

**Code of Ordinances**  
**of the**  
**Borough of Millbourne**  
**Delaware County, Pennsylvania**

**Published by Authority of the Borough**

Adopted by *Ord. 447*, 5/20/2015

KEYSTATE PUBLISHERS, INC.  
300 West King Street, P.O. Box 366  
Shippensburg, PA 17257



## CONTENTS

Municipal Officials .....	v	
Foreword .....	vii	
Adopting Ordinance .....	ix	
Chapter 1 .....	Administration and Government .....	1-1
Chapter 2 .....	Animals .....	2-1
Chapter 3 .....	[Reserved] .....	3-1
Chapter 4 .....	[Reserved] .....	4-1
Chapter 5 .....	Code Enforcement .....	5-1
Chapter 6 .....	Conduct .....	6-1
Chapter 7 .....	Fire Prevention and Fire Protection .....	7-1
Chapter 8 .....	Floodplains .....	8-1
Chapter 9 .....	Grading .....	9-1
Chapter 10 .....	Health and Safety .....	10-1
Chapter 11 .....	Housing .....	11-1
Chapter 12 .....	[Reserved] .....	12-1
Chapter 13 .....	Licenses, Permits and General Business Regulations .....	13-1
Chapter 14 .....	[Reserved] .....	14-1
Chapter 15 .....	Motor Vehicles and Traffic .....	15-1
Chapter 16 .....	[Reserved] .....	16-1
Chapter 17 .....	[Reserved] .....	17-1
Chapter 18 .....	Sewers and Sewage Disposal .....	18-1
Chapter 19 .....	[Reserved] .....	19-1
Chapter 20 .....	Solid Waste .....	20-1
Chapter 21 .....	Streets and Sidewalks .....	21-1
Chapter 22 .....	Subdivision and Land Development .....	22-1
Chapter 23 .....	Stormwater Management .....	23-1
Chapter 24 .....	Taxation; Special .....	24-1
Chapter 25 .....	Trees .....	25-1
Chapter 26 .....	Water .....	26-1
Chapter 27 .....	Zoning .....	27-1
<u>Appendix</u>		
A .....	Annexation of Territory .....	A-3
B .....	Bond Issues and Loans .....	A-5
C .....	Franchises and Services .....	A-7
D .....	Governmental and Intergovernmental Affairs .....	A-9
E .....	Plan Approval .....	A-11
F .....	Public Property .....	A-13
G .....	Sewers .....	A-15
H .....	Streets and Sidewalks .....	A-17
I .....	Water .....	A-19
J .....	Zoning; Prior Ordinances .....	A-21
Table of Disposition of All Ordinances .....		K-1
Table of Disposition of Significant Resolutions .....		KR-1
Index .....		I-1



**Officials**  
**of the**  
**Borough of Millbourne**  
County of  
Delaware, Pennsylvania

**ELECTED OFFICIALS**

Mayor - Thomas Kramer

Borough Council

President - Justin Skariah  
Vice-President - Mohammed J. Alam  
- MD Nurul Hasan  
- Mahabulul Tayub  
- Muhammed F. Islam

Tax Collector - Mohammed Uddin

**APPOINTED OFFICIALS**

Manager - Barbarann Keffer  
Secretary - Nancy Baulis  
Treasurer - Stella Economidis  
Building Code Official - Rufus Stokes  
Solicitor - David Sander, Esquire  
Engineer/Zoning Officer - Dennis O'Neill, Herbert E. MacCombie  
Engineers



## FOREWORD

### *History*

This comprises the codification of the ordinances of the Borough of Millbourne. The Borough of Millbourne was originally settled in 1682. The first flour mill was erected by John Sellers in 1757. Between 1906 and 1908 Samuel Shoemaker and John L. Fry erected 100 residential houses. The Borough of Millbourne was separated from Upper Darby Township and incorporated as a Borough on October 12, 1909.

The Code of Ordinances of the Borough of Millbourne was prepared by Keystate Publishers, Inc., and adopted by the Borough of Millbourne Borough Council on May 20, 2015, by *Ord. 447*.

