)**

Telephone No. 724.925.6535

Fax No. 724.925.6535

**BOROUGH OF HUNKER
DENIAL OF REQUEST TO REVIEW AND/OR DUPLICATE**

Date of Denial _____

Requesters Name _____

Requesters Address _____

Re Denial of Request to Review and/or Duplicate _____
Date of Request _____

Dear _____:

Please be advised that your request to review/duplicate the following records:

has been denied for the following reason(s):

This denial is based upon the following legal authority:

You have the right to appeal this decision. If you appeal, you must:

1. Within fifteen (15) days of the notice of denial or deemed denial, file an appeal with the Commonwealth of Pennsylvania, Department of Community & Economic Development, Office of Open Records. The appeal shall state the grounds upon which the requester asserts that the record is a public record and shall address any grounds stated by the Borough for delaying or denying the request.

Part 5**Fire Insurance Proceeds Escrow****§1-501. Use of Fire Insurance Proceeds.**

1. No insurance company, association or exchange (hereinafter “insurer”) doing business in the Commonwealth of Pennsylvania shall pay a claim of a named insured for fire damage to a structure located within the Borough where the amount recoverable for the fire loss to the structure under all policies exceeds \$7,500, unless the insurer is furnished by the Borough Treasurer with a certificate pursuant to 508(b) of the Insurance Company Law of 1921, as amended by Act 98 of 1992 and Act 93 of 1994 (collectively, the “Act”) and unless there is compliance with the procedures set forth in 508(c) and (d) of the Act.

2. Where there are delinquent taxes, assessments, penalties or user charges against the property (“municipal claims”), or there are expenses which the Borough has incurred as a cost for the removal, repair or securing of a building or other structure on the property (collectively “municipal expenses”), the Borough Treasurer of the Borough shall immediately render a bill for such work, if he has not already done so. Upon written request of the named insured specifying the tax description of the property, the name and address of the insurer and the date of receipt by the insurer of a loss report of the claim, the Treasurer shall furnish a certificate within 14 working days after the request, to the insurer, a certificate (or at his discretion an oral notice confirmed in writing) either:

A. Stating that there are no unpaid municipal claims or municipal expenses against the property.

B. Specifying the nature and amount of such claims or expenses, accompanied by a bill for such amounts.

C. Taxes, assessments, penalties and user charges shall be deemed delinquent for this purpose if a lien could have been filed for such claims under applicable law. Upon receipt of a certificate and bill pursuant to paragraph .A of this Section, the insurer shall transfer to the Treasurer an amount from the insurance proceeds sufficient to pay such sums prior to making payment to the named insured, subject to the provisions of subsection .3 hereof.

3. When all municipal claims and municipal expenses have been paid pursuant to subsection .2 of this Section, or where the Treasurer has issued a certificate described in subsection .2.A indicating that there are no municipal claims or municipal expenses against the property, the insurer shall pay the claim of the named insured; provided, however, that if the loss agreed upon by the named insured and the insurer equals or exceeds 60 percent of the aggregate limits of liability on all fire policies covering the building or structure, the following procedures must be followed:

A. The insurer shall transfer from the insurance proceeds to the Treasurer, in the aggregate, \$2,000 for each \$15,000 of such claim or fraction thereof.

B. If at the time a loss report is submitted by the insured, such insured has submitted to the insurer, with a copy to the Borough, a contractor's signed estimate of the cost of removing, repairing or securing the building or other structure in an

amount less than the amount calculated under the foregoing transfer formula, the insurer shall transfer to the Treasurer from the insurance proceeds the amount specified in the estimate. If there is more than one insurer, the transfer of proceeds shall be on a pro rata basis by all insurers insuring the building or other structure.

C. Upon receipt of the above described portion of the insurance proceeds, the Treasurer shall do the following:

(1) Place the proceeds in a separate fund to be used solely as security against the total municipal expenses anticipated by the Borough to be required in removing, repairing or securing the building or structure as required by this Part. Such costs shall include, without limitation, any engineering, legal or administrative costs incurred by the Borough in connection with such removal, repair or securing or any proceedings related thereto.

