

CITY OF CORRY

Ordinance

Ordinance No. 1592

Council Bill No. 19-02

Presented by: Mayor Mitchell

**AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO
THE CODE OF ORDINANCES FOR THE CITY OF CORRY PENNSYLVANIA,
AND DECLARING AN EMERGENCY.**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2019 S-1 supplement to the Code of Ordinances of the Political Subdivision, which supplement contains all ordinances of a general and permanent nature enacted since the prior supplement to the Code of Ordinances of this Political Subdivision; and

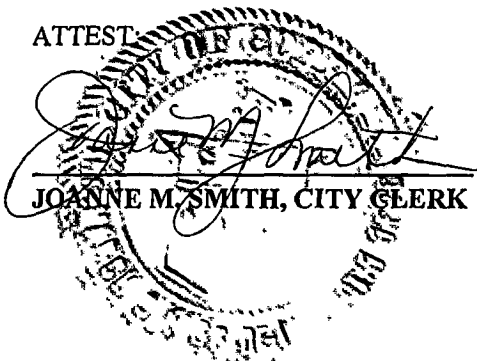
WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date;

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE CITY OF CORRY:

- Section 1. That the 2019 S-1 supplement to the Code of Ordinances of the Political Subdivision as submitted by American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
- Section 2. Such supplement shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to insert such supplement into the copy of the Code of Ordinances kept on file in the Office of the Clerk.
- Section 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the City of Corry on this 18th day of March, 2019.

ATTEST:



JOANNE M. SMITH, CITY CLERK



DAVID E. MITCHELL, MAYOR

CORRY, PENNSYLVANIA
Instruction Sheet
2019 S-1 Supplement

REMOVE OLD PAGES

INSERT NEW PAGES

Title Page

Title Page

TABLE OF CONTENTS

1 through 4

1 through 4

ADOPTING ORDINANCE

--

1 through 4

CHARTER

--

1 through 6

TITLE III: ADMINISTRATION

21, 22

21, 22

TITLE V: PUBLIC WORKS

11 through 18

25 through 28

75, 76

81, 82

~

11 through 18

25 through 28

75 through 76B

81, 82

TITLE VII: TRAFFIC CODE

23, 24

--

23, 24

33, 34

TABLE OF SPECIAL ORDINANCES

17, 18

17, 18

Maryville - Instruction Sheet

REMOVE OLD PAGES

INSERT NEW PAGES

PARALLEL REFERENCES

13, 14
19, 20

13, 14
19, 20

INDEX

5, 6
15, 16
27, 28

5, 6
15, 16
27 through 28B

CITY OF CORRY, PENNSYLVANIA

CODE OF ORDINANCES

2019 S-1 Supplement contains:
Local legislation current through Ord. 1590, passed 1-21-19

Published by:
AMERICAN LEGAL PUBLISHING CORPORATION
One West Fourth Street ✧ 3rd Floor ✧ Cincinnati, Ohio 45202
1-800-445-5588 ✧ www.amlegal.com

COPYRIGHT © 2019

AMERICAN LEGAL PUBLISHING CORPORATION

**CORRY, PENNSYLVANIA
TABLE OF CONTENTS**

Chapter

ADOPTING ORDINANCE

CHARTER

TITLE I: GENERAL PROVISIONS

- 10. General Code Construction; General Penalty

TITLE III: ADMINISTRATION

- 30. City Officials
- 31. City Organizations
- 32. Finances
- 33. City Policies
- 34. Police
- 35. Firefighters

TITLE V: PUBLIC WORKS

- 50. Refuse
- 51. Water
- 52. Sewer

TITLE VII: TRAFFIC CODE

- 70. General Regulations
- 71. Streets and Sidewalks
- 72. Bicycles and Recreational Vehicles
- 73. Parking Regulations
- 74. Traffic Schedules
- 75. Parking Schedules

Corry - Table of Contents

TITLE IX: GENERAL REGULATIONS

- 90. Fair Housing
- 91. Animals
- 92. Fire Prevention
- 93. Property Maintenance
- 94. Parks and Recreation
- 95. Nuisances

TITLE XI: BUSINESS REGULATIONS

- 110. Rental Properties
- 111. Mineral Excavation
- 112. Amusements
- 113. Licenses, Fees and Taxes
- 114. Sexually Oriented Businesses
- 115. Alcohol

TITLE XIII: GENERAL OFFENSES

- 130. General Regulations
- 131. Loitering

TITLE XV: LAND USAGE

- 150. Building Codes
- 151. Property Maintenance
- 152. Stormwater Management
- 153. Floodplains
- 154. Subdivisions
- 155. Schedule of Fees
- 156. Zoning

TABLE OF SPECIAL ORDINANCES

Table

- I. Streets and Sidewalks
- II. Property Transfers and Regulations
- III. Agreements
- IV. Franchises
- V. Plans and Programs
- VI. Miscellaneous

PARALLEL REFERENCES

- References to Pennsylvania Statutes
- References to Pennsylvania Consolidated Statutes
- References to Pennsylvania Consolidated Statutes Annotated
- References to Pennsylvania Code
- References to Resolutions
- References to Ordinances

INDEX



CITY OF CORRY

ORDINANCE

ORDINANCE NO. 1590

COUNCIL BILL NO. 18-13

Presented by: MAYOR MITCHELL

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE CITY OF CORRY, PENNSYLVANIA REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN EMERGENCY.

WHEREAS, the present general and permanent ordinances of the political subdivision are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Pennsylvania empower and authorize the political subdivision to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Legislative Authority of the Political Subdivision has authorized a general compilation, revision and codification of the ordinances of the Political Subdivision of a general and permanent nature and publication of such ordinance in book form; and

WHEREAS, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF CITY OF CORRY:

Section 1. The general ordinances of the Political Subdivision as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of the City of Corry, Pennsylvania."

Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

Corry - Adopting Ordinance

Chapter

TITLE I: GENERAL PROVISIONS

- 10. General Code Construction; General Penalty

TITLE III: ADMINISTRATION

- 30. City Officials
- 31. City Organizations
- 32. Finances
- 33. City Policies
- 34. Police
- 35. Firefighters

TITLE V: PUBLIC WORKS

- 50. Refuse
- 51. Water
- 52. Sewer

TITLE VII: TRAFFIC CODE

- 70. General Regulations *
- 71. Streets and Sidewalks
- 72. Bicycles and Recreational Vehicles
- 73. Parking Regulations
- 74. Traffic Schedules
- 75. Parking Schedules

TITLE IX: GENERAL REGULATIONS

- 90. Fair Housing
- 91. Animals
- 92. Fire Prevention
- 93. Property Maintenance
- 94. Parks and Recreation
- 95. Nuisances

Chapter

TITLE XI: BUSINESS REGULATIONS

- 110. Rental Properties
- 111. Mineral Excavation
- 112. Amusements
- 113. Licenses, Fees and Taxes
- 114. Sexually Oriented Businesses
- 115. Alcohol

TITLE XIII: GENERAL OFFENSES

- 130. General Regulations
- 131. Loitering

TITLE XV: LAND USAGE

- 150. Building Codes
- 151. Property Maintenance
- 152. Stormwater Management
- 153. Floodplains
- 154. Subdivisions
- 155. Schedule of Fees
- 156. Zoning

TABLE OF SPECIAL ORDINANCES

Table

- I. Streets and Sidewalks
- II. Property Transfers and Regulations
- III. Agreements
- IV. Franchises
- V. Plans and Programs
- VI. Miscellaneous

Corry - Adopting Ordinance

Section 3. All prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Legislative Authority and the Clerk of the Political Subdivision is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Clerk.

Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

Section 6. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 21st day of January, 2019.

ATTEST:

Joanne M. Smith /s/
JOANNE M. SMITH, CITY CLERK

David E. Mitchell /s/
DAVID E. MITCHELL, MAYOR

**CHARTER OF THE CITY OF CORRY
ERIE COUNTY PENNSYLVANIA**

SECTION 1

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same; that the following described territory now constituting the borough of Corry, be and the same is hereby constituted a city by the name and title of the city of Corry; and by the said name are hereby constituted a body corporate and politic with all the incidents of a corporation; to wit, all that territory embraced within the following boundaries, commencing at the south-west corner of lot fifty-one in the Township of Concord Erie County Pennsylvania thence running north to the south-west corner of fifty-three in Wayne Township County and state aforesaid; thence east on the track line to Warren County line, thence south on said county line to south-east corner of fractional lot fifty-four in Concord Township, thence west on south line of lots fifty-four, fifty-three, fifty-two and fifty-one to the place of beginning.

SECTION 2

That the said city shall be and remain divided for municipal purposes into two wards; one to be called the North, and the other the South Ward which said wards shall be bounded as follows, to wit: all of said corporation North of the Atlantic and great Western Oil Creek and Philadelphia and Erie Rails Roads shall be called the North Ward and all of said City south of said roads shall be called the South Ward which said wards may again subdivided by the select and common council as by them may be deemed for the best interest of said corporation.

