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ORDINANCE NO. 261

An Ordinance repealing certain ordinances and parts of ordinances and certain resolutions of the Borough of Freeport.

The Borough of Freeport hereby ordains as follows:

Section 1. The following ordinances of the Borough of Freeport are hereby repealed:

1. Unnumbered Ordinance, To prohibit any person or persons from driving any carriage or leading, riding or driving horses on any pavement that may be erected, agreeable to the lines designated within the Borough, enacted June 7, 1833.

2. Unnumbered Ordinance, To prohibit any person or persons from firing off guns within the limits of the Borough, enacted June 7, 1833.

3. Unnumbered Ordinance, To prevent the obstructing of any of the streets, lanes or alleys within the Borough, enacted June 7, 1833.

4. Unnumbered Ordinance, To prevent the riding of horses or carriages, or any motive conveyance in the Borough of Freeport at a faster gait than a walk or a slow trot, under the penalty not exceeding five dollars for every such offense at the discretion of the Burgess, enacted June 7, 1833.

5. Ordinance 3, Relative to privies in the Borough of Freeport, enacted August 9, 1833.

6. Unnumbered Ordinance, To prevent butchering &c. within the limits of the Borough, enacted August 6, 1866.

7. Unnumbered Ordinance, Concerning the setting up of steps on the sidewalks, enacted January 11, 1869.

8. Unnumbered Ordinance, Untitled ordinance providing that the portion of John Turner's fence which encroaches on Washington Street may remain as long as the fence is good, enacted May 1, 1871.

8. Unnumbered Ordinance, To prevent bonfires within the limits of Freeport Borough, enacted December 4, 1871.

9. Unnumbered Ordinance, To tax all teams hauling coal lumber and all other goods of whatever kind within the limits of the Borough of Freeport, enacted June 13, 1873.

10. Unnumbered Ordinance, Supplemental to an act passed by Council September 19, 1864, enacted February 4, 1878.
11. Unnumbered Ordinance, To fix the fees and compensation of certain Borough Officers, enacted March 1, 1879.
12. Unnumbered Ordinance, Respecting the erection, construction and removal of wooden buildings in the Borough of Freeport, enacted March 10, 1879.
13. Unnumbered Ordinance, Granting the privilege to the Central District and Printing Telegraph Company the privilege to erect poles on the streets of said Borough, enacted April 7, 1885.
14. Unnumbered Ordinance, Prohibiting the playing of ball and throwing on the streets and alleys in the Borough of Freeport, enacted May 4, 1885.
15. Unnumbered Ordinance, Supplement to an Ordinance passed March 3, 1879 to prohibit stock from running at large in the Borough of Freeport, Pennsylvania, enacted June 6, 1887.
16. Unnumbered Ordinance, Relative to ditches and openings upon the highways of the Borough of Freeport, Pennsylvania, enacted May 6, 1889.
17. Unnumbered Ordinance, Granting privilege to the Pittsburgh Plate Glass Company to erect poles on streets through the Borough, enacted August 5, 1889.
18. Unnumbered Ordinance, Granting the right of way on the thoroughfares of the Borough of Freeport to the Freeport Electric Company, enacted April 7, 1890.
19. Unnumbered Ordinance, Relating to huckstering and peddling within the Borough, enacted November 3, 1890.
20. Unnumbered Ordinance, Regarding sidewalks, enacted November 3, 1890.
21. Unnumbered Ordinance, Relating to the public peace in the Borough of Freeport, Pennsylvania, enacted April 4, 1892.
22. Unnumbered Ordinance, Establishing a Fire Department, enacted September 5, 1893.
23. Unnumbered Ordinance, Granting the privilege to the Philadelphia Company to construct a telegraph line through the Borough of Freeport, Pennsylvania, approved March 5, 1894.
24. Unnumbered Ordinance, Granting John A. Singer the right to construct sewers on certain streets, approved December 14, 1894.
25. Unnumbered Ordinance, Relating to the riding of bicycles on the sidewalks in the Borough of Freeport, Pennsylvania, approved May 4, 1897.

