

**Jessup Borough Council**

**May 6, 2026, 7:00 p.m.**

**REGULAR MEETING**

.....  
**AGENDA**

**1. MEETING CALLED TO ORDER**

**2. ANNOUNCEMENT**

Executive Session(s)

Pledge of Allegiance

Roll Call

Gregg Betti

Tom Fiorelli

Curt Camoni

Ron Kordish

Jerry Crinella

Robbie Martin

**3. CONSENT AGENDA**

All items listed on the consent agenda are considered routine and will be acted upon by a single motion.

Approve the Minutes of the Regular Meetings on April 1, 2026

Approve the Secretary Report.

Approve the April Payroll in the amount of \$63,642.79

Approve monthly payments from the general fund in the amount of \$42,537.08

**4. ADDITIONS TO THE COUNCIL MEETING AGENDA**

**5. OLD OR UNFINISHED BUSINESS**

**6. REPORTS**

**Mayor**

**Commissions and Boards**

-Planning Commission; Chairperson

-Zoning Hearing Board; Chairperson

**Controller; Benjamin Cardoni**

**Tax Collector; Genevieve Lupini**

**Zoning Officer; Amos Valenti**  
**Police Department; Chief Edward Boettcher**  
**DPW; Foreman Joseph Cirba**  
**Borough Fire Chief: James Anderson**  
**Solicitor: Maura Armezzani Tunis**  
**Borough Manager: Coleen Watt**

**7. COUNCIL COMMENTS**

**8. PUBLIC COMMENT**

**9. NEW BUSINESS / MOTIONS**

- A.** Motion to take action on the bids for refuse collection throughout the Borough.
- B.** Motion to release funds to Hose Company #1 and Hose Company #2.
- C.** Motion to advertise to sell the bank building located at 210 Church Street and potentially set a minimum.
- D.** Motion to revisit the study of 210 Church Street for use as Borough offices, tax administration, storage and other municipal purposes. Retrofit our existing municipal offices at 395 Lane Street to house Police and DPW.
- E.** Motion to adopt Resolution No.8 of 2026 authorizing the Borough of Jessup to enter into a cooperation agreement with Lackawanna County for the Sarah Bratty Park ADA Improvement.
- F.** Motion to adopt Ordinance No. 4 of 2026 amending the Jessup Borough Zoning Ordinance. Specifically, Article 10 (Environmental Protection), Section 1005 (Noise), Section 1008 (Vibration), Article 15 (Definitions), Section 1502 (Terms Defined).
- G.** Zoning Ordinance Amendment (1.) Discussion on 5/6/2026 hearing matters (2.) Consideration for action on proposed zoning ordinance amendment. Motion to amend the proposed zoning amendment and publish in accordance with MPC Section 610 (b) and consider potential adoption at an upcoming Council Meeting (date to be determined).
- H.** Motion to adopt Ordinance No. 5 of 2026 amending Ordinance No. 2 of 2008 identifying and prohibiting nuisances within the Borough.
- I.** Motion to adopt Ordinance No. 6 of 2026 amending Ordinance No. 3 of 2011 establishing the criteria for handicapped parking zones within the Borough.
- J.** Motion to adopt Ordinance No. 7 of 2026 providing for general regulation and control of dogs within the Borough.
- K.** Motion to form a committee to meet with potential developers.
- L.** Motion to advertise an ordinance to implement a vendors permit for events.

- M. Motion to grant Jessup Hose Company #2 a waiver related to Article 10 Section 1005 of the Jessup Borough Zoning Ordinance from May 20-25, 2026
- N. Motion to appoint Guiseppe Ianni temporary sergeant with a \$2.00 per hour rate increase.
- O. Motion to accept the resignation of Bill Urzen from the Jessup Borough Planning Commission.
- P. Motion to appoint Brian Barret as a full member of the Jessup Borough Planning Commission.
- Q. Motion to advertise for an alternate member of the Planning Commission.
- R. Motion to authorize \_\_\_\_\_ to upfit a 2024 Peterbilt truck in the amount of \_\_\_\_\_.
- S. Motion to authorize Hose Company #2's request to use Jessup Police, various borough equipment and DPW at their upcoming Carnival May 20-25, 2026.
- T. Motion to authorize the St. Ubaldo Society's request to use DPW to secure the low hanging overhead wires and other necessary tasks to ensure the safety of the racers.
- U. Motion to hire Samantha Howey Lead Summer Camp Counselor at the rate of \$\_\_\_\_ per hr. (\$28 last year)
- V. Motion to hire Kristen Hughes Summer Camp Counselor at the rate of \$\_\_\_\_ per hr. (\$14 last year)
- W. Motion to hire Mia Tomassoni Junior Summer Camp Counselor at the rate of \$\_\_\_\_ per hr. (\$14 last year)
- X. Motion to hire Natalie Sweeney Junior Summer Camp Counselor at the rate of \$\_\_\_\_ per hr. (\$14.00 last year)
- Y. Motion to hire Emma McNally Junior Summer Camp Counselor at the rate of \$\_\_\_\_ per hr. (\$14.00 last year)
- Z. Motion to hire Kamryn Gale Junior Summer Camp Counselor at the rate of \$\_\_\_\_ per hr. (\$14.00 last year)
- AA. Motion to reinvest \$144,000.00 with People's Security Bank to continue the ladder of investments.
- BB. Motion to authorize Quest Studio to hold free yoga classes at Station Park May 18, June 15, July 20, August 17 and September 21, 2026.
- CC. Motion to appoint a committee to meet with DCED for the Fire Department feasibility study.
- DD. Motion to advertise an amendment to Ordinance 2 of 2020 creating the office of Borough Manager
- EE. Motion to pay the Borough Manager a bonus of \$\_\_\_\_\_.

## 10. ADJOURN

**Jessup Borough Council**  
**Regular Meeting**  
**April 1, 2026, at 7:00 p.m.**

The regular monthly meeting of Jessup Borough Council was held on Wednesday, March 4, 2026, at 7:00 p.m. in the Jessup Borough Building, 395 Lane Street, Jessup, PA 18434.

Pledge of Allegiance to the flag was given.

**Call to Order:** Meeting was called to order at 7:00 p.m. by Chairperson, Gregg Betti.

**Roll Call:**

Gregg Betti	Thomas Fiorelli
Curt Camoni	Ron Kordish
Jeffrey Castellani	Robbie Martin
Jerry Crinella	

Council President Gregg Betti announced an executive session 4/1/2026 regarding personnel.

Mayor Joseph Buckshon swore in Jessup Borough Police Chief, Edward Boettcher

**Consent agenda:**

Approve the minutes of the regular meeting March 4, 2026, special meeting March 17, 2026, and special meeting March 24, 2026.

Approve the Secretary's report

Approve the March payroll in the amount of \$60,747.15

Approve monthly payments from the general fund in the amount of \$43,476.51

A motion was made by Jerry Crinella second by Ron Kordish to approve the consent agenda.  
Aye carried. (7-0)

**Reports:**

Mayor Buckshon announced he was honored to attend the 2026 Arts and Culture Grant Award Ceremony where Jessup Borough received a grant to be used in conjunction with the AMERICA250 Celebration.

Tax Collector Genevieve Lupini gave an overview of taxes collected for the month of March.

Outgoing Chief of Police Derek Fozard recognized Officers Maria Savinelli, Guiseppe Ianni and Michael Arthur for their outstanding performance as officers of Jessup Borough. He also thanked Coleen, Maura, Jen, Tom, DPW and Council.

DPW Foreman Joe Cirba gave an overview of work DPW performed throughout the month of March.

Borough Fire Chief Jim Anderson gave a synopsis of the calls the Hose Companies and Ambulance responded to for the month of March. He also discussed the Standard Operating Guidelines (SOG's) he would like Council to consider passing.

Solicitor Maura Armezzani Tunis thanked Chief Fozard for his time with the Borough. She received a request for a lien payoff for 916 Church Street. The Borough should receive a check soon.

Borough Manager Coleen Watt thanked Chief Fozard for his service and congratulated Ed Boettcher on his recent appointment. Gave an update on the upcoming events, and projects happening throughout the Borough.

**Council Comments:**

Robbie Martin thanked Derek for his service and welcomed Chief Ed Boettcher. He also thanked the officers Derek highlighted. He would like to look into a dog ordinance and make it stronger.

Jerry Crinella welcomed Chief of Police Ed Boettcher and thanked Derek Fozard.

Curt Camoni noted he supports the dog ordinance. He thanked Derk for his service to the Borough and wished Ed success as the new Chief of Police. He thanked Gregg Betti for all of his hard work on the Jessup 150.

Ron Kordish thanked DPW for all of their hard work. He acknowledged the VFW for all of the great work they do for the town. Acknowledged our first responders for a job well done.

Jeff Castellani thanked Derek Fozard for his service to Jessup Borough and congratulated Ed Boettcher.

Tom Fiorelli thanked Derek Fozard and congratulated Ed Boettcher. He noted that DPW did a great job overseeding Memorial and JYSA.

Gregg Betti announced that Jessup Borough will be kicking off their 150<sup>th</sup> Anniversary Celebration on 4/12/2026 at Fiorelli's. He noted he met with PennDOT about the bridge on Constitution and every idea costs the Borough money. Hometown Hero banners have been ordered.

**Public Comment:**

Russel Canaveri commented that VFW members are getting parking tickets. They have been parking the same way since 1948. He asked what changed.

Catrina Bauer voiced her frustration with the amount of trucks hitting and/or getting stuck under the bridge on Constitution.

Jeff Smith feels \$25.00 is plenty of money to pay for handicap parking signs in the amended ordinance. He noted that the Borough should be cautious if they adopt the motion to petition the Liquor Control Board in an effort to allow music at the VFW pavilion. He gave an update on the happenings with Citizens for a Healthy Jessup.

Mark Cordelli gave an overview of happenings going on throughout Lackawanna County.