SECTION 3

The inhabitants of said city entitled to vote for members of the general assembly having resided therein ten days immediately preceding the election shall on the third Friday of March one thousand eight hundred and sixty-six and annually thereafter on the same day which now is or may be thereafter fixed by law for township elections within this state meet at some convenient place in said city, to be designated by the present council of the borough of Corry between the hours of eight in the forenoon and five in the afternoon and elect one citizen who shall be styled a Mayor and one person to be High Constable of said city and six citizens to be as a select council and six persons to be a common council for said city two Justices of the Peace to fill vacancy that is now or may hereafter occur in the office of Justice of the Peace of said City provided that no Justice of the Peace shall be elected under this act until a vacancy shall occur in some one of the offices of Justice of the Peace within the present borough of Corry; one Constable the necessary school directors as is now provided law, for each school district in said city; one Police Justice who shall have the jurisdictions of power to try and determine all actions of fines, penalties or forfeitures imposed by the laws of this state relating to said city or imposed by any of the ordinances by-laws, rules or regulations thereof and to issue executions to one of the Constables or High Constables of said city for the collection of any judgements rendered in the premises to be

collected in the same manner as judgments of Justices of the Peace founded on trespasses or trover are now by law collectable, and the Constable to whom such executions may be issued shall be liable thereon in the same manner as if founded on such judgment in trespasses or trover; and the said Police Justice shall also have power and criminal jurisdictions of Justices of the Peace in all cases of offences whatsoever committed in the city and for the preservation of the peace thereof; and shall be entitled to the same fees as Justices of the Peace of this state for similar services and the Justices of the Peace of said City shall have concurrent jurisdiction in the collections of fines and penalties for the preservation of the peace and in the criminal matters aforesaid; said elections and all subsequent elections in said city shall be governed by the laws of the state regulating township elections and said first election shall be holden by the Judges and Inspectors of Elections last elected in the present Borough of Corry.

SECTION 4

The members elect of the select council shall on the day next succeeding their election, divide themselves by lot into three classes; and the term of office of the first class shall expire upon the first and the second upon the second and the third on the third city election next succeeding, at which respective elections the vacancies shall be supplied by the election annually of one third part of said select council in the manner aforesaid.

SECTION 5

That the Mayor, Common Council and High Constable shall respectively hold their offices until the city election next succeeding, and shall be thereafter annually elected, and after the first election aforesaid the city election shall be holden on the same day as township elections are or shall be holden by the laws of this state; and the Justices of Peace, Common Constables, Assessors, Inspectors and Judges of Elections and Auditors of said Borough of Corry in office at or immediately before said first elections shall continue in office in said city till the next elections for said several offices and be vested with the same powers and subject to the same duties until others are elected and qualified under this act.

SECTION 6

The legislative powers of said city and corporation shall be vested in the select council and common council thereof who shall perform legislative acts in separate bodies, and a majority of the members of each body must be present to constitute a quorum for the transaction of business. The Mayor whereas present shall be the presiding officer of the select council and in case of an equal division, shall give the casting vote. The common council shall annually choose one of their own number to preside at its deliberations who shall vote as other members; and no act by-law or ordinance shall be valid unless passed by a majority of the members present in each body legally assembled.

SECTION 7

The stated meetings of the select and common council shall be holden for the transaction of business every two weeks, and may hold meetings as much often as the Mayor and the respective councils may designate, and at such place in said city as shall be provided by the ordinances thereof; and the doors of respective halls of said select and common councils shall be open for the admission of orderly and peaceful disposed citizens who may choose to attend sessions thereof; and the said council may provide by ordinance for the punishment by fine of any disorderly conduct disturbing either of the perspective sessions and either body may expel such persons from the hall at its sessions.

SECTION 8

That each body shall appoint a clerk, who shall make and keep a full record of its proceedings recording the names of the members present; and all of the ordinances and by-laws rules and regulations of said councils shall signed by the Mayor and clerk of the respective councils and published in one or more of the public newspapers of said city and the publication proved by oath of some creditable witness and recorded in the records of said city; and the said record shall be deemed and taken as sufficient evidence, of the passage and publication of all such ordinances by-laws, rules and regulations.

SECTION 9

That the Mayor of said city shall have the same powers and jurisdiction of the Police Justices, elected under this act.

SECTION 10

The select and common councils shall have power to compel the owners or occupiers of lots to repair the sidewalks in front of their respective lots or to cause the repairs to made and file their liens as is now provided by the general laws of this state and the said common council and select council may by a general ordinance regulate the portion of the sidewalks which the owners of dwelling houses and others may use for door steps and other purposes in front of their respective premises; and may impose penalties for mutilating or injuring trees growing upon the streets and public grounds of said city; and the council shall be vested with all the powers in said city which at and immediately before the passage of this act belonged to and were vested in the burgefes and council of the Borough of Corry.

SECTION 11

That the select and common council shall have power, and they are hereby authorized and empowered to pass from time to time such and so many ordinances as may be thought proper and necessary for the prevention or regulation of the erection or removal from any other place in said city of any wooden dwelling house, shop or warehouse carriage house store stable or other wooden building within the limits of the said city. Provided, that such ordinances shall not be contrary to the constitution or laws of this state.

Corry - Charter

SECTION 12

That all the estate and property whatever real or personal, or mixed and all chases in action, claims, or demands of the Borough of Corry or of the burgefs and council thereof, are hereby vested in the corporation or body corporate or politics of the City of Corry in the same manner and for the same estate which the corporate authorities of the said borough held or had therein; and all suits now pending may be prosecuted to judgment by and for said city, in the same manner and with the same effect as could have been done by the said burgefs and council if this act had not been enacted; and all judgments suits claims and demands whatsoever against said borough are hereby transferred to and shall continue and may be prosecuted against said city as fully and completely as they could have been against said borough if the said borough charter had not been abolished.

SECTION 13

That the mode of enforcing payment of any judgment against said city shall be the same as is now or hereafter may be provided by law for enforcing payment of judgments against the several townships of this state, provided, that any or either party to any judgment may have the same right of appeal to the Court of Common Pleas of Erie County that is now provided by law to appeal from Justices of the Peace.

SECTION 14

That the select and common council of said city of Corry shall have power to raise in addition to the amount raised for city proposes may raise not to exceed one and one-half percent on the taxable property real and personal within said city; to appoint as many Policemen as they may deem for the best interest of said city; to raise not to exceed one half of one percent on the real and personal estate of said city for city purposes; to provide for a distribution of a sufficient quantity of good and wholesome water to and through the city and the permanent continuance for the accommodation of the inhabitants thereof; to organize one or more fire companies; to establish a sufficient number of reservoirs to supply water in case of fires; to provide for the lighting of said city with gas or oil in such other way as the said select and common council may determine.

Jas R Kelley
Speaker of the House of Representatives

D Fleming
Speaker of the Senate

Approved, the eight day of March, anno domini, one thousand eight hundred and sixty-six.
Als Curtin

Office of the Secretary of the Commonwealth
Harrisburg, March 8, 1866

Pennsylvania:

I do hereby certify that the foregoing and annexed is a full true and correct copy of the original act of the general assembly entitled. An act to incorporate the City of Corry as the same remains on file in this office.

In testimony whereof, I have hereunto set my hand and caused the seal of the Secretary's office to be affixed, the day and year above written.

W W. Armstrong
Deputy Secretary of the Commonwealth



(C) The Fund shall be controlled, invested, reinvested and administered and the monies therein and income from such monies expended for the specific purpose or purposes for which the Fund is created in such matter as may be determined by Council.

(D) The sum of \$6,000 shall be placed in said Capital Reserve Fund as a portion of the amount appropriated for capital improvement reserve funds by Ord. 1072.

(E) The money in the Fund, when invested, shall be invested in securities designated by law as legal investments for sinking funds of municipalities.
(Ord. 1080, passed 2-20-1967)

§ 32.04 SEWER AND PAVING REVOLVING FUND.

There is hereby established a revolving fund to be used for the payment of the indebtedness herein above referred to and for paving, repaving, curbing and otherwise permanently improving streets until the five year paving plan shall have been completed; said Fund to be known as the 1964 Sewer and Paving Revolving Fund. All monies realized from the assessments as aforesaid and taxes as aforesaid, shall be paid into the revolving fund hereby created as collected, and shall be applied to the payment of principal and interest on the said indebtedness and be used for street improvements as aforesaid.
(Res. passed 1-28-1965)

TAXES

§ 32.20 PROPERTY TAXES.

(A) (1) A tax be and the same is hereby levied on all real, personal and mixed property within the said municipality subject to taxation for the fiscal year 2019 as follows:

(a) Tax rate for general purposes, the sum of 9.73 mills on each dollar of assessed valuation, or the sum of 97.30 cents on each one hundred dollars of assessed valuation; and

(b) Tax rate for non-general purposes, the sum of 0.62 mills on each dollar of assessed valuation, or the sum of 6.20 cents on each one hundred dollars of assessed valuation.