26. Unnumbered Ordinance, Relating to bill posting, etcetera in Freeport Borough, Pennsylvania, approved May 4, 1897.

27. Unnumbered Ordinance, Prohibiting digging and excavating on the paved streets of the Borough of Freeport, Pennsylvania, without a special permit from the Burgess, and without first filing with said Burgess a bond to protect the said Borough from danger, approved April 5, 1898.

28. Unnumbered Ordinance, To establish a board of health and to define the powers and duties thereof, approved April 5, 1898.

29. Unnumbered Ordinance, A supplement to an ordinance granting John A. Singer Sewer Company the right to construct sewers upon certain streets passed 5th November, 1894, approved December 14, 1894, approved May 2, 1898.

30. Unnumbered Ordinance, Defining the rules and regulations of the Board of Health of the Borough of Freeport, approved July 7, 1898.

31. Unnumbered Ordinance, Granting the privilege to the Freeport Local Telephone Company of the right to erect telephone poles and wires upon the streets and alleys of the Borough of Freeport, and to make the necessary connections thereto, approved June 7, 1899.

32. Unnumbered Ordinance, Relating to and imposing a license fee on all telegraph, telephone, electric light and all other poles erected and maintained on any of the public streets, alleys and public highways of Freeport Borough, approved November 10, 1899.

33. Unnumbered Ordinance, Untitled ordinance amending an ordinance entitled, "An ordinance establishing a Fire Department," approved the 5th day of September, 1893, approved January 8, 1901.

34. Unnumbered Ordinance, Untitled ordinance relating to butchering and slaughtering animals within the Borough, approved October 7, 1901.

35. Unnumbered Ordinance, Regulating the driving, running or operating of automobiles, horses, buggies, bicycles, tricycles, etc., approved October 3, 1904.

36. Unnumbered Ordinance, Regulating and providing for the connection of private drains and sewers with the public sewers of the Borough of Freeport and prohibiting the discharge of slops and other wastes upon the streets and gutters of said Borough, approved November 2, 1903.

37. Unnumbered Ordinance, Regulating the driving, running or operating of automobiles, horses, buggies, bicycles, tricycles, etc., approved September 5, 1904.

38. Unnumbered Ordinance, Prohibiting the throwing or placing of bottles or broken bottles, glass or crockery of any nature or kind on the streets, alleys or sidewalks of the Borough of Freeport, Armstrong County, Pennsylvania, and providing a penalty therefor, approved July 2, 1906.

39. Unnumbered Ordinance, Regulating the posting and distributing of bills and sign advertising in the Borough of Freeport, and requiring a license for the same, approved July 2, 1906.

40. Unnumbered Ordinance, Fixing the salary of the Chief Burgess of the Borough of Freeport, approved April 1, 1907.

41. Unnumbered Ordinance, Prohibiting the butchering of animals within the Borough of Freeport, boiling bones, refuse or rendering allow therein, or keeping certain animals intended for slaughter therein, approved September 2, 1907.

42. Unnumbered Ordinance, Prohibiting dogs from running at large, prescribing a penalty therefor, relative to impounding and killing dogs running at large, and relative to notifying the constable of dogs not wearing collar and tax tag, approved October 8, 1907.

43. Unnumbered Ordinance, A supplement to an ordinance entitled "An ordinance prohibiting digging and excavating in the paved streets of the Borough of Freeport without a special permit from the Burgess and without first filing with said Burgess a bond to protect the said Borough from damages," passed by Council April 4, 1898, and approved by the Burgess April 6, 1898, approved April 6, 1908.

44. Unnumbered Ordinance, Authorizing the licensing of shows and various amusements and the regulating of same, approved May 5, 1908.

45. Unnumbered Ordinance, A supplement to an ordinance entitled "An ordinance authorizing the licensing of shows and various other amusements and the regulating of the same" passed by Council May 4, 1908, approved by the Burgess May 5, 1908, approved June 1, 1908.