**New Business/Motions:**

- A.** Motion to install ADA curb cuts on Second Ave and Hand, Second Ave and Dolph St, and Hand St and Third Ave using CDBG funds. Motion was made by Tom Fiorelli second by Jeff Castellani. Aye carried. (7-0)
- B.** Motion to pave the gravel parking lot at Memorial using CDBG funds. Motion was made by Curt Camoni second by Jeff Castellani. Aye carried. (7-0)
- C.** Motion to pursue a grant to install a fitness court at Sarah Bratty Park through the National Fitness Campaign. Motion was made by Curt Camoni second by Robbie Martin. Aye carried. (7-0)
- D.** Motion to advertise an amendment to the handicap parking ordinance. Motion was made by Curt Camoni second by Robbie Martin. Aye carried. (7-0)
- E.** Motion to approve the upfit of the Peterbilt truck. Motion was made by Tom Fiorelli second by Jeff Castellani to table. Aye carried. (7-0)
- F.** Motion to advertise a budget work session April 26, 2026, at 6:00 p.m.
- G.** Motion to amend motion F. to hold the budget work session April 30, 2026, at 6:00 p.m. There was no public comment. Motion was made by Jerry Crinella second by Robbie Martin. Aye carried. (7-0)
- H.** Motion to advertise a budget work session April 30, 2026, at 6:00 p.m. Motion was made by Curt Camoni second by Robbie Martin. Aye carried. (7-0)
- I.** Motion to advertise to hold a public meeting on April 21, 2026, at 6:00 p.m. in the Valley View High School Auditorium to explain the procedure for a conditional use hearing in the Borough. Motion was made by Jerry Crinella second by Curt Camoni. Aye carried. (7-0)

- J.** Motion to hire a part time Police Officer Eric Faramelli. Motion was made by Jerry Crinella second by Robbie Martin. Aye carried. (7-0)
- K.** Motion to adopt Resolution 5 of 2026 entering into a contract with Chief of Police Edward Boettcher. Motion was made by Ron Kordish second by Jeff Castellani. Aye carried. (7-0)
- L.** Motion to adopt Resolution 6 of 2026 authorizing the Council President to sign real estate documents related to the closing of property at Sarah Bratty Park. Motion was made by Curt Camoni second by Robbie Martin. Aye carried. (7-0)
- M.** Motion to adopt Resolution 7 of 2026 authorizing the signing of the Letter of Understanding (LOU) with DCED for a study of both Hose Companies. Motion was made by Curt Camoni second by Jerry Crinella. Aye carried. (7-0)
- N.** Motion to approve licensing for Movies Under the Stars in the amount of \$1,430.00. Motion was made by Jeff Castellani second by Tom Fiorelli. Aye carried. (7-0)
- O.** Motion to reinvest \$139,000.00 to continue the ladder of investment with People's Security Bank. Motion was made by Tom Fiorelli second by Jerry Crinella. Aye carried. (7-0)
- P.** Motion to petition the Pennsylvania Liquor Control Board to allow music at the Veterans of Foreign War pavilion. Motion was made by Curt Camoni second by Robbie Martin. Aye carried. (7-0)
- Q.** Motion to reapprove the Jessup Steel Land Development Plan. Motion was made by Curt Camoni second by Jeff Castellani. Aye carried. (7-0)

**ADJOURN:** Motion was made by Ron Kordish second by Tom Fiorelli to adjourn the meeting. Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Coleen Watt, Secretary

<b>May 6, 2026</b>		
<b>GENERAL FUND - April 2026</b>		
<b>SAVINGS ACCOUNT</b>		
<b>BALANCE: March 31, 2026</b>		<b>\$ 2,494.59</b>
<b>RECEIPTS: April 2026</b>		
Interest on Savings-Peoples Security Bank		\$ 22.94
<b>SUB-TOTAL</b>		<b>\$ 2,517.53</b>
Transferred from Savings to Checking		\$ -
<b>BALANCE GENERAL FUND SAVINGS ACCOUNT: April 30, 2026</b>		<b>\$ 2,517.53</b>
<b>CHECKING ACCOUNT</b>		
<b>BALANCE: March 31, 2026</b>		<b>\$ 464,056.80</b>
<b>DEPOSIT RECEIPTS: April 2026</b>		
Berkheimer LST - April 2026	\$ 3,157.56	
Berkheimer EIT - April 2026	\$ 55,180.81	
Protective Inspection & UCC Fees	\$ 1,562.00	
Plan Review Fees	\$ 800.00	
UCC/Zoning Administrative Fees	\$ 467.00	
Zoning Fees	\$ 178.00	
Jessup Borough 2026 Real Estate Tax	\$ 439,844.13	
Delinquent Real Estate Taxes	\$ 3,536.08	
Real Estate Transfer Tax	\$ 3,650.01	
Municipal Lien Satisfaction	\$ 38,791.06	
Police Fines - Magistrate & County	\$ 793.74	
Police Report Copies	\$ 45.00	
Amusement Tax	\$ 285.00	
Solicitation/Peddlers Permit	\$ 75.00	
Golf Cart Registration Fee	\$ 80.00	
Electronic Recycling Fee	\$ 135.00	
Reimbursement from Assured Partners	\$ 75.00	
Scrap Metal Recycling Reimbursement	\$ 1,726.80	
Donation to Jessup 150 Celebration	\$ 1,000.00	
Donation to Borough - Community Events	\$ 5.20	
Invoice Fees	\$ 34.00	
Interest on Real Estate Taxes	\$ 89.23	
Interest on Checking-Peoples Security Bank	\$ 944.70	
<b>Total Checking Account Receipts</b>		<b>\$ 552,455.32</b>
<b>SUB-TOTAL</b>		<b>\$ 1,016,512.12</b>
<i>Total Checking Account Expenditures</i>		<u>\$ 220,549.73</u>
<b>GENERAL FUND CHECKING ACCOUNT BALANCE: April 30, 2026</b>		<b><u>\$ 795,962.39</u></b>
<b>GENERAL FUND EXPENDITURES: April 2026</b>		
AFLAC	\$ 373.08	
Airgas	\$ 154.46	

<b>GENERAL FUND EXPENDITURES: April 2026</b>		
All Phase Scranton	\$	129.00
Assured Partners	\$	2,398.08
AutoZone	\$	16.11
Barry Isett & Associates, Inc.	\$	11,067.50
benesch	\$	706.50
Blakely Borough	\$	2,675.86
Charles Schwab	\$	2,023.50
Cody Computer Services, Inc.	\$	307.50
Comcast	\$	1,790.07
Criterion Pictures, USA, Inc.	\$	375.00
DeLage Landen - Financial Services	\$	388.13
Dempsey Uniform & Linen Supply Inc.	\$	540.62
Dixon Sealer & Supply, Inc.	\$	74.50
Encova Insurance	\$	19,934.00
English's Hardware	\$	33.51
F&T Excavating	\$	2,200.00
Geisinger - Employer paid portion	\$	17,436.16
Geisinger - Employee paid portion	\$	2,177.86
Gerrity's Ace-Peckville	\$	627.03
Guardian - Dental employer paid portion	\$	562.80
Guardian - Dental employee paid portion	\$	93.96
Guardian - Life	\$	222.75
Guardian - Vision employer paid portion	\$	128.51
Guardian - Vision employee paid portion	\$	17.02
H.A. Berkheimer	\$	87.65
Iron Nebula	\$	7,409.40
IWDA Engineering	\$	481.80
Jennifer Filipski	\$	18.09
Jessup Ambulance	\$	6,457.12
Jessup Hose Company #1	\$	8,287.00
Justus Home & Garden	\$	816.73
Marshall Machinery	\$	63.40
Mid-Valley Plumbing Supply, Inc.	\$	64.45
MOL Communications & Electronics	\$	199.50
Nicole Pisarski	\$	150.00
Northeast Hydraulics	\$	179.13
PAWC	\$	3,068.90
Pennsylvania Municipal Retirement System	\$	6,539.50
Pennsylvania Steel Company Inc.	\$	1,732.14
Peters Consultants Inc.	\$	4,561.72
Pocono Sign Company	\$	648.00
Powell's Sales & Service	\$	755.81
PPL Electric Utilities	\$	1,413.36
R&J Main Street Car Wash, Inc.	\$	104.00
Reeves Rent-A-John, Inc	\$	804.00
S&S Automotive	\$	4,212.00

<b>GENERAL FUND EXPENDITURES: April 2026</b>		
Saporito, Falcone, & Watt	\$	2,584.80
Selective Insurance	\$	6,687.00
Sherwin-Williams	\$	335.67
Stafursky Auto Parts (NAPA Auto Parts)	\$	25.48
State Workmen's Insurance Fund	\$	1,380.00
Teamsters Local Union 229	\$	943.00
TOPP Business Solutions	\$	19.56
Tractor Supply	\$	333.87
Valley Carpet Cleaning	\$	470.00
Verizon	\$	135.32
Verizon Wireless	\$	794.80
YCG, Inc.	\$	290.50
Peoples Security Bank-Credit Card Payment	\$	2,134.53
Employee Payroll	\$	63,642.79
We Pay Payroll Processing Co.	\$	443.00
Payroll Tax Liabilities	\$	25,822.20
	<b>TOTAL</b>	<b>\$ 220,549.73</b>

**Bills Received in April 2026 - General Fund**

Aaron Bertholf	Police officer training	\$	450.00
Airgas	DPW supplies	\$	246.33
Animal Arrest	Nuisance wildlife control for Borough	\$	55.00
Autozone	Vehicle supplies for DPW & Police vehicles	\$	19.38
Barry Isett & Associates	Billing for PA UCC permit fees & inspections	\$	4,071.75
Bell Mountain Land Development Corp	Agricultural supplies for Borough Building	\$	32.33
benesch	Engineering services	\$	1,521.00
Blakely Borough	Fuel for Borough vehicles	\$	2,562.89
Chiefs of Police Association of Lackawanna County	Annual contribution for Lackawanna County Drug Task Force	\$	150.00
Crystal Clear Spring Water Co.	Water delivery for Borough Building	\$	116.00
David F. Garvey, P.E.	Retainer for S.E.O. services for Borough	\$	700.00
Dempsey Uniform & Linen Supply	Cleaning & sanitation services & supplies	\$	586.80
English's Hardware	DPW supplies	\$	20.44
Grand Rental Station	Rental of equipment	\$	211.14
H&K Group, Inc.	Road materials for Palmer Drive	\$	626.26
Holiday Outdoor Décor	Purchase of Hometown Hero Banners	\$	8,573.41
Iron Nebula	IT services	\$	5,642.70
Jennifer Filipski	Reimbursement for purchase of movie for Movies Under the Stars events	\$	20.37
Jermyn Supply	Agricultural supplies for parks	\$	640.00
Jessup Tax Collector	Reimbursement for computer software	\$	450.00
Justus Home & Garden	Agricultural supplies for parks	\$	66.40
Keystone Propane	DPW supplies	\$	80.00
Lackawanna Heritage Valley	Annual Heritage Trail Maintenance Contribution	\$	3,780.00
Lackawanna Printing Co.	Golf Cart registration stickers	\$	60.00
Mario J. Hanyon, Esquire	Zoning Hearing Board fees	\$	1,708.04
Marshall Machinery, Inc.	DPW supplies	\$	297.60
Mid Valley Plumbing Supply Inc.	Supplies for Station Park	\$	102.58
NEPA Concrete & Asphalt	Road materials for Palmer Drive	\$	475.39
PA State Association of Boroughs	Employment drug testing	\$	96.21
Peters Consultants, Inc.	Engineering services	\$	1,781.00
R&J Main Street Car Wash, Inc.	Washing services for police vehicles	\$	44.00
Reeves Rent-A-John, Inc.	Services to Memorial Field, Station Park, Pioneer Field & Sara Bratty Park	\$	804.00
Saporito, Falcone, & Watt	Monthly bill for legal services	\$	3,167.20
Scranton Times	General advertising costs	\$	1,570.98
Starr Uniform	Police uniforms	\$	1,337.88
Valley Carpet & Janitorial Services	Monthly bill for cleaning services	\$	470.00

