

# The Code of Ordinances of the Borough of Swissvale

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**Code of Ordinances**  
**of the**  
**Borough of Swissvale**  
**Allegheny County, Pennsylvania**

**Published by Authority of the Borough**

Adopted by *Ord. 05-02*, 6/1/2005

Revised and Supplemented through:  
Supplement I; March 1, 2006

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Supplement I; March 1, 2006

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**Officials**  
**of the**  
**Borough of Swissvale**  
County of  
Allegheny, Pennsylvania

**ELECTED OFFICIALS**

*Borough Council*

Members	-	David Petrarca
	-	Barbara Campbell
	-	Darrell Bell
	-	Patricia Gionta
	-	William Davies
	-	James Bonacci
	-	Edward Mallon
Mayor	-	Deneen Swartzwelder
Tax Collector	-	Thomas Barr, Jr.

**APPOINTED OFFICIALS**

Manager/Secretary	-	Warren Cecconi
Treasurer	-	Citizens Bank
Solicitor	-	Robert L. McTiernan, Esquire
Engineer	-	Glenn Engineering



## FOREWORD

### *History*<sup>1</sup>

This comprises the original codification of the ordinances of the Borough of Swissvale as prepared for the Borough and published by Keystate Publishers, Inc., and was adopted by *Ordinance 05-02* on Jun 1, 2005 by the Borough Council of the Borough of Swissvale. Swissvale was known as a “hamlet” from 1850 to 1866. Following this period, the title was changed to “The Village” and this name clung to the community from 1866 to 1898. On July, 30, 1898, the village was incorporated into a Borough to be known as the “Borough of Swissvale.”

About the time the first gun was fired on Fort Sumter, announcing to the world the beginning of the Civil War, the beauties of the sylvan hamlet of Swissvale, situated in Wilkins Township, were being brought to the attention of many of the people of Pittsburgh.

At the time, surrounded by fertile and well kept farms, the wooded hills, bountiful orchards and waving field of grain, provided a picturesque and delightful setting for the dozen or so homes which formed the hamlet of Swissvale.

Jane Grey Swisshelm lived in a log house adjoining the Haven property, in what was known as the Nine Mile Run Hollow. She so loved this beautiful hamlet, that she bestowed upon it the name of Swissvale and that is how our Borough received its present name. Mrs. Swisshelm’s activities as a writer and one of the propmoters of the Underground Railroad for the succor of slaves fleeing from the South to the North and into Canada for freedom, earned for her fame and prestige which will remain and endure as a part of the history of western Pennsylvania.

John McKelvy owned and operated one of the finest farms in the Township, at that time. The broad acres comprising his farm covered the greater part of what is now known as the Hill District of Swissvale.

The Robert Milligan Farm occupied that section of what is now the Borough lying East of Dickson Street and Westmoreland Avenue to the section of Braddock and Woodstock Avenues, and from Milligan Avenue into what is now Rankin Borough.

The Samuel Deniston farm occupied all that territory from what is now Carrie Street, west to McClure Avenue and from Monongahela Avenue to the Monogahela River.

The Thomas Dickson farms lay between what is now McClure Avenue and the Nine Mile Run, and extended from Monongahela Avenue to Nevada Street in the North Homestead district.

The Alexander Gordon and J.S. Newmyer homestead covered what is known as the Hill District from Pennsylvania Railroad right-of-way, west of Westmoreland Avenue and extended into what is now Edgewood Borough.

The farms of James Swisshelm, husband of Jane Grey Swisshelm, lay between the Haven property and the Pennsylvania Railroad right-of-way on the north, and the

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<sup>1</sup>Editor’s Note: This history has been adapted from the article, “A Glimpse into the Past and Down Through the Years,” author unknown, which appeared in the 1948 Golden Anniversary Book.

Deniston and Dickson farms on the South, and from what is now Carrie Street to the Nine Mile Run.

The farm of Colonel William G. Hawkins, adjoining the Milligan farm on the west, extended east to Tasse Hollow and south into, and covering, a large portion of what is now known as Rankin Borough.

### *Organization*

The Code contains four parts which are (1) the valid current ordinances of the Borough of Swissvale 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 Key to the disposition of each ordinance ever enacted by the Borough of Swissvale, 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 Key to disposition indicates what action has been taken by the Borough of Swissvale 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 Key. The Key is a cross reference to the original ordinance books of the Borough of Swissvale, and to the location within the Code of each ordinance by number.