Corry - Administration

(2) The same being summarized in tabular form as follows:

	Mills on each dollar of assessed valuation	Cents on each one hundred dollars of assessed valuation
Tax rate for general purposes:	9.73 mills	97.30 cents
Tax rate for non-general purposes:	0.62 mills	6.20 cents
Total:	10.35 mills	103.50 cents

(3) Making for all purposes, the total sum of ten and thirty-five one hundredths (10.35) mills on the dollar (\$0.1035 on \$100) upon the last assessed valuation of the taxable property within the city.

(B) Failure to make payments in accordance with 72 P.S. § 5511.10, all taxpayers, who shall fail to make payment of any such city property taxes charged against them for four months after the due date of the tax notice, shall be charged a penalty of 7%, which penalty shall be added to the taxes by the tax collector and be collected by said tax collector. This section shall be effective for the taxable year of 1977 and thereafter.

(Res. passed 2-7-1977; Ord. 1564, passed 12-19-2016; Ord. 1577, passed 12-18-2017; Ord. 1585, passed 12-17-2018)

§ 32.21 LOCAL SERVICES TAX.

The local services tax ordinance, copies of which are on file in the office of the City Clerk, is adopted and incorporated as part of this code of ordinances as fully as if set out at length herein (Pennsylvania Act 32 of 2008).

(Ord. 1480, passed 12-3-2007)

Cross-reference:

Occupational privilege tax, see §§ 113.01 through 113.12

§ 32.22 EARNED INCOME TAX.

The earned income tax ordinance, copies of which are on file in the office of the City Clerk, is adopted and incorporated as part of this code of ordinances as fully as if set out at length herein (Pennsylvania Act 32 of 2008).

(Ord. 1088, passed 11-13-1967)

§ 32.23 COLLECTION COSTS.

(A) The city adopts the cost of collection schedule attached to the resolution codified herein and made apart of this section to be imposed by Berkheimer upon any taxpayer whose taxes are or become delinquent and/or remain due and unpaid.

than ground level for commercial and industrial establishments when an additional payment to the collector for extra service is agreed upon by both parties, or when there is mutual agreement for different storage for other reasons.

(H) *Fees.*

(1) (a) The city or contractor shall be responsible for the collections set forth in this subchapter and each such collection shall be limited as hereinbefore specified.

(b) The Director of Safety shall have the authority to order that collections be made with such frequency as may be necessary for the cleanliness, general health and welfare of the city. The city or contractor, with the approval of the Director of Safety, shall have the authority to make an additional charge, other than the normal contract charge, for such additional amounts or additional collections of refuse.

(2) The city shall let such contracts as are necessary for proper refuse collection in the city in accordance with this subchapter. Payments according to the terms of said contract shall be made from annual city revenue.

(3) Maximum rates for additional collections over and above that provided in the normal refuse disposal service as herein specified shall be negotiated between the contractor and the customer, but shall not exceed those specified in the bid for the collection contract. If a contract is not secured, maximum rates for such collection shall be defined by resolution.

(I) *Special refuse problems.*

(1) *Contagious disease refuse.* The removal of clothing, bedding or other refuse from homes or other places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of the County Health Officer. Such refuse shall not be placed in containers for regular collections.

(2) *Inflammable or explosive refuse.* Highly inflammable or explosive material shall not be placed in containers for regular collection but shall be disposed of as directed by the Director of Safety at the expense of the owner or possessor thereof.

(J) *Collection by actual producers.*

(1) *Requirements for vehicles.* The actual producers of refuse or the owners of premises upon which refuse is accumulated who desire personally to collect and dispose of such refuse shall use a water-tight vehicle provided with an adequate cover and so operated as to prevent any offensive odors escaping therefrom, and to prevent refuse from being blown, dropped, spilled or deposited in the city. Vehicles of producers shall be provided with a cover adequate to prevent scattering of contents.

(2) *Disposal.* Disposal of refuse by persons so permitted under division (J)(1) above shall be made outside the city limits at places and in a manner approved by the state's Department of

Environmental Resources. Failure to dispose of refuse at a place and in a manner approved by the state's Department of Environmental Resources shall be a violation of this subchapter and any permission granted for such collection and hauling of refuse may be withdrawn.

(K) *Dead animals and city trash cans.* Dead animals and the collection of refuse in city trash cans may be included in contracts let by the city for a refuse disposal service.

(L) *City owned landfill.* The city may own and/or operate a landfill. The city may also operate a transfer station.

(M) *City owned dump.*

(1) The city-owned dump shall be operated under the direction of the City Administrator. Industrial or commercial establishments, contractors and individuals who wish to deposit acceptable nonorganic fill material in the dump may be permitted use of the dump if so authorized by the City Administrator. The depositing of unauthorized material shall be deemed sufficient reason for the City Administrator to withdraw the privilege from an authorized user. Any authorized material deposited in the dump shall be removed by the depositor upon three days' written notice by the City Administrator. Failure to do so shall constitute a violation of this subchapter. Unauthorized use of the dump shall constitute a violation of this subchapter.

(2) In general, acceptable materials for deposit in the city dump shall include masonry, dirt, sand, tree stumps, leaves and such other materials as the City Administrator may from time to time designate.

(3) There shall be no charge made for the use of the city dump, but a deposit may be required for the use of a key to the dump.

(Ord. 1224, passed 2-7-1977) Penalty, see § 50.99

§ 50.26 CHARGES FOR SERVICE.

Each person producing garbage, rubbish, household rubbish and recyclable materials in the city, or being responsible for the disposal of, or the existence of such garbage, rubbish, household rubbish and recyclable materials, or for whom such garbage, rubbish, household rubbish and recyclable materials are removed by the city or its authorized agent, shall pay to the city a fee or charge as hereinafter provided for its services of collecting, hauling and disposing of such garbage, rubbish, household rubbish and recyclable materials.

(A) *Residential.* Each single-family dwelling unit or apartment unit (as defined in this subchapter) shall pay a fee at the rate of \$18.85 per month for refuse service.

(B) *Commercial*. Each commercial unit (as defined in this subchapter) which is provided refuse service by the city or its authorized agent, shall pay a fee at the rate of \$21.55 per month for refuse service.

(C) *Senior citizen rate*. Each residential dwelling unit in which all occupants residing therein have passed their sixty-fifth birthday, shall pay the residential rate of \$18.85 less a discount of \$3 per month for refuse service.

(D) *Recycling fee*. Each refuse account is to be charged a fee of \$1.00 per account per month for recycling purposes.

(Ord. 1558, passed 12-21-2015; Ord. 1589, passed 12-17-2018)

Editor's Note:

See also city's fee schedule

§ 50.27 HOURS OF COLLECTING AND HAULING REFUSE OVER CITY STREETS.

No collection of refuse shall be permitted in the city and no hauling of refuse shall be permitted on the streets or alleys of the city after the hour of 6:00 p.m. or before the hour of 7:00 a.m. from Monday through Saturday, and no hauling of refuse shall be permitted on Sunday, except for emergency conditions, if authorized by the city.

(Ord. 1224, passed 2-7-1977)

§ 50.28 NON-COMPLIANCE NOTICES.

Notice of non-compliance with the provisions of this subchapter shall be given in writing to the owner, lessee or person in charge of the property where refuse has collected at the direction of the Director of Safety. Such notice shall specify the matter or matters in non-compliance and shall specify the time within the non-compliance shall be corrected. Failure to comply within the time specified in said notice shall be a violation of this subchapter.

(Ord. 1224, passed 2-7-1977) Penalty, see § 50.99

§ 50.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

Corry - Public Works

(B) Any person who shall violate any provision of §§ 50.01 to 50.05 shall, upon conviction, before a District Justice, be guilty of a summary offense and shall be sentenced to pay a fine of not more than \$300 and costs of prosecution or, in default of payment of such fine and costs, to undergo imprisonment for not more than 30 days; provided, each violation of any provision of §§ 50.01 to 50.05, and each day the same is continued shall be deemed a separate offense.

(C) Any person violating any of the provisions of §§ 50.20 to 50.28 may, on conviction in a summary proceeding, be subjected to a fine of not less than \$10 nor more than \$300 for each offense together with costs of prosecution, and in default of payment thereof undergo imprisonment in the county jail for a term not in excess of 30 days.