**Total \$ 42,537.08**

# Accounts Summary

## May 6, 2026

<b>Fund</b>	<b>Account Balance as of 04/30/2026</b>
<b>General Fund - Checking</b>	<b>\$ 795,962.39</b>
<b>General Fund - Savings</b>	<b>\$ 2,517.53</b>
<b>Money Market Account</b>	<b>\$ 431,269.51</b>
<b>CD Portfolio</b>	<b>\$ 573,756.44</b>
<b>Treasury Bill Portfolio</b>	<b>\$ 566,629.98</b>
<b>Capital Improvements Account</b>	<b>\$ 54,892.75</b>
<b>Refuse Account</b>	<b>\$ 145,263.37</b>
<b>Motor License Account</b>	<b>\$ 117,784.93</b>
	<b><i>Total:</i> \$ <u>2,688,076.90</u></b>

**May 6, 2026**

**CAPITAL IMPROVEMENTS**

<b>BALANCE: March 31, 2026</b>		<b>\$ 55,463.55</b>
<b>RECEIPTS: April 2026</b>		
Commonwealth of PA <i>For Saint Ubaldo Renovation project</i>	\$ 49,262.00	
Peoples Security (Interest)	\$ 123.08	
<b>TOTAL ACCOUNT RECEIPTS</b>		<b>\$ 49,385.08</b>
<b>SUB-TOTAL</b>		<b>\$ 104,848.63</b>
<i>Total Expenses April 2026</i>		<i>\$ 49,955.88</i>
<b>Balance April 30, 2026</b>		<b>\$ 54,892.75</b>
<b>EXPENSES April 2026</b>		
Peoples Security (Wire Transfer Fee)	\$ 15.00	
Pioneer Construction Company, Inc. <i>For Mary Jo Drive project</i>	\$ 49,940.88	
<b>Total Expenses</b>	<b>\$ 49,955.88</b>	

**MONEY MARKET ACCOUNT**

<b>BALANCE: March 31, 2026</b>		<b>\$ 180,868.13</b>
<b>RECEIPTS: April 2026</b>		
Invenergy LEC Hosting Payment	\$ 250,000.00	
Peoples Security (Interest)	\$ 401.38	
<b>TOTAL ACCOUNT RECEIPTS</b>		<b>\$ 250,401.38</b>
<b>SUB-TOTAL</b>		<b>\$ 431,269.51</b>
<i>Total Expenses April 2026</i>		<i>\$ -</i>
<b>Balance April 30, 2026</b>		<b>\$ 431,269.51</b>
<b>EXPENSES April 2026</b>		
<b>Total Expenses</b>	<b>\$ -</b>	

## MOTOR LICENSE FUND

<b>BALANCE: March 31, 2026</b>		<b>\$ 126,086.65</b>
<b>RECEIPTS: April 2026</b>		
Peoples Security (Interest)	\$ 395.70	
<b>TOTAL ACCOUNT RECEIPTS</b>		<b>\$ 395.70</b>
<b>SUB-TOTAL</b>		<b>\$ 126,482.35</b>
<i>Total Expenses April 2026</i>		<i>\$ 8,697.42</i>
<b>Balance April 30, 2026</b>		<b>\$ 117,784.93</b>
<b>EXPENSES April 2026</b>		
PP&L	\$ 8,697.42	
<b>Total Expenses</b>	<b>\$ 8,697.42</b>	

## REFUSE ACCOUNT

<b>BALANCE: March 31, 2026</b>		<b>\$ 127,985.45</b>
<b>RECEIPTS: April 2026</b>		
Refuse Fee Collected	\$ 92,520.00	
JP Mascaro & Sons	\$ 2,031.15	
Peoples Security (Interest)	\$ 396.77	
<b>TOTAL ACCOUNT RECEIPTS</b>		<b>\$ 94,947.92</b>
<b>SUB-TOTAL</b>		<b>\$ 222,933.37</b>
<i>Total Expenses April 2026</i>		<i>\$ 77,670.00</i>
<b>Balance April 30, 2026</b>		<b>\$ 145,263.37</b>
<b>EXPENSES April 2026</b>		
JP Mascaro & Sons	\$ 77,670.00	
<b>Total Expenses</b>	<b>\$ 77,670.00</b>	

**May 6, 2026**

**9 Month CD**

<b>ORIGINAL BALANCE</b>		<b>\$ 250,000.00</b>
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<b>CURRENT BALANCE</b>		<b>\$ 286,594.00</b>
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<i>Maturity Date:</i>	<i>8/4/2026</i>	
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<i>Interest Rate:</i>	<i>3.65%</i>	
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*\*Rolled over 02/04/2023, 08/04/2023, 02/04/2024, 02/04/2025, 11/04/2025*

**12 Month CD**

<b>ORIGINAL BALANCE</b>		<b>\$ 258,137.21</b>
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<b>CURRENT BALANCE</b>		<b>\$ 287,162.44</b>
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<i>Maturity Date:</i>	<i>5/11/2026</i>	
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<i>Interest Rate:</i>	<i>3.60%</i>	
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*\*Rolled over 05/11/2024, 05/11/2025*

**May 6, 2026**

**12 Month US Treasury Securities**

ORIGINAL PURCHASE PRICE \$ 124,648.36

VALUE AS OF 04/30/2026 \$ 143,569.44

Maturity Date: 6/30/2026

**12 Month US Treasury Securities**

ORIGINAL PURCHASE PRICE \$ 128,984.04

VALUE AS OF 04/30/2026 \$ 141,809.04

Maturity Date: 10/1/2026

**12 Month US Treasury Securities**

ORIGINAL PURCHASE PRICE \$ 128,019.58

VALUE AS OF 04/30/2026 \$ 141,620.77

Maturity Date: 12/24/2026

**12 Month US Treasury Securities**

ORIGINAL PURCHASE PRICE \$ 130,556.36

VALUE AS OF 04/30/2026 \$ 138,460.60

Maturity Date: 3/18/2027

**Insured Cash Account**

ORIGINAL BALANCE \$ 1,664.90

CURRENT BALANCE \$ 1,170.13

\*Please note that values fluctuate on a daily basis and the interest on the bills is not fully recognized until the bills have reached their maturity dates.

## DPW April Report

1. Paved 3 patches on Palmer Drive and fixed a water problem on road.
2. Turned water on at Station Park. Removed old water fountains and installed a box in ground with a spigot. Replaced the frost free spigot. Removed old garbage bins and broken benches. Reinstalled sign. New signs are on order.
3. We are in progress with hanging of Hometown Hero Banners.
4. Slit seeded Memorial Field and the newly constructed area of JYSA.
5. Fabricated additional garbage cans for the parks.
6. Reinstalled newly restored "Welcome to Jessup" signs.
7. Restored the field and track at Memorial Field.
8. Responded to various sewer emergencies.

*Joe Ciria*

# **Borough of Jessup**

## **RESOLUTION No. 8 of 2026**

**BE IT RESOLVED**, that the Borough of Jessup is hereby authorized to enter into a Cooperation Agreement with the County of Lackawanna for the **SARAH BRATTY PARK ADA IMPROVEMENTS** project.

**ADOPTED** at a regular meeting of the Jessup Borough Council held on the 6th day of May, 2026.

**ATTEST**

**Jessup Borough**

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**Coleen Watt**  
**Borough Manager**

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**Gregg Betti**  
**Council President**

**APPROVED AS TO FORM AND LEGALITY**

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**SOLICITOR**  
**Maura Armezzani-Tunis, Esq.**

**BOROUGH OF JESSUP**

**LACKAWANNA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 4-2026**

**AN ORDINANCE OF THE BOROUGH OF JESSUP AMENDING THE BOROUGH'S ZONING ORDINANCE TO COMPREHENSIVELY REVISE SECTIONS 1005 AND 1008 PERTAINING TO NOISE AND VIBRATION, RESPECTIVELY, WITH NEW PROVISIONS RELATED TO PURPOSE, APPLICABILITY, SOUND LEVEL LIMITS, VIBRATION LEVEL LIMITS, SPECIFIC SOURCES OF NOISE, EXEMPTIONS, NONCONFORMING USES, MEASUREMENT, TAMPERING PROHIBITIONS, EXCESSIVE VIBRATION PROHIBITIONS, MONITORING REQUIREMENTS, NOISE MITIGATION PLANS, ENFORCEMENT, AND FINANCIAL ASSURANCE REQUIREMENTS, AND TO DEFINE NEW TERMS PERTAINING TO THE ABOVE IN ARTICLE 15, DEFINITIONS.**

**WHEREAS**, the Borough of Jessup is a duly ordained and existing political subdivision organized under the laws of the Commonwealth of Pennsylvania, particularly, the Pennsylvania Borough Code, as amended (8 Pa.C.S.);

**WHEREAS**, the Borough of Jessup has in effect Ordinance Number 10 of the year of 2020 (Ordinance, No. 10-2020), otherwise known as the Borough of Jessup Zoning Ordinance ("Zoning Ordinance"), pursuant to its statutory authority under the Pennsylvania Municipalities Planning Code ("MPC"), Act 247 of 1968, as amended (53 P.S. § 10101 et seq.);

**WHEREAS**, since its adoption, the Borough of Jessup Council has from time to time amended the Zoning Ordinance;

**WHEREAS**, the Borough of Jessup Council seeks to amend the Zoning Ordinance to keep up with best practices regarding the regulation of noise and vibration;

**WHEREAS**, the Borough of Jessup Council deems it to be in the best interest for the health, safety, and general welfare of Borough residents and businesses to update and amend provisions of the Zoning Ordinance relating to noise and vibration; and

**WHEREAS**, the Borough of Jessup Council has duly discussed, legally advertised, and held public hearings in accordance with the MPC as well as said Zoning Ordinance of its intention to amend said Ordinance in accordance with the provisions outlined herein;

**NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED** by the Borough of Jessup Council, pursuant to the authority granted to it under the laws of the Commonwealth of Pennsylvania, as follows:

1. **Zoning Ordinance Amendments** – The Borough of Jessup Zoning Ordinance is hereby amended to reflect the following changes to Articles 10 and 15:

1.1 Zoning Ordinance, Article 10 (Environmental Protection), Section 1005 (Noise) shall be amended in its entirety as follows:

1005. **Noise.**

A. **Purpose.** The purpose of this section is to provide regulations defining the maximum sound levels that land uses, the lots on which they are situated, the buildings and structures they occupy, and the vehicles, appliances, and equipment operated and stored on said lots shall be allowed to produce. The Borough recognizes that uncontrolled noise represents a danger to the health and welfare of their neighbors and that each person in the community is entitled to live in an environment in which the level of noise is minimized to safeguard the comfort and health of those persons residing, working, and/or recreating in the Borough.

B. **Applicability.** This section shall apply to:

- (1) All land uses, whether principal or accessory or temporary.
- (2) Sounds of any time duration.
- (3) All buildings, structures, equipment, and vehicles situated or operating on lots within the Borough, including their owners, operators, and other associated persons, or in the public right-of-way.