ORDINANCE NO. 05-02

AN ORDINANCE ADOPTING THE CODE OF ORDINANCES OF THE BOROUGH OF SWISSVALE, ALLEGHENY 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 Swissvale hereby ordains:

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

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Chapter 1 . . . . Administration and Government  
Chapter 2 . . . . Animals  
Chapter 3 . . . . [Reserved]  
Chapter 4 . . . . Buildings  
Chapter 5 . . . . Code Enforcement  
Chapter 6 . . . . Conduct  
Chapter 7 . . . . Fire Prevention and Fire Protection  
Chapter 8 . . . . Floodplains  
Chapter 9 . . . . Grading and Excavating  
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 . . . . Parks and Recreation  
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 . . . . Swimming Pools  
Chapter 24 . . . . Taxation; Special  
Chapter 25 . . . . [Reserved]  
Chapter 26 . . . . Stormwater  
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 to the Disposition of All Ordinances

Table to the 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 Swissvale 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 Swissvale 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 Swissvale 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 Swissvale 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.*

<b>Section</b>	<b>Subject</b>	<b>Ordinance No.</b>
Chapter 15	Motor Vehicles and Traffic	58, 110, 226, 248, 292, 375, 420, 531, 595, 648, 701, 854, 940, 986, 1020, 1065, 1082, 1094, 1098, 1103, 1106, 1107, 1109, 1110, 1113, 1115, 1118, 1119, 1120, 1121, 1122, 1125, 1131, 1133, 1134, 1135, 1137, 1145, 1146, 1149, 1152, 1154, 1156, 1160, 1164, 1165, 1169, 1178, 1183, 1185, 1186, 1191, 1192, 1193, 1194, 1195, 1201, 1202, 1210, 1211, 1230, 1233, 1249, 1252, 1255, 1267, 1269, 1271, 1277, 1279, 1280, 1281, 1290, 1292, 1296, 1299, 1301, 1303, 1314, 1320, 1323, 1324, 1330, 1345, 1346, 1357, 1363, 1364, 1438, 1451, 1452, 1515, 1517, 1518, 1578, 66-2, 68-2, 68-6, 70-8, 72-3, 72-7, 72-14, 75-1, 77-1, 77-4, 86-8, 86-11, 88-5, 88-10, 90-10A, 91-3, 91-13, Res. 91-20, 92-6, 95-2, 95-6, 00-03, 03-01

*B. Revisions.*

<b>Section</b>	<b>Subject</b>	<b>Ordinance No.</b>
		[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
§§5-201 – 5-203	International Property Maintenance Code
§§10-501 – 10-503	Fireworks
§§13-201 – 13-209	Transient Retail Merchants
15, Entire Chapter	Motor Vehicles and Traffic

*B. Amendments.*

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§1-141	Mandatory Retirement Age	1566, §1
§2-103	Penalties	91-11, §3
§2-204	Violation and Penalty	90-3, §4
§2-302	Dogs and Cats; Leashing of Dogs	84-3, §2
§2-308	Violations and Penalties	84-3, §8
§2-403	Violations and Penalties	80-8, §3

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§4-106	Inspection	89-6, §6; 91-5
§4-108	Application Fee	89-6,§8; 91-5
§4-109	Violation and Penalty	89-6, §10
§4-204	Penalty	92-9, §4
§5-305	Penalty	70-5, §5
§6-103	Violation and Penalty	78-5, §3
§6-205	Violation and Penalty	90-7, §5
§6-305	Violation and Penalty	90-7, §5
§6-403	Penalties	99-3, §3
§6-506	Violation and Penalty	95-1, §6
§6-603	Violation and Penalty	65-2, §3
§7-101	Statement of Purpose	93-6, §1
§7-108	Violation and Penalty	93-6, §8
§7-208	Penalty	86-7, §9
§7-305	Violation and Penalty	95-5, §5
§8-202	Issuance of Building Permit	95-10, §2.01
§8-210	Fees	95-10, §2.09
§8-211	Enforcement	95-10, §2.10
§8-401	General	95-10, §4.00
§8-405	Development Which May Endanger Human Life	95-10, §4.04
§8-501	General	95-10, §5.00
§8-503	Application Review Procedure	95-10, §5.02
§8-504	Special Technical Requirements	95-10, §5.03
§9-104	Exceptions	75-7, §4
§9-118	Violation and Penalties	75-7, §18
§10-110	Penalty	90-8, §10
§10-117	Fines	89-2, §7
§10-122	Violation and Penalty	79-9, §2
§10-133	Penalties	91-14, §3
§10-202	Definitions	91-14, §2
§10-206	Penalties	88-12, §6