### *Organization*

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

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

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





ORDINANCE NO. 447

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

The Borough of Millbourne hereby ordains:

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

**TABLE OF CONTENTS**

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

APPENDIX

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

Table of Disposition of All Ordinances  
 Table of Disposition of Significant Resolutions

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

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

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

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

A. *Consolidations.*

Section	Subject	Ordinance No., Section
15, Entire Chapter	Motor Vehicles and Traffic	274, §§75-1-75-44, 276, 287, 314, 337, 344, 345, 358, 360, 364, 374, 381, 397, 398, 399, 406A, 407A, 411

B. *Revisions.*

Section	Subject	Ordinance No., Section
	[Reserved]	

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

*A. New Enactments.*

<b>Section</b>	<b>Subject</b>
§§1-101–1-111	Preliminary Provisions
§§13-301–13-303	Fireworks
15, Entire Chapter	Motor Vehicles and Traffic
§§24-101–24-117	Realty Transfer Tax

*B. Amendments.*

<b>Section</b>	<b>Subject</b>	<b>Section</b>
§2-106	Penalties	268, Art. III
§5-332	Permit and Inspection Fees	416, §32
§5-336	Penalty	416, §36
§6-109	Violations and Penalties	262, §9; 274, §33-8
§8-210	Fees	425, §2.09
§8-211	Enforcement	425, §2.10
§9-106	Permit Fee	428, §6
§9-113	Violations and Penalties	428, §13
§10-101	Definitions	258, Art. I
§10-102	General Provisions	258, Art. II
§10-103	Specific Provisions	258, Art. III
§10-104	Violations and Penalty	258; 274, §42-58
§10-303	Enumerated Infractions	434, §2
§10-403	Violations and Penalties	443, §III
§11-107	Inspection Fees	407C
§11-109	Penalties	407C
§13-106	Exemptions and Fees	280, §60.6
§13-123	Regulations to Be Followed: License Fee	280, §60.12
§13-132	Violations and Penalties	280, §60.17
§13-201	Fee for Direct Communication Service	264, §1
§13-202	Fee for Police Station Service	264, §2

<b>Section</b>	<b>Subject</b>	<b>Section</b>
§13-203	Fee for Fire Station Service	264, §3
§13-204	Service Charge for False Alarms	264, §4
§13-211	Installation Permit Required; Fee Violations and Penalties	264, §10(a)
§13-212	Other Violations And Penalties	264, §10(b)
§13-431	Violations and Penalties	270, §50-24
§13-506	Penalty	261, §6; 274, §57-7
§13-603	Permissible Public Amusement	56, 95, §3; 106
§13-605	Violations and Penalties	56, 95, §5; 274, §28-3
§20-107	Fees; Bills for Collection; Liens	286, §1; 334; 339, §1; 354
§20-108	Violations and Penalties	256, §4; 274, §44-7
§21-102	Enforcement and Penalty	3, §2; 274, §67-2
§21-201	Permit Required	15, §1; 160, Art. IV, §26
§21-203	Period of Occupancy	15, §3; 274, §67-5
§21-206	Violations and Penalties	15, §6; 274, §67-8
§21-309	Violations and Penalties	271, §9
§21-405	Permit Fee	272, §5
§21-414	Violations and Penalties	272, §14
§23-905	Penalties	430, §904
§24-202	License	366, §70-11
§24-211	Violations and Penalties	366, §70-20
§24-509	Violations and Penalties	362, Art. IX
§25-106	Penalties	390, Art.VI
§26-105	Penalties	340, §5

*C. Repeals.*

<b>Ord./Res.</b>	<b>Subject</b>
	[Reserved]

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

**Section** **Short Title**  
[Reserved]

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

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

**Section** **Subject**  
[Reserved]

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

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§27-1503	Enforcement	407B, §1502

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

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
		[Reserved]

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

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

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

- A. *Amendment or Revision.* “Chapter \_\_\_, Article \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby amended [revised] to read as follows...”
- B. *Additions.* “Chapter \_\_\_, Article \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby amended by the addition of the following...”

C. *Repeal.* “Chapter \_\_\_, Article \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby repealed in its entirety.”

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

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

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

ENACTED AND ORDAINED this 20<sup>th</sup> day of May, 2015.

ATTEST:

Borough of Millbourne

/s/ Nancy Baulis  
Secretary

/s/ Justin S. Skariah  
Justin S. Skariah, President

APPROVED this 20<sup>th</sup> day of May, 2015.

/s/ Tom Kramer  
Tom Kramer, Mayor