C. **Sound Level Limits.** It shall be unlawful for any land use, equipment, vehicle, or person on any lot or in any public right-of-way to create noise which causes the sound level to exceed the limits defined in Table 1005.

- (1) Table 1005 lists maximum “Daytime” sound levels permitted at the lot lines of zoning districts and specific land uses receiving sound. “Daytime” shall refer to 7:00 a.m. to 10:00 p.m. local time, other than on federal holidays, unless otherwise defined. “Quiet Hours” shall refer to 10:00 p.m. to 7:00 a.m. local time and all day on federal holidays, unless otherwise defined. During Quiet Hours, the maximum sound level shall be 10 dB less than the corresponding listed Daytime sound level.
- (2) As enforced through this Ordinance, sound on a receiving lot line shall not at any time exceed the listed maximum for any of the three (3) types of weighted or unweighted decibel levels identified in Table 1005 (dBA, dBC, and dBZ).
- (3) Any sound source that produces noise in excess of the levels established in Table 1005 shall constitute a noise disturbance. No person shall make or continue, or cause to be made or continued, any noise disturbance, nor shall any person emit noise pollution as defined in Section 1502 of this Ordinance.
- (4) In the event that the background sound levels in an area of suspected noise disturbance exceed the maximum sound levels set forth in Table 1005, the sound level of the intrusive sound source shall be measured by calculating the difference between the maximum permissible sound level at a lot line in the district where the sound level is

suspected as being exceeded and the actual background sound level, and subtracting the difference from the former.

- (5) For any source of sound which meets the definition of cyclical, steady, or tonal noise, the limits set forth in Table 1005 shall be reduced by five (5) dB.

**Table 1005: Sound Level Limits at Receiving Lot Lines**

Receiving Lot Line (in a Zoning District or of a Land Use)	Maximum Daytime Decibel Level at Receiving Lot Line (Subtract 10 dB for Maximum Levels During Quiet Hours)		
	When measured as dBA (i.e., ambient sound)	When measured as dBC (i.e., impact sound)	When measured as dBZ (i.e., pure tone)
C-R	65	60	90
R-1	65	60	90
R-2	65	60	90
R-3	65	60	90
MU	75	80	100
TC	75	80	100
IC	80	90	120
LI	80	90	120
GI	80	90	120
EITO	80	90	120
Any Nonconforming Use in the IC, LI, GI, or EITO Districts	75	85	100
Any Nonconforming Use in the TC or MU Districts	70	75	95
Any Nonconforming Use in the C-R, R-1, R-2, or R-3 Districts	65	60	90

- D. Regulations for Specific Sources of Noise. In addition to the sound sources that produce noise in excess of the levels established in Table 1005, the following identified sources of noise, when occurring on a lot with an authorized principal or accessory use (including legally nonconforming uses) or in the public right-of-way, are specifically regulated as follows:

- (1) Alarms.
- (a) Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm unless such alarm is automatically terminated within

10 minutes of activation and does not sound again at all within the hour, except in the case of emergencies.

- (b) Each 10-minute interval of sounding, or part thereof, within an hour after the initial 10-minute sounding shall constitute a separate violation.
- (c) Fines for the sounding of burglar or fire alarms in violation of this Subsection may be assessed against the owner or the occupant of the building in which the alarm is located.
- (d) Any motor vehicle, located on either public or private property, whose alarm has been sounding in excess of 10 minutes in an hour, is hereby deemed to be a public nuisance subject to immediate abatement. To effect abatement, police must have reasonable evidence that the sounding has lasted in excess of 10 minutes, and then make reasonable efforts to contact the owner of such vehicle to either have the owner shut off the alarm or to authorize police to arrange for the shut-off of the alarm. If such efforts are unsuccessful, police are hereby authorized to abate the nuisance by arranging for tow company employees to shut off the alarm and/or to tow the motor vehicle to a storage area or other place of safety. In addition to any fines for violating this section, the registered owner of the motor vehicle shall be responsible for all reasonable expenses, costs, and charges incurred by the deactivation of the alarm and the removal and storage of such vehicle.

(2) Animals and birds.

- (a) Owning, possessing, harboring, or controlling any animal or bird on private property which howls, barks, meows, squawks, or makes other sounds continuously and/or incessantly for a period of 10 minutes or makes such noise intermittently for 30 minutes or more to the disturbance of any person at any time of day or night, other than on a farm; provided, however, that at the time the animal or bird is making such noise, no person may trespass or threaten to trespass on the private property upon which the animal or bird is situated or for any other legitimate cause which teased or provoked the animal or bird.
- (b) This subsection only applies when two (2) or more persons who reside in separate dwelling units (including apartments and condominiums) located across a lot line from the property on which the source of the noise is generated file complaints about the animal or bird. However, prior to filing the complaint, the complainants must first request the person owning, possessing, harboring, or controlling the animal or bird to take action to prevent the animal or bird from creating a noise disturbance. If, after making the request to the person owning, possessing, harboring, or controlling the animal or bird, the noise disturbance continues, a complaint may be filed.

(3) Construction. Unless otherwise authorized by the enforcing authority, operating or permitting the operation of any tools or equipment used in construction operations, drilling, or demolition work shall be specifically prohibited in the following circumstances:

- (a) Between the hours of 10:00 p.m. and 7:00 a.m. on weekdays and Saturdays, or at any time on Sundays or legal holidays, such that the sound therefrom creates a noise disturbance, except for emergency work. In the event that extraordinary circumstances require construction on a Sunday or legal holiday, such construction may be permitted only upon prior notification of and approval by the Borough, which shall have sole discretion to approve or deny the request. The Borough shall issue a permit as evidence of approval.
  - (b) When performed without approved permits or a noise mitigation plan, as required under Section 1005.J.
  - (c) At any other time such that the sound level at or across a lot line exceeds 85 dBA for a period of one (1) hour, except at lot lines wholly within the LI, GI, or EITO districts, in which case the limits specified in Table 1005 apply.
- (4) Explosives, fireworks, firearms, and similar devices. The use or firing of explosives, fireworks, firearms, firecrackers, or similar devices which make impulsive sound so as to cause a noise disturbance, shall be specifically prohibited. As provided in the Jessup Borough Fireworks Ordinance, Ordinances No. 8-2018 and No. 5-2020, as amended, the use of consumer fireworks is prohibited on any date other than the day before Memorial Day, Memorial Day, July 3rd, July 4th, the day before Labor Day, Labor Day, and New Year's Eve, and is prohibited at any time on those dates other than between dusk and 10:00 p.m.
- (5) Generators.
- (a) Applicability. Unless a different standard is provided for a specific use elsewhere in this Ordinance, the requirements of this Subsection shall apply to the following:
    - 1. All generators for new and existing non-residential uses, whether backup/portable or standby/permanent.
    - 2. New and replacement generators for residential uses.
  - (b) Mufflers and/or enclosures required. All generators listed in Section 1005.D(5)(a), whether backup/portable or standby/permanent, shall be equipped with functioning mufflers and/or enclosures, unless the applicant can prove to the Borough Council through a sound study completed by a third-party professional acoustical expert paid for by the applicant that noise from the generator when used without such sound-dissipative devices will not exceed the maximum permissible sound levels specified in Table 1005. Applicants shall strive to deploy generators with the quietest specifications possible and perform any upgrades as needed to maintain compliance with these standards.
  - (c) Site placement and screening requirements.
    - 1. All standby/permanent generators shall be screened by evergreen plantings no shorter than four (4) feet at the time of planting or a minimum six (6) and maximum 12-foot-high fence with a fire-department-accessible locking gate, unless the applicant can prove to the Borough Council through a sound study

completed by a third-party professional acoustical expert paid for by the applicant that noise from the generator when used without screening will not exceed the maximum permissible sound levels specified in Table 1005.

2. All generators, whether backup/portable or standby/permanent, shall be placed on the site as far as physically possible from lot lines and oriented to face away from residential lots and districts to the greatest extent possible. In no case shall generators deployed by a non-residential use be placed closer than 500 feet from any lot line of a residential lot or district, except during emergencies.
  - (d) Testing limits. Routine testing of generators shall not occur more than one (1) time per week and shall not exceed one (1) hour of runtime. A routine testing schedule shall be submitted to the Borough Zoning Officer and updated when the schedule changes. Testing may only take place during "Daytime," defined specifically for this subsection as between the hours of 9:00 a.m. and 5:00 p.m. from Monday through Friday. The maximum permissible sound levels in Table 1005 apply during the permitted testing period.
- (6) Other Building and Power Systems.
- (a) Applicability. Unless a different standard is provided for a specific use elsewhere in this Ordinance, the requirements of this Subsection shall apply to building and power systems used for the operation of a non-residential building or use, other than generators, which are regulated in Section 1005.D(5). Examples of such systems include cooling towers, chillers, outdoor/rooftop HVAC equipment, transformers, and substations, provided that these systems are located outdoors or can be heard outdoors.
  - (b) Noise mitigation required. The applicant shall equip all building and power systems which made noise that can be heard outdoors with sound-dissipative devices or enclosures that prevent such systems from exceeding the maximum permissible sound levels specified in Table 1005. Applicants shall strive to install equipment with the quietest specifications possible and perform any upgrades as needed to maintain compliance with these standards.
  - (c) Site placement and screening requirements. Unless the applicant can prove through a sound study completed by a third-party professional acoustical expert paid for by the applicant that building and power systems which make noise that can be heard outdoors will not exceed the maximum permissible sound levels specified in Table 1005, such systems shall be installed no closer than 500 feet from any lot line of a residential lot or district and screened by evergreen plantings no shorter than four (4) feet at the time of planting or a minimum six (6) and maximum 12-foot-high fence. Systems shall be physically oriented to face away from residential lots and districts to the greatest extent possible.
  - (d) Testing limits. Routine testing of building or power systems shall not occur more than one (1) time per week and shall not exceed one (1) hour of runtime. Testing may only take place during "Daytime," defined specifically for this subsection as between the hours of 9:00 a.m. and 5:00 p.m. from Monday through Friday and between the hours of 10:00 a.m. and 6:00 p.m. on Saturday and Sunday. The

maximum permissible sound levels in Table 1005 apply during the permitted testing period.