46. Unnumbered Ordinance, Authorizing the licensing of all dogs providing pound therefor, providing for the muzzling of all dogs running at large in the streets and alleys of the Borough of Freeport and authorizing the killing of all dogs running at large contrary to the regulations, approved September 13, 1909.

47. Unnumbered Ordinance, Fixing the amount of the bond to be given by the solicitor of the Borough of Freeport, Pennsylvania, approved December 6, 1909.

48. Unnumbered Ordinance, To prohibit the burying of any dead bodies within the Borough limits and to provide the penalties for the violation thereof, approved May 17, 1910.

49. Unnumbered Ordinance, Regulating and providing for the connection of private drains and sewers of the Borough of Freeport and prohibiting the discharge of slop and other wastes upon the streets and gutters of said Borough, approved December 19, 1910.

50. Unnumbered Ordinance, Prohibiting the blockading of any street crossing in the Borough of Freeport, County of Armstrong and State of Pennsylvania, by any engine, car or cars, for a longer period than five (5) minutes, and providing a penalty therefor, approved April 10, 1911.

51. Unnumbered Ordinance, Providing for the levy and collection of an annual license fee on artificial gas, natural gas, water and other pipes, located upon the public highways of the Borough of Freeport, in the County of Armstrong and State of Pennsylvania, approved December 16, 1912.

52. Ordinance 11, Regulating the organization of the Town Council, providing for the election of a President; Secretary, Solicitor, Borough Treasurer, Street Commissioner and Police; fixing the salaries of the various officers; prescribing certain powers and duties thereof; and providing for the appointing of Standing Committees, approved July 15, 1916.

53. Ordinance 12, Defining offenses against the public peace in the Borough of Freeport, Armstrong County and State of Pennsylvania, and fixing penalties for the commission of such offenses, approved July 15, 1916.

54. Ordinance 13, Authorizing the licensing of all dogs, providing pound therefor, and authorizing the killing of all dogs running at large in the streets and alleys of the Borough of Freeport, contrary to this regulation, approved July 15, 1916.

55. Ordinance 14, Regulating and licensing shows, theatrical exhibitions, and other public exhibitions in the Borough of Freeport, and providing a penalty for violation thereof, approved July 15, 1916.

56. Ordinance 15, Regulating the grading; paving, care, use and size of sidewalks within the Borough of Freeport, approved July 15, 1916.

57. Ordinance 16, Prohibiting injury to public property within the limits of the Borough of Freeport, Pennsylvania, and providing for the violation of this ordinance, approved July 15, 1916.

58. Ordinance 17, Relative to the management of fires, and the protection of fire apparatus, fire plugs, gas and water stop cock boxes; and providing for the violation of this ordinance, approved July 15, 1916.

59. Ordinance 18, Prohibiting the running at large of horses, cattle, sheep, swine and other animals within the Borough of Freeport, Pennsylvania, authorizing their seizure and sale for the benefit of the Borough, and prescribing notices and manner of sale; fixing fees for impounding animals; and prescribing penalties for breaking open pound, or obstructing officers in the discharge of duties imposed by this ordinance, approved July 15, 1916.

60. Ordinance 19, Defining certain duties of the Burgess and fixing his salary in lieu of all fees, approved July 15, 1916.

61. Ordinance 20, Regulating the exposure and storing of inflammable and explosive substances, prescribing necessary safeguards, and fixing penalties for violation of this ordinance, approved July 15, 1916.

62. Ordinance 21, Regulating the use of streets, lanes, alleys and highways in the Borough of Freeport, Pennsylvania, prohibiting the making of excavations, or the placing of obstructions without a permit, and providing penalties for the violation thereof, approved July 15, 1916.

63. Ordinance 22, Prohibiting children under certain ages from being on the streets, alleys, sidewalks or public thoroughfares of the Borough of Freeport, Pennsylvania, after certain hours, except under certain conditions and fixing a penalty for the violation of this ordinance, approved July 15, 1916.