(Ord. 1224, passed 2-7-1977; Ord. 1349, passed 6-17-1991)

CHAPTER 51: WATER

Section

- 51.01 Title
- 51.02 Definitions
- 51.03 Metered rates
- 51.04 Flat rates
- 51.05 Special rates
- 51.06 Application for service
- 51.07 Service connections
- 51.08 Building connections
- 51.09 Fire service
- 51.10 Meters
- 51.11 Discontinuance of service
- 51.12 Construction by city forces
- 51.13 Payment for service
- 51.14 Main extensions
- 51.15 Credits for main extensions; existing streets and roads
- 51.16 Credits for main extensions, new developments
- 51.17 Computation of credits
- 51.18 Water service, general
- 51.19 Additional fees and charges

- 51.99 Penalty

Editor's Note:

See also city's fee schedule

§ 51.01 TITLE.

This chapter shall be known and may be cited as the "Water Rate and Regulation Ordinance of the City of Corry".

(Ord. 1179, passed 2-5-1973)

§ 51.02 DEFINITIONS.

For the purpose of this chapter, the following terms, phrases, words and their derivations shall have meaning given herein. When not inconsistent with the context, words used in the present tense include

Corry - Public Works

the future, words in the plural number include the singular number and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

CITY. The City of Corry, Erie County, Pennsylvania, and/or its duly authorized employees.

CITY PROPERTY. Property owned or leased by the city.

CONSUMER. The party contracting for water service to a property.

OWNER. The owner of the real estate to which water is furnished.

PERSON. Any person, firm, partnership, association, corporation, company, organization or entity of any kind.

(Ord. 1179, passed 2-5-1973)

§ 51.03 METERED RATES.

(A) Each metered consumer or owner to which water shall be furnished by the city, shall pay the city for the same in accordance with the following schedule of rates and minimum charges, which shall be for each 100 cubic feet or portion thereof.

(B) Residential, commercial, public and industrial:

<i>Water Used</i>	<i>Rate</i>
Base charge for each meter per month	\$6.25 flat rate
0 - 100 cubic feet of water per month	\$4.85 per 100 cubic feet
101 - 200 cubic feet of water per month	\$4.85 per 100 cubic feet
201 - 300 cubic feet of water per month	\$4.85 per 100 cubic feet
301 - 5,000 cubic feet of water per month	\$3.05 per 100 cubic feet
5,001 and over cubic feet of water per month	\$3.05 per 100 cubic feet

<i>Size of Meter</i>	<i>Minimum per Month</i>	<i>Allowance</i>
5/8 inch	\$11.10	100 cubic feet
3/4 inch	\$15.95	200 cubic feet
1 inch	\$20.80	300 cubic feet
1-1/2 inch	\$42.15	1,000 cubic feet

<i>Size of Meter</i>	<i>Minimum per Month</i>	<i>Allowance</i>
2 inch	\$69.60	1,900 cubic feet
3 inch	\$136.70	4,100 cubic feet
4 inch	\$353.25	11,200 cubic feet
6 inch	\$1,146.25	37,200 cubic feet
8 inch	\$2,100.90	68,500 cubic feet

(C) The customer shall pay the minimum charge only when the amount resulting by applying the meter rate to the quantity of water consumed is less than the minimum charge. When such amount is greater than said minimum charge, then that amount shall constitute the bill for service rendered. (Ord. 1565, passed 12-19-2016; Ord. 1574, passed 12-18-2017; Ord. 1587, passed 12-17-2018)

§ 51.04 FLAT RATES.

Each consumer or owner who installs, or has installed, hydrants or fire service connections to which water shall be furnished by the city, shall pay the city for the same in accordance with the following schedule; the fee stated below is the annual rate:

- (A) Public fire hydrant connection (six inch max): \$60 per year;
- (B) Private fire hydrant connection (six inch max): \$50 per year; and
- (C) Fire connection lines for standpipes and sprinklers:

<i>Connection</i>	<i>Rate</i>
4 inch diameter service connection	\$60 per year
6 inch diameter service connection	\$155 per year
8 inch diameter service connection	\$225 per year
Other connections	As negotiated

(D) All rates shown in this section are for furnishing water or making water available, and for maintenance of the connection within the public right-of-way. The cost of installation is not included.

(E) Since the Fire Department is neither a “consumer” or “owner”, as those terms are defined in this chapter, neither the city or any of its departments nor any affiliates or authorities thereof, may charge the Fire Department any fees in connection with any public fire hydrant connections. (Ord. 1348, passed 5-20-1991; Ord. 1574, passed 12-18-2017)

§ 51.05 SPECIAL RATES.

(A) *Construction work.* For water furnished for construction work, where, in the opinion of the city, it is not practical to install or use meters, the rate to be charged for water shall be fixed by resolution of City Council. The per diem rate shall not include any required tapping fees or the costs of running a service to the point within the premises where a meter would normally be installed, but shall include the connection and disconnection of the temporary service, which shall only be done by city forces.

(B) *Circus, bazaar or fair.*

(1) A circus, bazaar, fair or other type of business which will temporarily exist at a location from one to ten days, and where the city deems such charge applicable, and where the city deems it not practical to install or use meters, shall pay in advance on a per diem basis for water supplied. Such charges shall be in the amount fixed by resolution of City Council. The per diem rate shall not include any required tapping fees or the costs of running a service to the point within the premises where a meter would normally be installed, but shall include the connection and disconnection of the temporary service, which shall only be done by city forces.

(2) Temporary water: construction, circus, bazaar or fair:

<i>Size of Service</i>	<i>First Day</i>	<i>Each Additional Day</i>
2 inch or less	\$32	\$18
3 inch	\$50	\$30

(C) *Non-fire hydrant use.*

(1) For water furnished from a hydrant for purposes other than fighting a fire, when the city's Water Department shall approve such use, and when the city deems it not practical to install or use a meter for such use, the rate to be charged shall be fixed by resolution of City Council.

(2) In addition to the rates provided for herein above, the user shall pay the current hourly rate of pay for the services of an employee of the city to operate the hydrant. This may be waived in cases where the city considers such use in the public interest, or in cases where the city decides no city employee is required for hydrant operation.

(3) Non-fire hydrant use:

<i>Type of Use</i>	<i>Rate</i>
Metered flow from hydrant	Actual cost of water, plus setup and teardown labor
Unmetered flow through one 2-1/2 inch hydrant nozzle	\$1 per minute

§ 51.11 DISCONTINUANCE OF SERVICE.

(A) Service may be discontinued for any of the following reasons:

(1) For misrepresentation in application as to property or fixtures to be supplied or the use to be made of the water supply;

(2) For the use of water for any other property or purpose other than that described in the application, or for failure to make application for service;

(3) For neglecting or refusing entry of an employee of the city, after proper notice, to any building or premises by an occupant, owner or tenant, where the purpose of such entry is for inspection, installation, repair or replacement of a meter, lines or other water system equipment;

(4) For willful waste of water through improper or imperfect pipes, fixtures, meters or otherwise;

(5) For failure to protect and maintain in good order the meter connections, lines or fixtures;

(6) For nonpayment of any bill for more than 15 days after the same is rendered;

(7) For molesting any service pipe, meter curb stop-cock, seal or any other appliance of the city controlling or regulating the water supply;

(8) In case of vacancy of premises;

(9) For connection of a private water system to the city water system; or

(10) For violation of any rule or regulation herein contained.

(B) The city may order the water shut off from any premises connected with the city mains for repairs, extensions or other necessary purposes.

(C) All water rates and charges for water service to premises shall accrue and be charged against such applicant until such time as written notice, given by such applicant or by his or her duly authorized agent, to discontinue the service is filed with the city.

(D) It shall be the duty of the owners or agents to which water is furnished by the city to cooperate with the city by promptly giving notice when such property becomes vacant. If such notice is not given, the owners or agents of the property shall be liable for all water charges against such property until such notice is given or a new application is filed.

(E) The city reserves the right to shut off the water in its mains at any time without notice for making repairs, extensions or alterations, but will so far as practicable, notify consumers of the intention

to shut off. It is expressly stipulated by the city that no claim shall be made against it by reason of the breaking of any pipe or for any other interruption of the supply of water. No person shall be entitled to any damages or to have any option of payment refunded for any stoppage for purpose of additions or repairs, which, in the opinion of the city, may be deemed necessary, or for causes beyond its control.

(F) In case of scarcity of water, whenever in its judgment the public welfare may require it, the city shall have the right to reserve a sufficient supply of water at all times in its reservoirs to provide for fire and other emergencies or may restrict or regulate the quantity of water used by consumers.

(G) (1) A turn-on charge shall be paid where water has been turned off for any violation of the terms of the application or rules of the city or for any other reason stated under this section. The fee for such turn-on charge shall be fixed by resolution of City Council. In such cases, the water shall not be turned on until all water bills, repair bills and other accounts due to the city shall have been paid, including the turn-on charge.

(2) Turn-on fee: flat fee: \$50.
(Ord. 1179, passed 2-5-1973; Ord. 1256, passed 5-5-1980)

§ 51.12 CONSTRUCTION BY CITY FORCES.