- (7) Heating, ventilation, and air conditioning (HVAC) and refrigeration equipment. It shall be unlawful for any person to maintain any refrigeration machinery or air conditioning, consisting of air compressors or rotating or reciprocating machinery, in such manner as to create a noise disturbance.
- (8) Loading and unloading. Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, garbage cans, doors, dumpsters, or similar objects between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to cause a noise disturbance shall be specifically prohibited. This provision shall not apply to municipal or utility services in or about the public right-of-way or to licensed refuse haulers.
- (9) Loudspeakers and public address systems. Unless otherwise permitted by a duly authorized agent of the Borough, using or operating for any purpose any loudspeaker, public address system, or similar device (1) such that the sound therefrom creates a noise disturbance or (2) such that the sound occurs between the hours of 10:00 p.m. and 7:00 a.m., shall be specifically prohibited, except that such prohibition shall not apply to Borough-owned properties.
- (10) Motor vehicles (including motorcycles and motorboats), and any equipment attached to thereof:
  - (a) Vehicle repairs and testing: Repairing, rebuilding, modifying, or testing any motor vehicle in such a manner as to cause a noise disturbance shall be prohibited.
  - (b) Mufflers, engine exhausts, and other sound emissions: Motor vehicles and equipment attached to thereof shall not be operated in such a manner that the sound level emitted from such vehicle or equipment exceeds the level set forth in Title 67, Chapter 450, of the Pennsylvania Department of Transportation (PennDOT) Regulations for Established Sound Levels. This includes the discharge into the open air of the Borough of the exhaust of any steam engine, gasoline engine, stationary internal combustion engine, or other kind or type of engine, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
  - (c) Idling vehicles: Motor vehicles shall not be operated for a period longer than 15 minutes in any one (1) hour while the vehicle is stationary, for reasons other than traffic congestion, anywhere within 150 feet of any residential dwelling in such a manner as to cause a noise disturbance across a residential lot line.
  - (d) Horns and other signaling devices: A motor vehicle shall not be operated such that its driver is engaged in unnecessary horn blowing, except when absolutely necessary as a warning while actually driving such a vehicle. The sounding of any horn or signaling device on any motor vehicle on any lot or in a public right-of-way, so as to cause a noise disturbance, shall be specifically prohibited, except as a danger warning. This specific prohibition includes the creation of any unreasonably loud or harsh sound by means of any such signaling device; the

sounding of any such device for more than two (2) seconds in any 10-minute period; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle, or other device operated by engine exhaust; and the use of any such signaling device when traffic is for any reason held up. The use of sirens, except by authorized emergency vehicles, is specifically prohibited.

- (e) Sound-amplifying devices: Motor vehicles shall not operate sound-amplifying equipment mounted in such a manner as to exceed the maximum permissible sound levels established in Table 1005.
- (11) Powered model vehicles: Operating or permitting the operation of powered model vehicles such as radio-controlled cars so as to create a noise disturbance across a lot line between the hours of 10:00 p.m. and 7:00 a.m. shall be specifically prohibited.
- (12) Radios, television sets, music playing devices, musical instruments, and similar devices: Operating, playing, or permitting the operation or playing of any radio, television, phonograph, music playing device, drum, musical instrument, sound amplifier, automobile radio, automobile stereo, or high-fidelity equipment or similar device which produces, reproduces, or amplifies sound under one (1) or more of the following conditions shall be specifically prohibited:
  - (a) At any time in such a manner as to cause a noise disturbance across a lot line, or between the hours of 10:00 p.m. and 7:00 a.m. so as to be plainly audible across a lot line.
  - (b) In such a manner as to create a noise disturbance across a lot line or at 50 feet from such device, whichever is less, when the device is operated in or on a motor vehicle or hand-carried on a public right-of-way.
  - (c) In such a manner as to create a noise disturbance to any person other than the operator of the device, when operated by any driver, passenger, or common carrier.
- (13) Stationary nonemergency sound devices.
  - (a) Sounding or permitting the sounding of any bell, chime, siren, whistle, or similar device, intended primarily for non-emergency purposes, from any place, for more than 10 minutes in any hourly period, shall be specifically prohibited.
  - (b) Devices used in conjunction with places of religious worship shall be exempt from Subsection (a) above.
- (14) Street sales. Offering for sale or selling anything by shouting or outcry, or by any other amplified or unamplified sound within any non-industrial zoning district, except in a stadium or sports arena, shall be prohibited, except between the hours of 7:00 a.m. and 10:00 p.m.
- (15) Vibrational noise. Operating or permitting the operation of any device that creates vibrational noise which is above the perception threshold of an individual at or beyond the lot line of the source shall be prohibited. See Section 1008 for additional vibration regulations.

- (16) Yelling and shouting, etc.: Engaging in loud yelling, shouting, hooting, whistling, or singing under one (1) or more of the following conditions shall be specifically prohibited:
- (a) At any time in such a manner as to cause a noise disturbance across a lot line, or between the hours of 10:00 p.m. and 7:00 a.m. so as to be plainly audible across a lot line.
  - (b) In a public right-of-way between the hours of 10:00 p.m. and 7:00 a.m. so as to cause a noise disturbance.
- E. Exemptions. The maximum permissible sound level limits set forth in Table 1005 shall not apply to any of the following noise sources:
- (1) Sound needed to alert people about an emergency.
  - (2) Repair or installation of utilities or construction of structures, sidewalks, or streets in the public right-of-way.
  - (3) Lawnmowers, snowblowers, leaf blowers, and similar equipment, provided that such tools do not cause a noise disturbance between the hours of 10:00 p.m. and 7:00 a.m.
  - (4) Household power tools, such as mechanically powered saws, drills, sanders, and grinders, provided that such tools do not cause a noise disturbance between the hours of 10:00 p.m. and 7:00 a.m.
  - (5) Agricultural activities and animals residing on a farm.
  - (6) Public celebrations authorized by Borough Council or a Borough, County, State, or Federal Government agency or body.
  - (7) Unamplified human voices, except as set forth in Section 1005.D(16).
  - (8) Routine ringing of bells and chimes by a place of worship or municipal clock.
  - (9) Vehicles lawfully operating on a public street, railroads and aircraft.
- F. Nonconforming Uses. Any noise which occurs on a lot which, according to the Zoning Ordinance is being used in a legally nonconforming manner, and which noise relates to said use, shall be judged as if the lot bore a zoning designation under which the use would be conforming.
- G. Tampering with Sound-Dissipative Devices Prohibited.
- (1) The removal or rendering inoperative by any person, other than for purposes of maintenance, repair, or replacement, of any muffler or sound-dissipative device or element of design or noise label of any product shall be specifically prohibited.
  - (2) It shall be unlawful to use a product which has had a muffler or sound-dissipative device or element of design or noise label removed or rendered inoperative, with knowledge that such action has occurred.

H. Measurement.

- (1) Measuring Instruments. All sound measurements shall be made on a sound level meter and calibrated in the manner required by the manufacturer's specifications. The sound level meter shall be capable of measuring sound levels using the dBA, dBC, and dBZ weighting filters.
- (2) Measurement Protocols.
  - (a) Noise levels shall be measured from the closest boundary between the district in which the noise-generating use is located and an affected district of lesser intensity. (For the purposes of this Section, the IC, LI, GI, and EITO districts are considered the districts of greatest intensity, and the C-R, R-1, R-2, and R-3 districts the districts of least intensity.)
  - (b) Noise shall be measured in both Daytime and Quiet Hours (see Section 1005.C(1)) for all development applications in which a sound study is required during or post-construction.
  - (c) For existing uses, noise levels shall be measured when a complaint is received from the complainant's lot line closest to the noise-generating use. Noise may also be measured whenever an ordinance enforcement officer suspects that a noise disturbance may be taking place during the routine conduct of his or her duties.
  - (d) Weather and atmospheric conditions that naturally amplify noise may be taken into account in the administration of enforcement remedies, so long as the measured sound level for the applicable location as provided in Table 1005 does not exceed 15 dB above the listed maximum permissible sound level at any point in time during the measurement period and for any duration of the sound.

I. Monitoring Requirements.

- (1) Monitoring of sound levels when required as part of an enforcement action or test, shall be performed by one or more of the following designated ordinance enforcement officers:
  - (a) Code enforcement officer.
  - (b) Zoning officer.
  - (c) Law enforcement officers (police).
  - (d) Third-party acoustical professional retained by the Borough.
- (2) Monitoring of sound levels for a specific permitted use, conditional use, or use by special exception, shall be performed by the landowner or his/her assigns. Monitoring data shall be gathered in accordance with Borough requirements and shall be transmitted directly, continuously, and automatically to the Borough via electronic means.

- (3) Temporary monitoring may be required at the discretion of the ordinance enforcement officers listed in Section 1005.I(1) after two (2) or more documented violations by a specific person or land use.
- (4) Ongoing or permanent monitoring may be required at the discretion of the ordinance enforcement officers listed in Section 1005.I(1) after four (4) or more documented violations by a specific person or land use.
- (5) All monitoring and testing costs shall be borne by the applicant, in the case of a land use requiring ongoing noise monitoring, or by the violating landowner or his/her assigns, in the case of a property with multiple documented violations.
- (6) The sound level meter used in monitoring must be field calibrated before and after any noise monitoring session, and noise measurement and calibration devices must be laboratory calibrated and certified annually (i.e., at least once per year). A copy of factory/laboratory calibration documentation shall be submitted to the Borough, kept on file at the Borough Office, and included with reports.
- (7) Failure of the Borough to continuously engage in monitoring after a specific development application or noise complaint does not waive the right for the Borough to initiate an enforcement action at any later time.

J. Noise Mitigation Plan.

- (1) Each person, corporation or other business entity performing construction work in the Borough shall create and implement a written noise mitigation plan for the site of the construction, and such rules shall apply whenever any construction activity is performed at the site. This plan shall be included with all applications for a Construction Permit issued in accordance with Sections 1403.E and 1404 of this Ordinance. Such plan shall become a part of said permit when approved by the Zoning Officer.
- (2) The noise mitigation plan shall be created prior to the commencement of construction at the site, or, with respect to emergency work, within three (3) days thereafter, and shall apply to all work at the site throughout the construction process. The plan shall provide in detail the noise mitigation strategies, methods, and procedures, for each piece of noise-generating equipment and/or work performed at the site. Each permit holder or other person in charge of the construction site shall be held accountable for compliance with such rules and shall ensure that each person performing construction work at the site is aware of the plan and in compliance with its provisions.
- (3) A copy of the plan shall be kept at the construction site, displayed in a conspicuous manner around the perimeter of the site, and made accessible for inspection by the public and persons authorized to enforce the provisions of this Ordinance, except that where there are no exterior structures at the construction site, such plan need only be kept with the permit holder and made accessible for inspection by the public and persons authorized to enforce the provisions of this Ordinance.
- (4) The plan shall be amended whenever additional noise-generating equipment is to be deployed or activities are to be performed that were unforeseen at the commencement of construction, or at the direction of an ordinance enforcement officer.

- (5) This section shall not apply to construction work in connection with the alteration or repair of an existing owner-occupied dwelling.