64. Ordinance 23, Prohibiting the casting of advertisements, handbills, circulars or waste paper upon the streets, alleys, highways and other public places of the Borough of Freeport, and providing a punishment for the violation thereof, approved July 15, 1916.

65. Ordinance 24, Relating to hawking and peddling within the Borough of Freeport, Pennsylvania, and providing penalties for the violation of this ordinance, approved July 15, 1916.

66. Ordinance 36, Regulating and prohibiting certain shows, theatrical exhibitions and carnivals in the Borough of Freeport, and providing a penalty for the violation thereof, approved May 19, 1922.

67. Ordinance 40, Amending Sections 8, 9, 10 and 11 of Ordinance 21, regulating the use of streets, lanes, alleys and highways in the Borough of Freeport, Pennsylvania, prohibiting the making of excavations without a permit, and penalties for the violation of same, approved September 12, 1923.

68. Ordinance 55, Defining the rights, privileges and requirements of persons and corporations having properties connected by lateral pipe or sewer line or lines to and with the main sewer line in any street, alley or highway in the Borough of Freeport, Armstrong County, Pennsylvania, and defining the obligation and control of the Borough of Freeport over the same, approved March 4, 1929.

69. Ordinance 66, Amending Ordinance No. 14, entitled "An ordinance regulating and licensing shows, theatrical exhibitions, etcetera, and providing a penalty for the violation thereof," passed July 12th, 1916, and approved July 15, 1916, and recorded in Ordinance Book No. 3 at page 35, approved December 4, 1934.

70. Ordinance 71, Authorizing the construction, reconstruction and repairing of sidewalks, curbs, gutters and grass plots in the Borough of Freeport, Pennsylvania, approved April 13, 1939.

71. Ordinance 88, Amending Section II of Ordinance No. 85 regulating traffic in the Borough of Freeport, approved March 1, 1949.

72. Ordinance 93, Fixing the salary of the Burgess of the Borough of Freeport, approved December 3, 1945.

73. Ordinance 98, Defining garbage, providing for its collection and disposal, providing for the enforcement thereof and penalties for violation, approved June 3, 1946.

74. Ordinance 100, To fix the salary or wage of the Chief of Police and substitute or extra patrolmen of the Borough of Freeport, approved July 1, 1946.

75. Ordinance 101, To provide for the removal, under certain conditions, of ashes by the Street Commissioner and street force of the Borough of Freeport, and fixing the fees for the same, approved October 7, 1946.

76. Ordinance 102, Declaring certain acts against the good order and government of the Borough of Freeport, County of Armstrong and State of Pennsylvania, and providing penalties for the violation of same, approved October 4, 1946.

77. Ordinance 110, Giving authority to the Department of Highways, Commonwealth of Pennsylvania, to issue permits for the opening or tearing up of all streets which are continuations of State Highway routes in the Borough of Freeport; providing that fees for such permits shall be paid to the said Department of Highways; and providing penalties for the opening or tearing up of streets without such permit, approved May 3, 1948.

78. Ordinance 113, To provide for the levy, assessment and collection of a per capita tax of five (\$5.00) dollars upon all adult persons residing in the Borough of Freeport, in the County of Armstrong and State of Pennsylvania, in accordance with the provisions of an act of the General Assembly of the Commonwealth of Pennsylvania, approved May 9, 1949, P.L. 898, approved February 6, 1950.

79. Ordinance 131, To regulate the burning of paper, trash and refuse within the limits of the Borough of Freeport and providing a penalty for violation and repeal of former ordinances, approved September 1, 1954.