City construction and installation charges for building connections or for any other construction which is at the expense of the owner, except main extensions, shall be computed on the basis of the actual hours expended times the hourly rate of the employees involved, including city paid fringes, together with the cost of material. The cost of material shall include a 15% surcharge for waste and handling.

(Ord. 1179, passed 2-5-1973)

§ 51.13 PAYMENT FOR SERVICE.

(A) Bills will be rendered for all charges made in accordance with this chapter and are due and payable on the fifteenth day of each month for water consumed, work done, or services rendered during the preceding bill cycle. If the bill for water furnished is not paid by the fifteenth day of the month a penalty of 10% will be added, with a minimum penalty of \$0.10 for any one bill. If the fifteenth day of the month falls on a Saturday, Sunday or holiday, bills may be paid without penalty on the next business day.

(B) Bills for service to the federal government, state or local governments, or their departments and institutions shall be payable without penalty within 30 days of the date rendered.

(C) If any bill is not paid prior to the date of adding penalty, service may be discontinued after five days' written notice.

(D) (1) The city may, at its option, in cases deemed hardships, enter into an agreement of time payments, for a period not to exceed one year, for installation or repair charges on the following:

(a) New service or renewal of service for owner of single-family or owner-occupied multi-family dwellings; or

(b) Damage to city owned property.

(2) All such time payments shall bear interest in the amount of 6%, not compounded, on the unpaid balance, until paid.

(E) All meters shall be read at least quarterly, and bills shall be rendered as stated above. If the meter reader is unable to procure a monthly reading of the meter, because ingress to the meter is obstructed in any manner, or entrance to the premises is made precarious by a vicious dog, or for any other reason, an estimate shall be made of the amount of water consumed, and the billing shall be based on the estimate.

(F) In addition to the foregoing remedy and such other remedies as are provided by law for the collection of delinquent water rents, it shall be lawful for the proper officers of the city to file a lien or liens against the property for any and all delinquent accounts, in the same manner provided by law in the case of unpaid city taxes on real estate and to proceed to collect the same.

(Ord. 1179, passed 2-5-1973; Ord. 1565, passed 12-19-2016; Ord. 1587, passed 12-17-2018)

§ 51.14 MAIN EXTENSIONS.

(A) The city may refuse the extension of any main because of insufficient water supply, lack of anticipated revenue sufficient to justify city expenditures or for any other reason deemed fit by the city.

(B) The cost of the extension of any main shall be borne by the political subdivision in which it is located or by such person as may agree to pay for the extension, except for such credits as hereinafter specified.

(C) City specifications shall be followed in all construction of water mains. Such specifications shall be approved by City Council and be kept on file in the office of the City Engineer.

(D) All permits required by the state or federal government, or their agencies, for extensions of mains shall be secured by the political subdivision in which the main extension is to be constructed, or shall be secured by such person as the political subdivision may delegate.

(E) Adequate plans and dimensions shall be submitted to the City Council to secure approval for main extensions. Such plans shall be submitted by the political subdivision in which the extension is to be made. All bidding documents required for contracting such work done, including all drawings, specifications, bid forms, advertisements, and permits shall be provided by said political subdivision.

The city may require that such plans submitted for major extensions shall be certified to by a professional engineer licensed in Pennsylvania.

(F) The minimum size of all main extensions shall be as the city deems necessary, and shall be in accordance with accepted good engineering practice. Any political subdivision desiring to install smaller mains shall provide proof of adequacy for all potential needs. The size of the existing mains from which extensions are proposed shall not be a limiting factor in sizing of main extensions. The city reserves the right to regulate the use of cross-connections from another source of its mains.

(G) All main extensions not constructed by city forces shall be inspected and tested by the city, and the actual cost of said inspection and testing shall be billed by the city and considered in all respects as a part of the cost of extending the main or mains. No trench shall be closed on any new main installation until said installation is approved by the city. The city may, with City Council approval, allow such inspection and testing to be done by a professional engineer registered in the State of Pennsylvania, providing such approval is given before the project is underway, and providing that all costs are borne by the political subdivision in which the extension occurs, or by such other person as may agree to pay such costs.

(H) Nothing in this chapter shall prohibit the city from electing to install all or any part of any main extension with city forces, or to negotiate with any political subdivision, person or firm as to a charge for such work, whether said extensions are in public right-of-way or within private property.

(I) Main extensions shall be permitted in proposed subdivisions only if such subdivision meets all county and/or local subdivision regulations, as may apply, and only if the political subdivision in which the development is located has agreed to accept and maintain the streets and roads therein.

(J) All main extensions into private developments shall be at the expense of the developer, except for such credits as hereinafter specified.

(K) Nothing in this chapter shall be construed as prohibiting any political subdivision from entering into agreements with developers for the purpose of sharing in the cost of the extensions of water mains.

(L) Upon completion of any main extension, including testing, chlorination and final approval by the City Engineer, the main extension shall be accepted by the city as part of its water distribution system and shall become the property of, and be maintained by, the city.

(Ord. 1179, passed 2-5-1973)

§ 51.15 CREDITS FOR MAIN EXTENSIONS; EXISTING STREETS AND ROADS.

(A) A credit equal to the cost of furnishing and installing 35 feet of the main extension for each bonafide customer may be credited against the total cost of the main extension by the city. In cases where the main extension is not to be made with city forces, the city may elect to pay said credit or to install such portion of the main, with its own forces, as will equal the credit based on 35 feet per bonafide customer.

(3) (a) If a user knows in advance of the need for a bypass, it shall submit prior notice to the coordinator, at least ten days before the date of the bypass, if possible.

(b) 1. A user shall submit oral notice to the coordinator of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time it becomes aware of the bypass.

2. A written submission shall also be provided within five days of the time the user becomes aware of the bypass.

3. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass.

(4) (a) Bypass is prohibited, and the coordinator may take an enforcement action against a user for a bypass, unless:

1. Bypass was unavoidable to prevent loss of life, personal injury or severe property damage;

2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

3. The user submitted notices as required under division (C)(3) above.

(b) The coordinator may approve an anticipated bypass, after considering its adverse effects, if the coordinator determines that it will meet the three conditions listed in division (C)(4) above. (Ord. 1433, passed 7-1-2002)

§ 52.117 PRETREATMENT CHARGES AND FEES.

(A) The city may adopt reasonable fees for reimbursement of costs of setting up, operating and implementing the city's pretreatment program which may include:

(1) Fees for wastewater discharge permit applications including the costs of processing such applications;

(2) Fees for monitoring, inspection and surveillance procedures, including the costs of collection and analyzing a user's discharge, and reviewing monitoring reports submitted by users;

- (3) Fees for reviewing and responding to accidental discharge procedures and construction;
- (4) Fees for filing appeals; and
- (5) Other fees as the city may deem necessary to carry out the requirements contained herein.

(B) These charges and fees relate solely to the matters covered by this chapter and are separate from all other fees, fines and penalties chargeable by the city.
(Ord. 1433, passed 7-1-2002)

SEWER USE CHARGES

§ 52.130 SEWER USE CHARGE IMPOSED.

Sewer use charges or rentals for the use of the POTW, sewers, sewerage system and sewage treatment works of the city shall be imposed upon the owners of property served thereby.
(Ord. 1433, passed 7-1-2002)

§ 52.131 SEWER RATES; RATE CHANGES.

(A) The applicable sewer rentals or use charge rates shall be set forth by separate city ordinance from time to time.

(B) The city may increase or decrease such sewer rates as it deems necessary.
(Ord. 1433, passed 7-1-2002)

§ 52.132 PAYMENT SCHEDULE; LATE PENALTY.

(A) *Payment schedule.* The city shall establish a payment schedule whereby sewer charges collected by the city shall be billed and paid monthly.

(B) *Late charges.* If the bill for sewer services is not paid by the fifteenth day of the month a penalty of 10% will be added, with a minimum penalty of \$.10 for any one bill. If the fifteenth day of the month falls on a Saturday, Sunday or holiday, bills may be paid without penalty on the next business day.
(Ord. 1433, passed 7-1-2002; Ord. 1588, passed 12-17-2018)

§ 52.133 PROPERTIES USING OTHER THAN CITY WATER.

(A) For a property which uses water, all or part of which is from a source or sources other than the city's water supply system, there shall be a sewer rental, separate from and in addition to any sewer

76B

Corry - Public Works



Base charge for each meter:	\$12.95 flat rate
First 100 cubic feet of water or portion thereof:	\$15.98
Second 100 cubic feet of water or portion thereof:	\$3.39
Third 100 cubic feet of water or portion thereof:	\$3.39
For each additional 100 cubic feet of water or portion thereof, up to and including 30,000 cubic feet total:	\$3.15 per 100 cubic feet
For each additional 100 cubic feet of water or portion thereof, up to and including 100,000 cubic feet total:	\$3.15 per 100 cubic feet
For each additional 100 cubic feet of water or portion thereof, in excess of 100,000 cubic feet total:	\$3.15 per 100 cubic feet

(B) *Minimum charge.* The minimum monthly charge for sewer service shall not be less than \$28.93.