K. Enforcement.

- (1) Enforcement of this Section shall be initiated by one or more of the following designated ordinance enforcement officers:
  - (a) Code enforcement officer.
  - (b) Zoning officer.
  - (c) Law enforcement officers (police).
  - (d) Third-party acoustical professional retained by the Borough.
- (2) All enforcement remedies shall be initiated in accordance with Article 14 of this Ordinance.
- (3) As part of their duties, the ordinance enforcement officers listed in Section 1005.K(1) shall have the authority to enter property with proper notice or warrant as mandated by state law, order testing and monitoring, and issue citations, stop-work or cease-and-desist orders, and fines in accordance with the Borough's Fee Schedule, or initiate other enforcement actions. Such actions may include, but are not limited to the following:
  - (a) Temporarily shut down equipment causing a noise disturbance.
  - (b) Halt generator or load testing.
  - (c) Suspend nighttime operations of violating land uses until compliance is restored.
- (4) Stop-work or cease-and-desist orders may be issued in accordance with Section 1406.F of this Ordinance and specifically in the following situations:
  - (a) When noise disturbances or other violations of this Section are persistent.
  - (b) When noise disturbances exceed the maximum permissible sound level limits in Table 1005 by 25 dB or greater.
  - (c) When public health, safety, and welfare impacts are documented.
- (5) All costs associated with enforcement of this Section shall be borne by the violator, including but not limited to the following:
  - (a) Costs associated with noise testing and monitoring.
  - (b) Borough staff enforcement time, including any overtime costs associated with responses outside of regular business hours.
  - (c) Legal and expert witness fees.

- (6) Penalties for the violation of this Section may include but are not limited to the following:
  - (a) Enforcement remedies and civil penalties, including financial judgments, as provided for in Section 617.2 of the Pennsylvania Municipalities Planning Code (MPC) and Section 3321 of the Pennsylvania Borough Code (8 Pa.C.S. § 3321).
  - (b) Increased frequency of inspections or other enforcement actions.
  - (c) Shortened time limits for the implementation of corrective actions, which may include the requirement that the landowner or his/her assigns replace or retrofit equipment determined to be in violation of this Section in order to maintain permits required under Section 1403 and/or a Certificate of Occupancy. If corrective actions are not appropriately taken within the required time limit, revocation or suspension of permits may occur in accordance with Section 1403.F.
  - (d) Mandatory curtailment of operations in violation of this Section.
  - (e) The institution of legal proceedings seeking abatement of the violation or prosecution of the owner of the lot from which the source of the noise disturbance is located.
- (7) The time limits specified in Section 1406.C of this Ordinance for corrective actions generally apply to violations of this Section. However, a longer time period to implement corrective actions may be granted under the following circumstances:
  - (a) First-time violations.
  - (b) Exceedances of the maximum permissible sound level limits in Table 1005 by 25 dB or less, provided that no other violations of this Section have been documented within one (1) year of the exceedance.
- (8) Emergency enforcement to compel compliance with this Section may include any of the enforcement actions listed in Sections 1005.K(3) and 1005.K(4) and may be authorized in the following situations:
  - (a) Noise levels exceeding the maximum permissible sound level limits in Table 1005 by 50 dB or greater or which reach 170 dB, whichever is less.
  - (b) When public health, safety, and welfare impacts are documented, including sleep disturbance.
- (9) The rules of evidence and process for appeals shall follow the provisions of Sections 1406.E and 1403.F(2) of this Ordinance. Admissible evidence may include sound level measurements from a properly calibrated sound level meter, reports produced by third-party acoustical professionals, and affidavits, sworn statements, and testimony provided by the authorities listed in Section 1005.K(1) or by complainants. There shall be no automatic stay of enforcement upon an appeal, and violations remain enforceable during appeal periods.

(10) Unless specifically required by a provision of this Ordinance, the Borough shall not be held responsible for detecting noise disturbances, noise pollution, or other violations of the sound level limits in this Section.

L. Financial Assurance Requirements. Each applicant, permittee, or other party required to undertake actions in accordance with this Section, including but not limited to sound studies, noise monitoring, or noise mitigation measures ordered by Borough officers, shall guarantee performance of the required work using one of the following options:

(1) Performance Bond.

(a) The Borough shall be provided with an acceptable corporate surety bond to guarantee faithful performance of the required work to maintain compliance with this Section.

(b) The term of the bond shall begin upon the date of posting thereof and shall be released upon documentation of sustained compliance with this Section or 24 months, whichever is longer.

(c) Depending on the required work or compliance action, the amount of the bond may range from \$100,000 to \$1,000,000, to be determined by Borough Council.

(2) Third-Party Escrow Account.

(a) The applicant or documented violator shall be required to pre-fund an escrow account with an initial deposit of between \$50,000 and \$250,000, to be determined by Borough Council.

(b) Funds from the escrow account shall be used for testing, investigations, enforcement, and any other required work to maintain compliance with the requirements of this Section.

(c) The escrow account shall be automatically replenished by the applicant or documented violator as necessary for the continuance of the tasks listed in Section 1005.L(2)(b) above.

1.2 Zoning Ordinance, Article 10 (Environmental Protection), Section 1008 (Vibration) shall be amended in its entirety as follows:

1008. **Vibration.**

A. Purpose. The purpose of this section is to provide regulations defining the maximum vibration levels that land uses, the lots on which they are situated, the buildings and structures they occupy, and the vehicles, appliances, and equipment operated and stored on said lots shall be allowed to produce. The Borough recognizes that uncontrolled vibration represents a danger to the health and welfare of their neighbors and that each person in the community is entitled to live in an environment in which vibration and ground motion are minimized to safeguard the comfort and health of those persons residing, working, and/or recreating in the Borough.

- B. Applicability. The provisions of this Section shall apply to all buildings, structures, equipment, and vehicles situated or operating on lots within the Borough, including their owners, operators, and other associated persons, or within the public right-of-way, when engaged in activity initiating an intensity of vibration or ground motion which can be felt on any other lot within the Borough, including within any buildings or structures and by any person thereon.
- C. Vibration Level Limits. No person shall operate or cause to be operated on any lot or in any public right-of-way any source of continuous vibration in such a manner as to exceed the limits set forth in Table 1008.

**Table 1008: Continuous Vibration Level Limits**

1. At or within a Receiving Structure (to Measure Effects on Structural Integrity)		2. At a Receiving Lot Line in a Zoning District or of a Land Use (to Measure Effects on Human Response)	
Receiving Structure (in a Zoning District)	Maximum Peak Particle Velocity (PPV)	Receiving Structure (in a Zoning District)	Maximum Vibration Velocity Level (VdB)
C-R	0.12 inches/second	C-R	72
R-1	0.12 inches/second	R-1	72
R-2	0.12 inches/second	R-2	72
R-3	0.12 inches/second	R-3	72
MU	0.16 inches/second	MU	75
TC	0.16 inches/second	TC	75
IC	0.2 inches/second	IC	94
LI	0.2 inches/second	LI	94
GI	0.2 inches/second	GI	94
EITO	0.2 inches/second	EITO	94
Any Nonconforming Use in IC, LI, GI, or EITO	0.16 inches/second	Any Nonconforming Use in IC, LI, GI, or EITO	75
Any Nonconforming Use in C-R, R-1, R-2, R-3, TC, or MU	0.12 inches/second	Any Nonconforming Use in C-R, R-1, R-2, R-3, TC, or MU	72

- D. Excessive Vibration Prohibited. Any emission of earth-shaking vibration from any source in excess of the limitations established in this Section shall be deemed and is hereby declared to be a public nuisance and may be subject to summary abatement procedures provided in Sections 1008.H(3) and 1008.H(4).
- E. Exemptions. The provisions of this Section shall not apply to the following:

- (1) Temporary work or activities that are necessary to construct or repair buildings, roads, and/or utilities, when performed by governmental agencies or their contractors or when completed as part of emergency work.
- (2) Blasting activities occurring in compliance with a DEP permit, in situations where municipal regulation of vibration impacts is pre-empted under State law. Such blasting may occur only between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, unless specifically authorized at different times by the DEP permit.
- (3) A snowplow, snowblower, or other similar device in operation used to remove snow or ice.
- (4) Trains or aircraft.

F. Measurement.

- (1) Measuring Instruments. All vibration measurements shall be made on a vibration measuring device (VMD) and calibrated in the manner required by the manufacturer's specifications.
- (2) Measurement Protocols.
  - (a) Continuous vibration levels suspected to have potential effects on the structural integrity of buildings and structures shall be measured from either the exterior surface of the building or structure experiencing the effects of the continuous vibration or from within said building or structure.
  - (b) Continuous vibration levels suspected to have potential effects on human comfort, wellbeing, or health shall be measured from the closest boundary between the district in which the suspected source of the continuous vibration is located and an affected district of lesser intensity. (For the purposes of this Section, the IC, LI, GI, and EITO districts are considered the districts of greatest intensity, and the C-R, R-1, R-2, and R-3 districts the districts of least intensity.)
  - (c) For existing uses, continuous vibration levels shall be measured when a complaint is received from the complainant's lot line or building/structure, whichever is applicable, closest to the source of the continuous vibration. Vibration levels may also be measured whenever an ordinance enforcement officer suspects that excessive vibration constituting a public nuisance may be taking place during the routine conduct of his or her duties.

G. Monitoring Requirements.

- (1) Monitoring of vibration levels when required as part of an enforcement action or test, shall be performed by one or more of the following designated ordinance enforcement officers:
  - (a) Code enforcement officer.
  - (b) Zoning officer.

- (c) Law enforcement officers (police).
  - (d) Third-party vibration analyst or engineer retained by the Borough.
- (2) Monitoring of continuous vibration levels for a specific permitted use, conditional use, or use by special exception, shall be performed by the landowner or his/her assigns. Monitoring data shall be gathered in accordance with Borough requirements and shall be transmitted directly, continuously, and automatically to the Borough via electronic means.
  - (3) Temporary monitoring may be required at the discretion of the ordinance enforcement officers listed in Section 1008.G(1) after two (2) or more documented violations by a specific person or land use.
  - (4) Ongoing or permanent monitoring may be required at the discretion of the ordinance enforcement officers listed in Section 1008.G(1) after four (4) or more documented violations by a specific person or land use.
  - (5) All monitoring and testing costs shall be borne by the applicant, in the case of a land use requiring ongoing vibration monitoring, or by the violating landowner or his/her assigns, in the case of a property with multiple documented violations.
  - (6) The vibration monitoring device (VMD) used in monitoring must be field calibrated before and after any vibration monitoring session, and vibration measurement and calibration devices must be laboratory calibrated and certified annually (i.e., at least once per year). A copy of factory/laboratory calibration documentation shall be submitted to the Borough, kept on file at the Borough Office, and included with reports.
  - (7) Failure of the Borough to continuously engage in monitoring after a specific development application or vibration complaint does not waive the right for the Borough to initiate an enforcement action at any later time.