(2) Mail to the named insured, at the address received from the insurer, a notice the proceeds have been received by the Borough and that the procedures under this subsection shall be followed.

(3) After the transfer, the named insured may submit to the Borough a contractor's signed estimate of the cost of removing, repairing or securing the building or other structure, in which event the Treasurer shall, if such estimate is deemed by the Treasurer to be reasonable, return to the insured the amount of the funds transferred to the Borough in excess of that required to pay the municipal expenses; provided, the Borough has not commenced to remove, repair or secure the building or other structure, in which case the Borough will complete the work.

(4) Pay to the Borough Treasurer, for reimbursement to the Borough general fund, the amount of the municipal expenses paid by the Borough.

(5) Pay the remaining balance in the fund (without interest) to the named insured upon receipt of a certificate issued by the Borough Treasurer that the repair, removal or securing of the building or other structure has been completed in accordance with all applicable codes and regulations of the Borough.

(6) Nothing in this Section shall be construed to limit the ability of the Borough to recover any deficiency in the amount of municipal claims or municipal expenses recovered pursuant to this Part, or to insurance proceeds, by an action at law or in equity to enforce the codes of the Borough or to enter into an agreement with the named insured with regard to such other disposition of the proceeds as the Borough may deem responsible.

(Ord. 2014-01, 10/2/2014)

§1-502. Limits of Liability.

Nothing in this Part shall be construed to make an insurance company, association or exchange liable for any amount in excess of proceeds payable under its insurance policy or for any other act performed pursuant to this Part or to make this Borough, any Borough official, a municipality or public official an insured under a policy of insurance or to create an obligation to pay delinquent property taxes or unpaid removal liens or expenses other than as provided in this Part.

(Ord. 2014-01, 10/2/2014)

§1-503. Insurance Company Rights Reserved.

An insurance company, association or exchange making payment of policy proceeds under this Part for delinquent taxes or structure removal liens or removal expenses incurred by the Borough shall have a full benefit of such payment including all rights of subrogation and of assignment.

(Ord. 2014-01, 10/2/2014)

§1-504. Construction.

This Part shall be liberally construed to accomplish its purpose to deter the commission of arson and related crimes, to discourage the abandonment of property and to prevent urban blight and deterioration.

(Ord. 2014-01, 10/2/2014)

§1-505. Notification of Pennsylvania Department of Community and Economic Development.

The Secretary of the Borough shall transmit a certified copy of this Part promptly to the Pennsylvania Department of Community and Economic Development.

(Ord. 2014-01, 10/2/2014)

§1-506. Penalty.

Any owner of property, any named insured or insurer who violates the provisions of this Part or who shall fail to comply with any of the requirements hereof shall be sentenced, upon conviction thereof, to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day on which an offense shall continue shall be deemed a separate offense.

(Ord. 2014-01, 10/2/2014)

§1-507. Saving Clause.

The provisions of this Part, so far as they are the same as those of ordinances enforced immediately prior to the enactment of this Part are intended as a continuation of such ordinances and not as new enactments. The provisions of this Part shall not affect any act done or liability incurred, nor shall it affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Part.

(Ord. 2014-01, 10/2/2014)

Part 6**Tax Collector****§1-601. Appointment of Tax Collector.**

The Borough Council of the Borough appoints the locally-elected tax collector as the agent authorized to provide and issue real estate tax certifications and hereby authorizes said tax collector to assess, collect and retain, as compensation for providing said tax certification service, a fee in an amount as established, from time to time, by resolution of Borough Council, per certification. Further, a fee is hereby established, to be collected and retained by the above designated person, for the issuance of a duplicate tax bill or facsimile thereof, said fee shall be in an amount as established, from time to time, by resolution of Borough Council, for each document issued.

(Ord. 2014-01, 10/2/2014)