(C) *Senior citizen rate.* Each residential dwelling unit in which all occupants residing therein have passed their 65th birthday shall, upon making proper application with the city, receive a discount in the amount of \$4 per month from their sewer service charge.

(Ord. 1566, passed 12-19-2016; Ord. 1566, passed 12-18-2017; Ord. 1588, passed 12-17-2018)

Editor's Note:

See also city's fee schedule

§ 52.170 CHARGES, USERS OUTSIDE THE CITY.

Users of sewers located outside the corporate limits of the city shall pay sewer rentals at a rate of 150% of the charge that would be imposed if the sewage had originated within the corporate limits.

(Ord. 1225, passed 3-21-1977)

Editor's Note:

See also city's fee schedule

§ 52.171 BASIS OF DETERMINING WATER USE.

The volume of water to be used for determining sewer charges or rentals shall include metered water purchased from the city, and in addition all water obtained from sources other than the city (wells, streams and the like), as determined from meters installed and maintained by the city, from meters installed and maintained by the property owners and approved by the city or from estimates or measurements made by the city, all as hereinafter set forth.

(Ord. 1225, passed 3-21-1977)

§ 52.172 COMPUTATION OF WATER USE.

The following methods of measurement shall be used for the computation of the volume of water upon which the sewage charge shall be based.

(A) *Metered sewer users supplied with water by the city.* The sewer rental or charge for any premises shall be computed monthly according to the water meter readings as used by the city for billing water service to said premises.

(B) *Sewer users supplied with water which originates, all or in part, from sources other than the city water mains.* The sewer rental or charge shall be computed monthly according to the total water used, including both water from city mains and from other sources. The city shall furnish, install and maintain, at city expense, a meter or meters to measure the flow of such water from other sources at a point near the source or entrance into the premises. The user shall allow the installation and maintenance of such meter or meters, including necessary piping, and shall afford normal and reasonable protection to such equipment.

(C) *Sewer users for which water used is excluded from the sewer system.* In the event it is established to the satisfaction of the city that a portion of the water used in or on any property, served by the public sanitary sewerage system, does not and cannot enter the system, the city may require or permit the installation of additional meters in such manner as to determine either the quantity of water excluded from the public sewerage system or the quantity of water actually entering the public sewerage system, exclusive of stormwater runoff. The sewer charge shall be based upon the quantity of water estimated, measured or computed by the city to be actually entering the public sewerage system, exclusive of stormwater runoff. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Water Department shall be borne by the sewer user. The type, size, location, piping, arrangement and maintenance of such meters shall be subject to the approval of the city, and shall be installed by the city if the city so elects.

(Ord. 1225, passed 3-21-1977)

§ 52.173 METERING OF SEWERS.

In cases where actual water use cannot be economically determined, the user may elect, or the city may require, the user to install, pay for and maintain a meter or meters, and necessary piping, approved by the city for measuring the volume of sewage discharged to the sewerage system, in which case sewer rentals or charges shall be based upon actual metered waste volumes discharged to the sewerage system at a rate equal to the charge that would be made had such waste volume discharged been metered water use.

(Ord. 1225, passed 3-21-1977)

CHAPTER 75: PARKING SCHEDULES

Schedule

- I. No parking areas
- II. No parking signs
- III. Restricted parking

SCHEDULE I. NO PARKING AREAS.

(A) The following are no parking areas in the city:

<i>Street</i>	<i>Description</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Allen Street	No parking on the north side or the east side of Allen Street	929	2-2-1959
Centre Street	Two-hour parking limits for cars parked on either side of Centre Street from Park Place to Pleasant Street excepting that in front of the federal post office building from the intersection of South Centre Street and West South Street southerly to a point 125 feet from such intersection the parking period shall be 15 minutes. Both the two-hour parking limit and the 15-minute parking limit shall be effective between the hours of 8:00 a.m. and 9:00 p.m. No parking on the east side of Centre Street from Park Place to Columbus Avenue No parking on either side of Centre Street from Pleasant Street to Grove Street	929	2-2-1959
Chestnut Street	Parking is hereby prohibited on Chestnut Street, and that the city's Department of Public Works is hereby ordered to erect "No Parking" signs in appropriate locations to inform the public of said prohibition.		

Corry - Traffic Code

<i>Street</i>	<i>Description</i>	<i>Ord. No.</i>	<i>Date Passed</i>
Church Street	<p>No parking on the south side of East Church Street from Centre Street to Concord Street</p> <p>30-degree angle parking is required on the north side of East Church Street from Centre Street to Concord Street where the curbing has been removed, the pavement widened and space marked off for parking</p> <p>No parking on the south side of West Church Street from Centre Street to Spring Street</p> <p>No parking on the north side of Church Street from Spring Street to First Avenue</p> <p>No parking on the south side of Church Street from Euclid Street to Fourth Avenue</p>	929	2-2-1959
Clinton Street	<p>No parking on that portion of Clinton Street except where parking meters are provided</p> <p>Parking restricted to two hours between the hours of 8:00 a.m. and 9:00 p.m.</p>	929	2-2-1959
Concord Street	No parking on the east side of Concord Street from Main Street to Church Street	929	2-2-1959
East Pleasant Street	<p>Parking is hereby prohibited from the bridge on East Pleasant Street in the 400 block for a distance of 300 feet East to the intersection of Summer Street on the south side of the street during the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. during normal days of school</p> <p>No parking on the south side of the 500 block of East Pleasant Street from Summer Street to Avenue A at any time</p> <p>North side of the 500 block of East Pleasant Street shall be no parking during the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. during normal days of school</p> <p>No parking during the hours of 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. during normal days of school the north side of East South Street from Avenue A to just east of the east school district parking lot entrance</p> <p>There shall be established a resident only parking only on the west side of Summer Street from East Pleasant street to East South Street</p>		

SCHEDULE III. RESTRICTED PARKING.

(A) *Alternate parking:*

(1) *Seventh Street.* Parking on Seventh Street from S. Center Street to East Street will be designated as alternate parking starting at 5:00 p.m. even days and 5:00 p.m. odd days.

(2) *Mead Avenue.* Parking on Mead Avenue from W. Washington Street to W. Smith Street will be designated as alternate parking starting at 5:00 p.m. even days and 5:00 p.m. odd days.

(B) *No parking 3:00 a.m. to 6:00 a.m.:* Intentionally left blank.

(C) *Streets no parking anytime:* Intentionally left blank.

(D) *Streets special parking regulations:* Intentionally left blank.

(E) *Alleys:* There shall be no parking at any time in any alleys owned and maintained by the city.

(F) *Municipal lots:* Overnight parking shall be as designated below:

(1) *Lot 1.* Beside China Jade on E. Washington Street, the middle two rows will be designated alternate parking, one side will be no parking from 3:00 a.m. to 7:00 a.m. even days and the other side will be no parking 3:00 a.m. to 7:00 a.m. odd days. The side next to Fire Station 2 will be no parking 3:00 a.m. to 6:00 a.m.

(2) *Lot 1A.* Behind Center Place Apartments off of Park Street, the spots not designated for Center Place Apartment parking only will be no parking 3:00 a.m. to 6:00 a.m.

(3) *Lot 2.* Behind Tamarack Tavern off of Park Street, the two sides will be designated alternate parking, one side will be no parking from 3:00 a.m. to 7:00 a.m. even days and the other side will be no parking 3:00 a.m. to 7:00 a.m. odd days.

(4) *Lot 2A.* Next to Willa's Pizza and *Lot 3A* next to the Elks Club will be designated alternate parking between the lots with one lot no parking 3:00 a.m. to 6:00 a.m. even days and one lot designated no parking 3:00 a.m. to 6:00 a.m. odd days.

(5) *Lot 3.* East of Fire Station 2 on E. Washington Street, the two sides will be designated alternate parking, one side will be no parking 3:00 a.m. to 7:00 a.m. even days and the other side will be no parking 3:00 a.m. to 7:00 a.m. odd days except for the Fire Department only parking spots.

Corry - Traffic Code

(6) *Lot 4.* Next to Rossbacher Insurance on N. Center Street, the two sides will be designated alternate parking, one side will be no parking from 3:00 a.m. to 7:00 a.m. even days and the other side will be no parking 3:00 a.m. to 7:00 a.m. odd days.

(7) *Lot 5.* Next to the mural off of N. Center Street will be designated no parking 3:00 a.m. to 6:00 a.m.

(8) *Lot 6.* Next to Sam's Restaurant and Tropicana Bar on E. Main Street, the middle two rows will be designated alternate parking, one side will be no parking from 3:00 a.m. to 7:00 a.m. even days and the other side will be no parking 3:00 a.m. to 7:00 a.m. odd days, the side next to Sam's Restaurant will be no parking 3:00 a.m. to 6:00 a.m.