#### H. Enforcement.

- (1) Enforcement of this Section shall be initiated by one or more of the following designated ordinance enforcement officers:
  - (a) Code enforcement officer.
  - (b) Zoning officer.
  - (c) Law enforcement officers (police).
  - (d) Third-party vibration analyst or engineer retained by the Borough.
- (2) All enforcement remedies shall be initiated in accordance with Article 14 of this Ordinance.
- (3) As part of their duties, the ordinance enforcement officers listed in Section 1008.H(1) shall have the authority to enter property with proper notice or warrant as mandated

- by state law, order testing and monitoring, and issue citations, stop-work or cease-and-desist orders, and fines in accordance with the Borough's Fee Schedule, or initiate other enforcement actions. Such actions may include, but are not limited to the following:
- (a) Temporarily shut down equipment causing excessive vibration or which exceeds the continuous vibration level limits set forth in Table 1008.
  - (b) Suspend operations of violating land uses until compliance is restored.
- (4) Stop-work or cease-and-desist orders may be issued in accordance with Section 1406.F of this Ordinance and specifically in the following situations:
- (a) When excessive vibration, vibration exceeding the limits set forth in Table 1008, or other violations of this Section are persistent.
  - (b) When public health, safety, and welfare impacts are documented.
- (5) All costs associated with enforcement of this Section shall be borne by the violator, including but not limited to the following:
- (a) Costs associated with vibration testing and monitoring.
  - (b) Borough staff enforcement time, including any overtime costs associated with responses outside of regular business hours.
  - (c) Legal and expert witness fees.
- (6) Penalties for the violation of this Section may include but are not limited to the following:
- (a) Enforcement remedies and civil penalties, including financial judgments, as provided for in Section 617.2 of the Pennsylvania Municipalities Planning Code (MPC) and Section 3321 of the Pennsylvania Borough Code (8 Pa.C.S. § 3321).
  - (b) Increased frequency of inspections or other enforcement actions.
  - (c) Shortened time limits for the implementation of corrective actions, which may include the requirement that the landowner or his/her assigns replace or retrofit equipment determined to be in violation of this Section in order to maintain permits required under Section 1403 and/or a Certificate of Occupancy. If corrective actions are not appropriately taken within the required time limit, revocation or suspension of permits may occur in accordance with Section 1403.F.
  - (d) Mandatory curtailment of operations in violation of this Section.
  - (e) The institution of legal proceedings seeking abatement of the violation or prosecution of the owner of the lot from which the source of the vibration is located.

- (7) The time limits specified in Section 1406.C of this Ordinance for corrective actions generally apply to violations of this Section. However, a longer time period to implement corrective actions may be granted under the following circumstances:
  - (a) First-time violations.
  - (b) Exceedances of the maximum permissible continuous vibration level limits in Table 1008 by less than 25% above the listed maximum, provided that no other violations of this Section have been documented within one (1) year of the exceedance.
- (8) Emergency enforcement to compel compliance with this Section may include any of the enforcement actions listed in Sections 1008.H(3) and 1008.H(4) and may be authorized in the following situations:
  - (a) Continuous vibration levels exceeding the maximum permissible continuous vibration level limits in Table 1008 by 50% above the listed maximum or greater.
  - (b) When public health, safety, and welfare impacts are documented, including sleep disturbance.
- (9) The rules of evidence and process for appeals shall follow the provisions of Sections 1406.E and 1403.F(2) of this Ordinance. Admissible evidence may include vibration level measurements from a properly calibrated vibration monitoring device (VMD), reports produced by third-party professionals, and affidavits, sworn statements, and testimony provided by the authorities listed in Section 1008.H(1) or by complainants. There shall be no automatic stay of enforcement upon an appeal, and violations remain enforceable during appeal periods.
- (10) Unless specifically required by a provision of this Ordinance, the Borough shall not be held responsible for detecting excessive vibration or violations of the continuous vibration level limits in this Section.

I. Financial Assurance Requirements. Each applicant, permittee, or other party required to undertake actions in accordance with this Section, including but not limited to vibration studies, noise monitoring, or noise mitigation measures ordered by Borough officers, shall guarantee performance of the required work using one of the following options:

- (1) Performance Bond.
  - (a) The Borough shall be provided with an acceptable corporate surety bond to guarantee faithful performance of the required work to maintain compliance with this Section.
  - (b) The term of the bond shall begin upon the date of posting thereof and shall be released upon documentation of sustained compliance or 24 months, whichever is longer.
  - (c) Depending on the required work or compliance action, the amount of the bond may range from \$100,000 to \$1,000,000, to be determined by Borough Council.

(2) Third-Party Escrow Account.

- (a) The documented violator shall be required to pre-fund an escrow account with an initial deposit of between \$50,000 and \$250,000, to be determined by Borough Council.
- (b) Funds from the escrow account shall be used for testing, investigations, enforcement, and any other required work to maintain compliance with the requirements of this Section.
- (c) The escrow account shall be automatically replenished by the documented violator as necessary for the continuance of the tasks listed in Section 1008.I(2)(b) above.

**1.3** Zoning Ordinance, Article 15 (Definitions), Section 1502 (Terms Defined) shall be amended to add the following terms and definitions:

1502. **Terms Defined.**

Ambient Noise. See “Noise, Ambient.”

Amplified Sound. Sound generated by loudspeakers and public address systems, radios, televisions, musical instruments, sound amplifiers, or similar devices which produce, reproduce, or increase the volume of sound by electronic, mechanical, or other means.

ANSI. American National Standards Institute or its successor. All acoustical terminology used in the implementation of this ordinance shall be that contained in the latest version of ANSI/ASA S1.1, the American National Standard on Acoustical Terminology.

Appliance. Any device or combination of devices used or capable of being used as a means of accomplishing a desired end, such as a window air-conditioning unit.

ASA. Acoustical Society of America or its successor.

Background Sound Level. The sound level for a specific location as measured by a sound level meter in the absence of the noise under investigation. To determine the background sound level, the measurement by the sound level meter shall take place over a period of not less than five (5) minutes.

Construction. Any site preparation, assembly erection, substantial repair, alteration, destruction, demolition, or similar work to public or private rights-of-way, buildings or structures, utilities, or similar property.

Construction Activities. Includes the use of heavy construction equipment (including pile drivers, crawler-tractors, bulldozers, rotary drills and augers, loaders, power shovels, cranes, derricks, motor graders, paving machines, ditchers, trenchers, compactors, scrapers, pavement breakers, compressors, pneumatic power equipment, and similar devices) for the duration of such construction and/or demolition work, provided such are operated within the manufacturer’s specifications and with all standard noise-reducing equipment in use, unmodified and in proper operating condition.

dBA or dB(A) (A-Weighted Decibels). Often referred to as ambient sound, the sound level in decibels, as measured on a sound level meter using the A-weighting filter network and corresponding generally to the average noise exposure over a cycle or shift. A-weighting de-emphasizes the very low and very high frequency components of a sound in a manner simulating the response of the average human hearing profile and correlates well with subjective reactions to sound at modest volumes. This frequency weighting network for the measurement of sound levels shall comply with standards established by the American National Standards Institute specifications for sound level meters S1.4-1971, as amended or S1.4-1983, as amended.

dBC or dB(C) (C-Weighted Decibels). Often referred to as impact sound, the sound level in decibels, as measured on a sound level meter using the C-weighting filter network, for a short, instantaneous impact noise such as a bang whereas dBZ captures loud, low-frequency “thumps” often felt more than heard. It is primarily used for measuring loud, complex noise, such as industrial machinery, wind turbines, and live music. This frequency weighting network for the measurement of sound levels shall comply with standards established by the American National Standards Institute specifications for sound level meters S1.4-1971, as amended or S1.4-1983, as amended.

dBZ or dB(Z) (Z-Weighted/Linear Decibels). Often referred to as pure tone sound, the linear, unweighted sound level in decibels, indicating the absolute sound pressure level. Unlike dBA, dBZ does not filter out very low and very high frequencies to match human hearing, instead including all frequencies equally in its measurement. dBZ corresponds to an “unweighted” (i.e., “zero-weighted”) measurement of sound pressure level that provides a flat frequency response across the entire human audible spectrum, typically from 10 Hz to 20 kHz  $\pm 1.5$  dB (as defined by IEC 61672). Unlike dBA or dBC measurements that adjust for human hearing sensitivity, dBZ treats all frequencies equally to reflect the actual, raw sound energy.

Decibel (dB). A unit of sound level which is a division of logarithmic scale used to express the ratio of sound pressure, loudness, power, and voltage. The ratio is expressed on the decibel scale by multiplying its base 10 logarithm by 10. Because decibels are a logarithmic measurement, each increase of 10 decibels is a 10-times increase in the noise level (e.g., 130 dB is 10 times greater than 120 dB).

Emergency. Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage.

Emergency Work. Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Equipment. Any devices or combination of devices to accomplish a desired end, such as a power generator, HVAC unit, chainsaw, bulldozer, etc.

Excessive Vibration. See “Vibration, Excessive.”

Generator. Any appliance or piece of equipment which operates during an electric power outage or shortage, whether automatically or manually, and which uses diesel, natural gas, or propane to fuel its operation. Generators can be further defined by the following two sub-types:

- A. Generator, Backup/Portable. A generator characterized by its portability (i.e., not permanently affixed to the ground) and which serves to provide temporary backup electric power on an as-needed basis.

- B. Generator, Standby/Permanent. A generator affixed to the ground or to a building foundation, typically featuring automatic detection of an electric power outage, upon which the generator starts and runs until electric power returns, upon which it stops (i.e., returns to “standby” mode).

HVAC. Heating, ventilation, and air conditioning.

Muffler or Sound-Dissipative Device. A device designed or used for decreasing or abating the level of sound escaping from an engine, machinery system, or other equipment.

Noise. Any sound emitted by a person, animal, vehicle, appliance, equipment, or other device. For the purposes of this Ordinance, “noise” is used interchangeably with “sound” and falls into one of the following categories:

- A. Noise, Ambient. The all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources near and far. Ambient noise is measured and characterized as the “background sound level.”
- B. Noise, Cyclical. A repetitive, rhythmic sound that is characterized by or mimics the continuous rotation of a machine component.
- C. Noise, Excessive. The presence of a sound or sounds of such intensity, duration, frequency, or character which would cause a person of ordinary or reasonable sensibilities to be annoyed, disturbed, or cause or tend to cause adverse or injurious psychological and physiological effects on such persons or which otherwise unreasonably interferes with the comfortable enjoyment of life and property and is annoying to a person of ordinary sensibilities. Excessive noise includes measured noise levels in excess of limits established in these regulations or those specified in valid permits as well as any sound heard for in excess of one (1) minute from a point 50 feet from the source of the sound or 50 feet from the boundary of the property on which the source is located.
- D. Noise, Impact/Impulsive. Noise of short duration, characterized by brief excursions of the ambient noise level (i.e., with an abrupt onset and rapid decay). The duration of a single impulsive sound is usually less than two (2) seconds. Examples of impulsive sound include explosions, drop-forging impacts, and the discharge of firearms.
- E. Noise, Intermittent. A noise whose sound level exceeds the ambient noise levels at least twice during the period of observation, which is one (1) minute or more. The period of time during which the level of the noise remains at an essentially constant value different from that of the ambient noise level is on the order of one (1) second or more.
- F. Noise, Steady. A noise whose level remains essentially constant. For example, a noise characterized by fluctuations of less than five (5) dB during the period of observation is considered a steady noise.
- G. Noise, Tonal. Any noise that produces a “pure tone” condition, consisting of only one frequency of sound. Tonal noises are often characterized as a continuous whine, hum, or buzz.
- H. Noise, Vibrational. Noise that is created when mechanical energy, often from repetitive mechanical movement (i.e., vibration), is transferred directly into a body, structure, or medium. This energy then propagates through such body, structure, or medium, potentially reaching spaces far from the source and affecting their functionality and the comfort of persons thereon.