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§10-305	Determination of Costs	96-6, §5
§10-407	Service Fees	91-6, §7
§10-410	Penalty	91-6, §10
§11-105	Penalties	78-4, §5
§11-207	Penalty	70-6, §§7, 8
§13-106	Annual Fee	92-8, §6
§13-107	Fee for Juke Box	92-8, §7
§13-110	Violation and Penalty	92-8, §10
§13-305	Inspection Fee	73-4, §5
§13-306	Operator Engaged in Business or School	73-4, §6
§13-313	Violation and Penalty	73-4, §13
§13-403	License Fee	70-7, §3
§13-410	Violation and Penalty	70-7, §10
§16-104	Board Expenditures	1041, §4
§16-203	Pets Prohibited	70-7
§16-204	Penalties	81-6, §3
§18-104	Permit to Connect	813, §4
§18-106	Penalties	813, §6
§18-115	Penalties	74-9, §5
§18-205	Penalties	95-3, §5
§18-219	Certificate of Compliance	99-2, §9
§18-221	Borough Lien Letters	99-2, §11
§18-224	Violations and Penalties	99-2, §14
§20-102	Regulations for the Storage of Refuse	78-3, §2; 92-2, §2
§20-110	Penalties	78-3, §10
§20-202	Definitions	90-6, §2
§20-208	Recycling of Materials	90-6, §8
§20-209	Enforcement and Administration	90-6, §10
§20-302	Garbage Collection Fee	87-2, §2; 90-11, §A.2; 94-3, §3; 02-05, §§A.2, B
§20-303	Exemption for Garbage Collection Fee	87-2, §3; 90-11, §A.3; 94-3, §4; 02-05, §A.3
§20-311	Penalties	87-2, §13

<b>Section</b>	<b>Subject</b>	<b>Ordinance No., Section</b>
§21-105	Permit Fee	82-7, §5; 86-15, §1; 97-2, §1
§21-116	Violation and Penalty	82-7, §16
§21-204	Violation and Penalty	70-11, §4
§21-302	Application	1009, §2
§21-305	Violation and Penalty	1009, §5
§21-401	Property Owners to Construct or Reconstruct Sidewalks and Curbs on Notice	81-5, §101
§21-402	Property Owners to Repair Sidewalks and Curbs on Notice	81-5, §102
§21-403	Material for Sidewalks and Curbs	81-5, §103
§21-406	Conformity to Line and Grade; Determination of Extent and Nature of Required Work; Safety Measures	81-5, §106
§21-407	Authority for Borough to do Work or Rectify Mistakes at Expense of Defaulting Property Owner	81-5, §107
§21-408	Restrictions on Placement and Display of Goods, Wares, Merchandise or Material on Sidewalk and Curb	81-5, §108
§21-409	Penalty for Violation	81-5, §109
§21-420	Penalties	93-1, §10
§21-421	Responsibility for Removal of Snow and Ice; Time Limit	81-5, §110
§21-423	Penalty for Violation	81-5, §112
§23-113	Building Permit Fee and Operating Permit Fee	74-4, §13
§23-115	Violation and Penalty	74-4, §15
§24-109	Fines and Penalties for Violation	98-4, §9
§24-209	Violations	66-6, §9
§26-201	Definitions	04-02, Art. II
§26-805	Appeals	04-02, §8.05

*C. Repeals.*

<b>Ordinance/Resolution</b>	<b>Subject</b>
<i>Ord. 628</i>	Stables and Manure
<i>Ord. 1041, §5</i>	Appropriation Tax

<b>Ordinance/Resolution</b>	<b>Subject</b>
Ord. 1156	Mandatory Retirement Age
Ord. 72-1	Public Dances, Amusements, Fairs, Parades and Similar Activity
Ord. 73-5B	Swissvale Memorial Park Fund
Ord. 75-12	Permissible Times for Amusements
Ord. 00-05	Sewer Lateral Repair Ordinance
Ord. 01-02	Prohibiting the Abandonment of Shopping Carts

**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:

<b>Section</b>	<b>Short Title</b>
	[Reserved]

**Section 7. Land Use Amendments.** The Borough of Swissvale Code of Ordinances is hereby amended as is more fully shown in the complete text of Chapter 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:

<b>Section</b>	<b>Subject</b>
	[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.</b>
§22-307	Stormwater Management	92-7, §307
§27-201	Establishment of District Classifications	91-12, §201
§27-203	Statement of Purpose for Zoning Districts	91-12, §203
§27-206	Additional Standards	91-12, §206, 95-9, §1
Table 200-1	Authorized Uses By Zoning District	91-12, Table 200-1, 98-11, §1
Table 200-2	Area and Dimensional Standards by Zoning District	91-12, Table 200-2
§27-502	Floodplain Management	91-12, §502

Section	Subject	Ordinance No.
§27-510	Determination of Compliance	91-12, §510
§27-802	Definitions	91-12, §802
Map Amendments	Zoning Map Amendments	

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

Section	Subject	Ordinance No.
	[Reserved]	

**Section 8. Procedural Changes.** The following minor procedural changes have been made to existing Borough of Swissvale 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 \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby amended [revised] to read as follows..."
- B. Additions - "Chapter \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby amended by the addition of the following..."
- C. Repeal - "Chapter \_\_\_, Part \_\_\_, Section \_\_\_, Subsection \_\_\_ is hereby repealed in its entirety."