80. Ordinance 135, To promote and protect the public health of the citizens of the Borough of Freeport, Pennsylvania, by requiring all persons handling unwrapped or unpackaged food, foodstuffs or drink intended for human consumption by the public within the territorial limits of the Borough of Freeport to obtain a statement from a recognized Roentgenologist or a certificate of the X-Ray service provided by the Armstrong County Tuberculosis and Health Society showing that the person or applicant has had a chest X-Ray examination within six months of the date of the application for the certificate from the Board of Health and providing for a licensing period and renewal of the license, and providing for reasonable inspections by the Board of Health, and providing a penalty for failure to do so, as well as penalties for the violation of this ordinance, approved August 3, 1955.

81. Ordinance 151, Establishing compensation for the employees of Freeport Borough, approved March 4, 1959.

82. Ordinance 160, Establishing compensation for the employees of Freeport Borough, approved March 3, 1960.

83. Ordinance 168, Establishing compensation for the employees of Freeport Borough, approved March 1, 1961.

84. Ordinance 172, Establishing compensation for the employees of Freeport Borough, approved March 14, 1962.

85. Ordinance 174, To further amend Ordinance No. 50, approved the 30th day of December 1925, and to repeal Ordinance No. 170, approved the 25th day of April 1961, to provide for the storage of gasoline and underground storage tanks in an amount not to exceed twenty thousand gallons, approved August 29, 1962.

86. Ordinance 178, Establishing compensation for the employees of Freeport Borough, approved March 25, 1963.

87. Ordinance 179, Establishing and regulating a Board of Health in and for the Borough of Freeport, approved May 8, 1963.

88. Ordinance 182, Establishing compensation for the employees of Freeport Borough, approved March 31, 1964.

89. Ordinance 187, Establishing compensation for the employees of Freeport Borough, approved March 23, 1965.

90. Ordinance 195, Fixing the compensation of the employees of Freeport Borough, Pennsylvania, for the year 1966, approved March 17, 1966.

91. Ordinance 199, Fixing the tax rate for the fiscal year 1967, approved February 15, 1967.

92. Ordinance 201, Fixing the compensation of the employees of Freeport Borough, Pennsylvania, for the year 1967, approved March 10, 1967.

93. Ordinance 206, Fixing the compensation of the employees of Freeport Borough, Pennsylvania, for the year 1968, approved January 11, 1968.

94. Ordinance 208, Further fixing the compensation of the employees of Freeport Borough for the year 1968, approved March 19, 1968.

95. Ordinance 211, Adopting a fire prevention code prescribing regulations governing conditions hazardous to life and property from fire or explosion and establishing a Bureau of Fire Prevention and providing officers therefor, defining their powers and duties, and prescribing penalties for violation, approved April 17, 1968.

96. Ordinance 215, Fixing the compensation of the employees of Freeport Borough, Pennsylvania, for the year 1969, approved February 24, 1969.

97. Ordinance 219, Providing for the adoption by reference of the BOCA Basic Building Code, fourth edition, 1965, together with its supplements and amendments and providing for penalties, approved September 15, 1969.

98. Ordinance 220, Providing for the adoption by reference of the BOCA Basic Housing Code, second edition 1970 recommended and maintained by the Building Officials Conference of America, Inc., published August 1969, as amended and supplemented, providing for minimum housing standards for dwellings and multiple family dwellings, fixing the responsibilities of owners, operators, and occupants and providing for administration, enforcement and penalties, approved September 25, 1969.

99. Ordinance 221, Adopting by reference the BOCA Basic Plumbing Code, with certain modifications prescribing the regulations, governing the construction, alteration and use of materials, and prescribing penalties, approved September 25, 1969.

100. Ordinance 222, Adopting the National Electrical Code providing for electric wiring, and regulations governing the construction, installation, alteration, equipment, material and use and the enforcement, approved September 25, 1969.

Section 2. The following resolutions of the Borough of Freeport are hereby repealed:

1. Unnumbered and Untitled Resolution, Untitled resolution providing for the fining of all absentee councilmen, properly notified of a meeting, 25 cents, adopted June 25, 1838.

2. Unnumbered and Untitled Resolution, Untitled resolution providing a procedure for removal of offensive matter and obstructions from streets, lanes or alleys, adopted May 31, 1839.