(9) *Lot 7.* At the corner of W. Main Street and First Avenue, the two sides directly off on First Avenue will be designated alternate parking, one side will be no parking from 3:00 a.m. to 7:00 a.m. even days and the other side will be no parking 3:00 a.m. to 7:00 a.m. odd days. The side off of Main Street will be designated no parking 3:00 a.m. to 6:00 a.m.

(G) *Penalty.*

(1) The fine for violating any provision of this schedule shall be \$15 if payment is made to the Police Department within 72 hours after parking violation. After the expiration of 72 hours from the date and time of the violation, the fine shall be \$20.

(2) If the fine is not paid within five days after a notice of unpaid parking ticket is sent by the Police Department directing the offender/owner to pay the necessary fine at the Police Department, then the parking ticket shall be referred to the Magisterial District Court and upon conviction thereof in a summary proceeding, be sentenced to pay a fine of \$50 plus costs of prosecution. In default of such payment of fine, such person shall be imprisoned for not more than five days in the Erie County jail. (Ord. 1583, passed 12-3-2018)

<i>Ord./Res.</i>	<i>Date Passed</i>	<i>Description</i>
Res. 07-05	5-7-2007	Authorizing the county housing authority to complete administrative requirements for the Housing Rehabilitation Program and Hazard Control Grant Program
Ord. 1479	8-6-2007	Approving the plan for the issuance of sewer revenue bonds
Res. 09-07	5-18-2009	Adoption of official Sewage Facilities Plan
Res. 10-08	6-7-2010	Housing Rehabilitation Program and Lead Hazard Control Grant Program
Res. 12-09	9-4-2012	Adoption of the Corrective Action Plan
Res. 13-09	8-19-2013	Adoption of official Sewage Facilities Plan
Res. 13-16	11-18-2013	Adoption of official Sewage Facilities Plan
Res. 14-01	2-3-2014	Adoption of official Sewage Facilities Plan
Res. 17-01	2-6-2017	Designating officials to administer the Non-Uniform Pension Plan
Res. 17-02	2-6-2017	Designating officials to administer the Police Pension Plan
Res. 17-03	2-6-2017	Designating officials authorized to act for the Firemen's Pension Fund
Res. 17-05	4-3-2017	Mead Park Master Plan Phase I Construction Project
Res. 17-07	5-1-2017	Designating officials to act on behalf of the Firemen's Pension Fund
Res. 17-14	10-2-2017	Adoption of the Minority and Women's Business Enterprise Plan (MBE/WBE)

Corry - Table of Special Ordinances

<i>Ord./Res.</i>	<i>Date Passed</i>	<i>Description</i>
Res. 17-15	10-2-2017	Adopting a program income reutilization plan for the Community Development Block Grant Program
Res. 17-17	10-2-2017	Adopting a Section 3 Plan to comply with 24 C.F.R. Part 135, Section 3 of the United States Housing and Urban Development Act of 1968
Res. 18-07	3-5-2018	Adoption of the 2018 Hazard Mitigation Plan
Res. 18-08	4-16-2018	Authorizing budget revisions for the 2009 and 2010 Community Development Block Grant Programs
Res. 19-01	1-7-2019	Designating officials to administer the Non-Uniform Pension Plan
Res. 19-02	1-7-2019	Designating officials to administer the Police Pension Plan

<i>Res. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
03-10	9-15-2003	TSO Table II
03-13	11-3-2003	TSO Table III
04-05	7-5-2004	TSO Table VI
-	7-18-2005	TSO Table III
06-06	4-3-2006	TSO Table V
06-08	5-1-2006	TSO Table III
07-04	2-19-2007	TSO Table III
07-05	5-7-2007	TSO Table V
09-05	4-6-2009	TSO Table III
09-06	5-4-2009	TSO Table III
09-07	5-18-2009	TSO Table V
09-15	11-2-2009	TSO Table III
10-02	1-18-2010	51.07, 51.09, 51.10, 51.19
10-08	6-7-2010	TSO Table V
10-09	9-24-2010	TSO Table III
11-02	2-21-2011	TSO Table III
11-04	6-6-2011	TSO Table III
12-05	5-7-2012	33.023
12-07	8-20-2012	33.002
12-09	9-4-2012	TSO Table V
13-01	3-18-2013	TSO Table III
13-02	3-18-2013	30.04
13-03	3-18-2013	30.03
13-04	3-18-2013	32.23
13-09	8-19-2013	TSO Table V
13-15	11-4-2013	33.021
13-16	11-18-2013	TSO Table V
14-01	2-3-2014	TSO Table V
14-04	4-7-2014	TSO Table III
14-03(S)	4-21-2014	TSO Table III
14-08	8-4-2014	TSO Table III
14-18	12-15-2014	TSO Table III
15-05	8-3-2015	155.13
16-07	6-20-2016	33.065 - 33.076
16-08	8-15-2016	33.020
16-11	10-3-2016	33.001
16-12	10-3-2016	90.01
16-13	10-3-2016	33.022
16-14	10-3-2016	33.029
16-15	10-3-2016	33.029
16-16	10-3-2016	33.021

Corry - Parallel References

<i>Res. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
17-01	2-6-2017	TSO Table V
17-02	2-6-2017	TSO Table V
17-03	2-6-2017	TSO Table V
17-04	2-6-2017	52.195
17-05	4-3-2017	TSO Table V
17-06	4-17-2017	TSO Table III
17-07	5-1-2017	TSO Table V
17-10	7-17-2017	52.195
17-12	10-2-2017	33.001
17-14	10-2-2017	TSO Table V
17-15	10-2-2017	TSO Table V
17-16	10-2-2017	33.029
17-17	10-2-2017	TSO Table V
17-20	10-16-2017	90.01
17-21	10-16-2017	33.006
17-22	11-6-2017	TSO Table III
18-01	1-2-2018	33.006
18-05	1-15-2018	33.009
18-06	3-5-2018	155.01 - 155.13
18-07	3-5-2018	TSO Table V
18-08	4-16-2018	TSO Table V
19-01	1-7-2019	TSO Table V
19-02	1-7-2019	TSO Table V

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
1478	4-16-2007	TSO Table III
1479	8-6-2007	TSO Table V
1480	12-3-2007	32.21, 113.01 - 113.12, 113.99
1494	4-6-2009	TSO Table VI
1495	4-6-2009	51.06
1496	4-6-2009	52.178
1497	5-4-2009	34.01
1508	12-20-2010	152.001 - 152.009, 152.020 - 152.024, 152.035, 152.050, 152.051, 152.065 - 152.072, 152.085, 152.100 - 152.102, 152.115, 152.116, 152.130 - 152.134, 152.145 - 152.147, 152.160 - 152.162, 152.999, Ch. 152. App. A - F
-	3-14-2011	TSO Table II
1515	4-16-2012	151.01
1517	5-7-2012	156.020, 156.064
1518	8-20-2012	92.01, 92.03 - 92.08, 92.99
1520	9-4-2012	31.06
1521	10-15-2012	30.01
1526	1-21-2013	TSO Table I
1528	8-19-2013	TSO Table I
1534	3-3-2014	153.001 - 153.005, 153.020 - 153.029, 153.040 - 153.044, 153.055 - 153.061, 153.075 - 153.078, 153.090, 153.091, 153.105, 153.106, 153.999
1535	9-15-2014	35.01
1544	5-18-2015	35.01
1547	8-3-2015	Ch. 75 Schd. I
1543	9-21-2015	35.20 - 35.29
1548	9-21-2015	Ch. 75 Schd. I
1550	10-5-2015	Ch. 75 Schd. I
1553	11-2-2015	Ch. 75 Schd. I
1558	12-21-2015	50.26
1561	5-2-2016	151.01
1562	5-2-2016	52.016, 52.150, 52.999
1564	12-19-2016	32.20
1565	12-19-2016	51.03, 51.13
1566	12-19-2016	52.169
1568	12-19-2016	110.01 - 110.12, 110.99
1571	8-21-2017	73.99

Corry - Parallel References

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
1574	12-18-2017	51.03, 51.04
1576	12-18-2017	35.20 - 35.29
1577	12-18-2017	32.20
1580	6-4-2018	92.35 - 92.44, 92.99
1581	7-2-2018	92.01 - 92.08, 92.99
1582	9-4-2018	94.01, 94.02, 94.99
1583	12-3-2018	Ch. 75, Schd. III
1585	12-17-2018	32.20
1587	12-17-2018	51.03, 51.13
1588	12-17-2018	52.132, 52.169
1589	12-17-2018	50.26
1590	1-21-2019	Adopting Ordinance

BUILDING CODES (Cont'd)