**Section 10. Responsibility for Code of Ordinances.** It shall be the responsibility of the Borough of Swissvale 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 Swissvale 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 Swissvale. Whosoever shall violate this Section shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs or, in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

**Section 12. Severability of Parts of Codification.** It is hereby declared to be the intention of the Borough of Swissvale 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 1<sup>st</sup> day of June, 2005.

ATTEST:

Borough of Swissvale

/s/ Warren Cecconi  
Secretary

/s/ Michael Viglietta  
President, Borough Council

APPROVED this 1<sup>st</sup> day of June, 2005.

/s/ Mark Foerster  
Mayor



## Fee Resolution

Subject	Fees
Application Fee for Occupancy Permit	
Per dwelling unit	\$25
Per commercial premises plus \$35 for each unit	\$35
Building Permit Fees	
Estimated cost of construction:	
\$300 to \$3,000	\$20
\$3,001 to \$4,000	\$28
\$4,001 to \$5,000	\$36
\$5,001 to \$6,000	\$44
\$6,001 to \$7,000	\$52
\$7,001 to \$8,000	\$60
\$8,001 to \$9,000	\$68
\$9,001 to \$10,000	\$76
per thousand additional for every thousand in excess of \$10,000 of construction costs.	\$6
\$2 per permit UCC Charge	
Report	
Accident Report	\$15
Police Report	\$15
Fire Report	\$15
Demolition Contracts	
Residential	\$25 + costs and professional expenses
Commercial	\$50 + costs and professional expenses plus \$25 each additional unit
False Alarm Service Fee (for each false alarm in excess of three in a 12-month period)	\$25
Fee for Mechanical Devices	
Each electronic poker machine or other simulated gambling device	\$525

Subject	Fees
Each coin, token, credit card, slug or bill operated or electronic operated pool table, billiard table, bowling alley, pinball machine device, mechanical hockey, baseball, football or other sports games, or other electronic video game	\$300
Each non-electronic dart board or pool table	\$100
Each coin, token, credit card, slug or bill operated game that provides tickets that can be exchanged for prizes	\$100
If installed after July 1, before December 31 of the year	
Each electronic poker machine or other simulated gambling device	\$262.50
Each coin, token, credit card, slug or bill operated or electronic operated pool table, billiard table, bowling alley, pinball machine device, mechanical hockey, baseball, football or other sports games, or other electronic video game	\$150
Each non-electronic dart board or pool table	\$50
Each coin, token, credit card, slug or bill operated game that provides tickets that can be exchanged for prizes	\$50
Beauty and Massage Parlors , Schools of Beauty Culture Inspection Fee	\$25
Beauty and Massage Parlors , Schools of Beauty Culture License Fee	\$25
Public Pool Room /Billiard Room License Fee	\$10 per annum, per table
Solid Waste	
Collection of Garbage	
dwelling unit	\$95 per year
commercial building	\$378 per year
Borough Lien Letter Fee	\$25
Expedited Borough lien letter, in addition to lien letter fee	\$15
Dye Testing Certificate of Compliance	
Fee for certificate of compliance	\$20
Borough Lien Letter Fee	
Expedited Borough lien letter, in addition to lien letter fee	\$15
Special Collection Charges (rubbish)	
Loads requiring 1-ton truck, paid in advance by property owner or occupant	\$90
Loads requiring a 5-ton truck, paid in advance by property owner or occupant	\$250

Subject	Fees
Street and Sidewalk Permits :	
Street Excavation :	
Minimum	\$200
Plus - to cover the cost of inspection and other incidental services	
Additional inspection fee for each additional square foot in excess of 50 square feet to be opened or excavated upon such street	50¢
If an application is made to open, excavate or tunnel any street that has been reconstructed or resurfaced during the 3 years preceding the date of the application	\$400 for the permit plus 75¢ for each additional square foot in excess of 50 square feet to be opened or excavated upon such street.
Curb Cut and Driveway Construction	\$20
Swimming Pool Permits	
Building permit	\$25
Annual operating and reinspection fee commercial unit	\$25
Collection of Garbage	
Dwelling units	\$95
Commercial buildings	\$378

*(Res. 05-06, 6/1/2005; as amended by Res. 05-16, 12/28/2005)*