3. Unnumbered and Untitled Resolution, Untitled resolution extending the provisions of the ordinance prohibiting the driving, running or leading horses and other animals, and vehicles, on the pavement, to include sidewalks, gutters and drains, adopted April 10, 1844.

4. Unnumbered and Untitled Resolution, Untitled resolution instructing and enjoining the Street Commissioner to enforce all the ordinances respecting the keeping clear of all encumbrances and obstructions and nuisances on the streets, lanes, alleys and public grounds forthwith, adopted June 26, 1846.

5. Unnumbered and Untitled Resolution, Untitled resolution allowing Alex Beale to erect scales near the corner of Market and Sixth Streets, from which he was to receive the profits for four years, after which the scales were to become the property of the Borough, adopted April 22, 1864.

6. Unnumbered and Untitled Resolution, Untitled resolution prohibiting the slaughtering of cattle, calves or sheep anywhere in the Borough, adopted April 9, 1866.

7. Unnumbered and Untitled Resolution, Untitled resolution granting I. T. Gillespie and Antez Snyder the privilege of building an ice breaker at or near the mouth of Second Street to connect with and extend out from the bank into the Allegheny River, adopted October 16, 1871.

8. Unnumbered and Untitled Resolution, Untitled resolution granting a right-of-way to American Transfer Company, their successors and assigns, to lay and maintain pipelines; and construct and maintain telegraph lines and operate the same through the Borough between the high and low water mark along the Allegheny River, adopted August 4, 1877.

9. Unnumbered and Untitled Resolution, Untitled resolution granting the right-of-way to the American Transfer Company to erect a line of telegraph poles along High Street, adopted September 18, 1877.

10. Unnumbered and Untitled Resolution, Untitled resolution adopting the By-Laws of the Borough, adopted February 13, 1879.

11. Unnumbered and Untitled Resolution, Untitled resolution placing the responsibility for care and oversight of the streets, lanes and alleys of the Borough upon the street commissioner, adopted November 3, 1879.

12. Unnumbered and Untitled Resolution, Untitled resolution providing that all hogs running at large are to be impounded in the hog pound, adopted August 3, 1880.

13. Unnumbered and Untitled Resolution, Untitled resolution amending the fees or fines for impounding hogs and cattle, adopted June 9, 1884.

14. Unnumbered and Untitled Resolution, Resolved that so much of an ordinance establishing a uniform grade throughout the town be and the same is hereby repealed so far as it relates to the grade on that part of Fifth lying between High and the intersection of Buffalo Street so that the said grade shall be one foot lower at Cherry Alley and eighteen inches at the intersection of Franklin Street than the aforesaid grade known as the established or Wills survey, adopted October 10, 1898.

15. Unnumbered and Untitled Resolution, Untitled resolution requiring the reading of all ordinances at three regular meetings before passage or adoption, adopted June 5, 1905.

16. Unnumbered and Untitled Resolution, Untitled resolution granting privilege of laying tramway on First Street between Buffalo Street and 1st Street to McMenamim & Sims, adopted August 2, 1915.

17. Unnumbered and Untitled Resolution, Untitled resolution erecting traffic signals at the intersection of Fifth and High Streets in the Borough of Freeport, adopted April 7, 1947.

18. Unnumbered and Untitled Resolution, Untitled resolution desiring to limit the speed on State Highways L.R. 69 in the Borough of Freeport, between Station 480+00 to Station 496+27, to 35 miles per hour, adopted November 3, 1947.

19. Unnumbered and Untitled Resolution, Untitled resolution establishing certain two hour parking zones between the hours of 8:00 a.m. and 6:00 p.m., excluding Sundays and Holidays, in the Borough of Freeport, Freeport, Pennsylvania, adopted February 2, 1948.

Enacted and ordained this 11th day of July

Remith L. Miller  
President of Council

Attest:

Elizabeth J. Cantone  
Borough Secretary

Approved this 11th day of July

P.W. Brant Sr.  
Mayor