Penalty, 150.99

Regulations for Airport Facilities

Application, permits, construction and maintenance, 150.19

Construction materials, 150.20

Definitions, 150.15

Hangar area and lots, 150.16

Improvements, 150.18

Lease of land for permanent hangars, 150.17

Liability, 150.22

Portable hangars, 150.21

Sidewalk repair, 150.02

Street Excavations

Applications, 150.35

Enforcement, 150.42

Evacuation methods, 150.36

Replacement of base, 150.37

Replacement of pavement, 150.38

Responsibility, 150.41

Wet excavations, 150.40

Winter excavations, 150.39

Uniform numbering of buildings and lots, 150.04

BURNING; OPEN (See also FIRE PREVENTION)

Authority, 92.02

Definitions, 92.04

Enforcement orders, 92.06

Policy, 92.03

Regulations, 92.05

Responsibility to owners and operators, 92.07

Title, 92.01

Unlawful conduct, 92.08

BUSINESS LICENSES, FEES AND TAXES

Billboard tax, 113.25

Occupational Privilege Tax

Administration of tax, 113.10

Applicability, 113.12

Dates for determining tax liability and payment, 113.06

Definitions, 113.01

Duties of employers to collect, 113.04

Employers and self-employed individuals residing beyond city limits, 113.09

Exemption and refunds, 113.03

Individuals engaged in more than one occupation or employed in more than one political subdivision, 113.08

BUSINESS LICENSES, FEES AND TAXES (Cont'd)

Occupational Privilege Tax (Cont'd)

Levy and tax rate, 113.02

Self-employed individuals, 113.07

Suits for collection, 113.11

Tax returns, 113.05

Peddlers and solicitors, 113.26

Penalty, 113.99

Traveling amusements, 113.27

C-1 LIGHT COMMERCIAL AND C-2 LIGHT HIGHWAY COMMERCIAL DISTRICTS, 156.058

C-2 LIGHT HIGHWAY COMMERCIAL DISTRICT, 156.058

C-3 TRANSITIONAL COMMERCIAL DISTRICT, 156.059

CASH HANDLING PROCEDURES

Accepting payments, 33.070

Application, 33.067

Balancing of cash receipts, 33.071

Cash received in person, 33.069

Penalty, 33.999

Petty cash, 33.075

Pre-numbered receipts, 33.074

Preparation of deposits, 33.072

Procedure, 33.068

Purpose, 33.065

Reconciliation of cash collected, 33.073

Record retention, 33.076

Required procedures, 33.066

CENTRAL PURCHASING DEPARTMENT, 31.03

CHARTER (In Code after Adopting Ordinance)

CITY ADMINISTRATOR, 30.01 (See also EMPLOYEES)

CITY OFFICIALS

Employees

Bonds for officials, 30.02

City Administrator, 30.01

Tax Hearing Officer, 30.03

Tax representative, 30.04

OFFICIALS (See CITY OFFICIALS)

OPEN BURNING (See also FIRE PREVENTION)

- Authority, 92.02
- Definitions, 92.04
- Enforcement orders, 92.06
- Policy, 92.03
- Regulations, 92.05
- Responsibility to owners and operators, 92.07
- Title, 92.01
- Unlawful conduct, 92.08

ORDINANCES

- Altering or tampering with the code; penalties for violation, 10.16
- Amendments to the code; code books to be kept up-to-date, 10.11
- Application to future ordinances, 10.06
- Approval, adoption and title of code, 10.01
- Changes and revisions in previously adopted ordinances, 10.07
- City seal, 10.17
- Effect of code on previous provisions, 10.03
- Errors and omissions, 10.14
- Exemptions from repeal, 10.05
- Filing copies of code, 10.10
- General penalty, 10.99
- Headings, editor's notes, statutory references, 10.09
- Interpretation of provisions, 10.08
- Reference to other sections, 10.13
- Rules of interpretation and definitions, 10.02
- Sections and ordinances repealed, 10.04
- Sections histories; statutory references, 10.15
- Severability, 10.12

OUTDOOR FURNACE REGULATIONS (See also FIRE PREVENTION)

- Definition, 92.21
- Installation, operation and maintenance of outdoor furnaces, 92.23
- Permit required/fee, 92.22
- Title, 92.20

P PRESERVE AND RECREATION DISTRICT, 156.062

PARADES, 71.06 (See also TRAFFIC CODE)

PARKING REGULATIONS (See TRAFFIC CODE)

PARKING SCHEDULES (See also TRAFFIC CODE)

- No parking areas, Ch. 75 Schd. I
- No parking signs, Ch. 75 Schd. II
- Restricted parking, Ch. 75 Schd. III

PARKS AND RECREATION, 33.007

- Hours for parks and recreation fields, 94.02
- Locations and descriptions, 94.01
- Penalty, 94.99

PAVING REVOLVING FUND, 32.04

PEDDLERS AND SOLICITORS, 113.26

PENSION (See also CITY OFFICIALS)

- Computation of time of service, 30.23
- Contribution to fund, 30.19
- Creation of retirement system, 30.16
- Death of member, 30.30
- Definitions, 30.15
- Duties of department heads and officers, 30.18
- Exemption from attachment or execution; non-assignability, 30.27
- Laborers on per diem wage, 30.25
- Mandatory retirement, 30.31
- Pension Board, 30.17
- Permanent disability, 30.21
- Persons entitled to benefits, 30.24
- Re-entry into service of the city, 30.29
- Receipt and investment of funds; payments, 30.26
- Right to retire and pension upon request, 30.20
- Social Security, 30.22
- Termination of employment, 30.28

PLANNING COMMISSION; COUNTY, 31.05

PLANS AND PROGRAMS, TSO Table V

POLICE

- Arrests without a warrant, 34.02
- Dispatch services, 34.01
- State regulations, 34.03

PRESERVE AND RECREATION DISTRICT, 156.062

SUBDIVISIONS (Cont'd)

Mobile Home Parks

Construction, 154.158

General, 154.155

Park standards, 154.159

Plan requirements, 154.157

Plan submission, 154.156

Penalty, 154.999

Plan approval, 154.005

Plan Requirements

Final plan, 154.082

Preliminary plan, 154.081

Sketch plan, 154.080

Plan review, 154.004

Purpose, 154.001

Required Improvements

General, 154.115

Improvements, 154.116

Short title, 154.006

Statements and acknowledgments, Ch. 154. App. A

TAX HEARING OFFICER, 30.03 (See also EMPLOYEES)

TAX REPRESENTATIVE, 30.04 (See also EMPLOYEES)

TAXES

Assessment figures, 32.26

Collection costs, 32.23

Earned income tax, 32.22

Economic revitalization tax assistance, 32.28

Local services tax, 32.21

Per capita tax, 32.24

Property taxes, 32.20

Realty transfer tax, 32.27

Tax exemption cases, 32.25

TRAFFIC CODE

Bicycles and recreational vehicles

Definitions, 72.01

Law enforcement exclusion, 72.04

Penalty, 72.99

Riding prohibited on public parking lots and in designated public areas, 72.02

Riding upon private property prohibited without permission, 72.03

Snowmobiles

Operation, 72.15

TRAFFIC CODE (Cont'd)

- Definitions, 71.01
- Driving on sidewalks prohibited, 71.02
 - Exception, 71.03
- Electrical speed timing device, 70.02
- Making complete stop before approaching street, 71.04
- Night parking, 73.04
- No parking areas, Ch. 75 Schd. I
- No parking signs, Ch. 75 Schd. II
- No u-turns, 70.03
- Noise, 70.05
- One-way streets, Ch. 74 Schd. III
- Parades, 71.06
- Parking between curb and sidewalk, 73.03
- Parking in alleys, 73.10
- Parking in streets and alleys, 73.01
- Parking meters, 73.11
- Parking of trucks, 73.08
- Parking of vehicles for show or sale, 73.06
- Parking of cars in groups, 73.09
- Parking on or close to bridges, 73.02
- Parking schedules
 - No parking areas, Ch. 75 Schd. I
 - No parking signs, Ch. 75 Schd. II
 - Restricted parking, Ch. 75 Schd. III
- Penalty, 71.99, 73.99
- Posting of signs, 73.13
- Repairing of vehicles, 71.07
- Restricted parking, Ch. 75 Schd. III
- Roller blades, skateboards and the like, Ch. 74 Schd. I
- Thirty-degree angle parking, 73.05
- Thru highways, Ch. 74 Schd. II
- Traffic schedules
 - Roller blades, skateboards and the like, Ch. 74 Schd. I
 - Thru highways, Ch. 74 Schd. II
 - One-way streets, Ch. 74 Schd. III
- Turning when traffic obstructed, 70.04
- Vehicles for hire, 73.07
- Vehicles in excessive size or weight, 71.05
- Weight restrictions, 70.01
- Which side of street parking allowed determined by house number, 73.12

TRAFFIC SCHEDULES (See also TRAFFIC CODE)

Roller blades, skateboards and the like, Ch. 74 Schd. I

Thru highways, Ch. 74 Schd. II

One-way streets, Ch. 74 Schd. III