Noise Disturbance. Any sound which is in excess of the maximum permissible sound levels specified under Section 1005 of this Zoning Ordinance or which is of such loudness, character, duration, or repetition from a single source or from multiple sources as to be (or predicted with reasonable certainty to be) injurious to health, annoying to a person of ordinary sensibilities, or of interference with the enjoyment of property or with any lawful business or activity.

Noise Intensity. The power of a sound (how loud a sound is) when perceived at a specific distance from the source of the sound, expressed in decibels (dB).

Noise Level. See “Sound Level (Noise Level).”

Noise Pollution. Any sound that meets one of the following criteria:

- A. A source of impulsive or intermittent noise which increases noise levels 15 dBA or more above the background noise level; or
- B. A source of steady or tonal noise which increases noise levels five (5) dBA or more above the background noise level.

Ordinance Enforcement Officer. Any person appointed by the Borough with responsibility to enforce Borough ordinances; or any sworn member of the Borough Police Department.

Peak Particle Velocity (PPV). A measurement of the maximum instantaneous peak amplitude of a vibration signal, used to evaluate potential for building or structural damage.

Period of Observation. The time interval during which acoustical data is obtained. The period of observation is determined by the characteristics of the noise being measured and the instrumentation being used. The period of observation must be at least as long as the response time of the instrumentation. The greater the variance in individual sound level, the longer the observation time must be for a given expected accuracy of measurement.

Person. Any individual, natural person, syndicate, association, partnership, firm, corporation, institution, agency, authority, department, bureau, or instrumentality of federal, state, or local government, or other entity recognized by law as a subject of rights and duties.

Property. All land whether improved or not improved with or without structures.

Pure Tone. Any sound which can be heard as a single pitch or a set of single pitches. A pure tone occurs if the one-third (1/3) octave band sound pressure level in the band with the tone(s) exceeds the arithmetic average of the sound pressure levels of the two (2) adjacent octave bands by five (5) dB for center frequencies of 500 Hz and above, or by eight (8) dB for center frequencies between 160 Hz and 400 Hz, or by 15 dB for center frequencies less than or equal to 125 Hz. One-third (1/3) octave bands are defined by the latest version of ANSI/ASA S1.11 (entitled “Electroacoustics – Octave-band and Fractional-octave-band Filters” as of the adoption of this Ordinance).

Sound Level (Noise Level). Airborne sound levels expressed in dB and obtained by the use of a sound level meter and specific frequency-dependent weighting network, as specified in the latest version of ANSI/ASA S1.4. If the specific weighting network used is not indicated, the A-weighting shall apply, and the sound level shall be specified as dBA or dB(A).

Sound Level Meter. An instrument or combination of instruments which meets or exceeds the requirements for an ANSI Type 1 or Type 2 sound level meter as specified in the latest version of ANSI/ASA S1.4. The manufacturer's published indication of compliance with such specifications shall be prima facie evidence of such compliance.

Sound Pressure. The instantaneous differences between the actual pressure and the average or barometric pressure at a given point in space, as produced by sound energy.

Sound/Noise, Unreasonable. Any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities or which causes injury to plant or animal life, or damage to property or business.

Source. Any entities from which sound and/or vibration emanate.

Tonal Noise. See "Noise, Tonal."

Vehicle. Any device or combination of devices used for or capable of being used for transporting persons or property. Vehicles include, but are not limited to, the following: automobiles, trucks, buses, motorcycles, motorized bicycles, snowmobiles, scooters, all-terrain vehicles, go-carts, racers and like devices, farm machinery, industrial machinery, highway graders, trailers, graders, and semitrailers.

Vibration. An oscillatory motion of deterministic or random nature described by displacement, velocity, or acceleration with respect to a given reference point in or on a body or structure or within a medium (e.g., the ground). Vibration consists of a periodic motion of the particles of such body, structure, or medium in alternatively opposite directions from the position of equilibrium when that equilibrium has been disturbed, the action of such vibration, and the state of being vibrated.

Vibration, Excessive. The presence of a vibration or vibrations:

- A. Of such intensity, duration, frequency, or character to annoy, disturb, or cause or tend to cause adverse or injurious psychological or physiological effects on persons, or to damage or tend to damage personal or real property or public buildings, structures, roadways, utilities, or other infrastructure.
- B. In excess of the maximum PPV and VdB levels specified in Table 1008 or as otherwise regulated by Sections 1005 and 1008 of this Zoning Ordinance.

Vibration Measuring Device (VMD). A three-component device capable of sensing, measuring, and recording displacement, velocity, and acceleration of ground motion from vibration with a sensor that produces an electrical signal that is proportional to the amplitude of the ground motion.

Vibration Velocity Level in Decibels (VdB). A decibel notion for root mean squared velocity of vibration amplitude, used to evaluate human perception and response to vibration.

Vibration, Continuous. Any vibration which is static or fluctuating or which recurs intermittently at a frequency of greater than one (1) periodic motion per 15-second interval. Vibration that falls outside of this definition is considered "transient vibration."

2. **Effective Date** – This Ordinance shall take effect within five (5) days from the date enacted herein or upon a date as otherwise prescribed by law.
3. **Severability** – The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal, or invalid for whatever reason, the remaining provisions shall be unaffected and same shall remain in full force and effect. Only those provisions deemed invalid shall be stricken.
4. **Remaining Terms** – All remaining terms and provisions of the Borough of Jessup Zoning Ordinance, as amended to date, shall remain in full force and effect and shall not otherwise be affected.

**ENACTED AND ORDAINED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2026 at a duly advertised public hearing of Jessup Borough Council.

Jessup Borough Council

By: \_\_\_\_\_  
President

\_\_\_\_\_  
Secretary

Examined and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Joseph Buckshon  
Mayor of Jessup

Approved as to form.

\_\_\_\_\_  
Maura Armezzani Tunis, Esq.  
Borough Solicitor

**BOROUGH OF JESSUP**

**LACKAWANNA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 5-2026**

AN ORDINANCE OF THE BOROUGH OF JESSUP, LACKAWANNA COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 2-2008, ADDING DEFINITIONS AND PROHIBITING NUISANCES CAUSED BY CONDITIONS THAT PERMIT THE HABITATION OR HARBORAGE OF VECTORS, RODENTS AND SMALL ANIMALS AND REPEALING ALL OTHER PARTS OF ORDINANCES IN CONFLICT THEREWITH.

The Borough of Jessup hereby enacts and ordains the following:

I. **Amendment to Section 1 of Ordinance No. 2 of 2008:**

**The Definitions are amended and replaced as follows:**

- A. Abandoned Vehicle – Any motor vehicle, motorcycle, motor driven cycle, motorized pedicycle or other vehicle which is left unattended in the same place for a period of at least ninety-six (96) consecutive hours.
- B. Breeding Area – Any condition which provides the necessary environment for the birth or hatching of vectors.
- C. Collection of Water – Water contained in ditches, pools, ponds, streams, excavations, holes, depressions, open cesspools, privy vaults, fountains, cisterns, tanks, shallow wells, barrels, troughs, urns, cans, boxes, bottles, tubs, buckets, roof gutters, tank of flush closets, reservoirs, vessels, receptacles of any kind, or other containers or devices which may hold water.
- D. Covered Receptacle – A container of metal, wood, heavy-duty plastics or synthetic material of solid construction, with a tightfitting cover secured against wind and leakage.
- E. DEP- Department of Environmental Protection, Commonwealth of Pennsylvania.
- F. Disposal – Storage, collection, disposal or handling of refuse.
- G. Garbage – The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food or otherwise any unwanted or useless material with little or no monetary value.
- H. Harborage – Any place where vectors, rodents or small animals can live, nest or seek shelter.
- I. Junk Vehicle – Any motor vehicle, motorcycle, motor drive cycle, motorized pedicycle or other vehicle which is inoperable or does not have the necessary registration and/or current inspection

documentation required by the Commonwealth of Pennsylvania, Department of Transportation to be lawfully operated on the roadways of the Commonwealth of Pennsylvania.

- J. Nuisance – Any condition, structure, improvement, or grouping of same, which shall constitute a threat or potential threat to the public, health, safety or welfare and/or as further defined herein.
- K. Person – Any individual or group of individuals, partnership, co-partnership, corporation, LLC or other association or entity.
- L. Registration – The authority for a vehicle to operate on a highway as evidenced by the issuance by the Commonwealth of Pennsylvania Department of Transportation from year to year.
- M. Rodent - any of an order (Rodentia) of relatively small gnawing mammals (such as a mouse, squirrel, or beaver) that have in both jaws a single pair of incisors with a chisel-shaped edge or a small mammal (such as a rabbit or a shrew) other than a true rodent.
- N. Vector – an organism (such as an insect) that transmits a pathogen from one organism to another.
- O. Vegetation – All plants or plant life of a place taken as a whole, including but not limited to, grass, weeds, hedges, trees, bushes, briars, straw or other plant growth.
- P. Weeds – Any valueless, useless, troublesome, noxious plant growth which has no value and/or is not edible that tends to overgrow or choke out other plant life and grows randomly.

II. **Amendment to Section 2 of Ordinance No. 2 of 2008:**

**Section 2 is amended and replaced as follows:**

It shall be unlawful for any owner, lessee or other person to deposit or to knowingly permit any person acting as agent, employee, or servant of said person to store, permit to accumulate or maintain a nuisance within the Borough of Jessup.

The term “nuisance” shall include, but shall not be limited to, the following:

- A. Containers which are conducive to the harboring and growth of vermin, animals or insects.
- B. Storage in any manner which would allow equipment, merchandise, machinery, material or any parts thereof to easily shift, tilt, or fall from its original storage position, so as to endanger the welfare of persons or property.
- C. Containers of any liquid or material of hazardous or potentially hazardous nature, including, but not limited to, gasoline, oil, battery acids, refrigeration agents, and poisons and excluding those containers specifically designed, constructed and maintained for some heating fuels or cooking and actively utilized in connection with a property use.

- D. Refrigerators, freezers or other appliances with any door remaining attached.
- E. Accumulation in or upon any premises, lot or alley, of any used building/construction debris, lumber, boxes, barrels, bottles, cans, glass, scrap iron, wire, metal articles, pipe, ashes, burnt debris, broken stone, bricks, cement, or crockery, broken plaster, packaging materials, or garbage of any kind, useless the same may be kept in covered receptacles; broken or unusable machinery, equipment or appliances, unusable household furniture goods or textiles.
- F. Storage of garbage for more than 48 continuous hours.
- G. Weeds, vegetation or grass and similar vegetation growing in excess of two (2) feet high that are not edible or planted for some useful or ornamental purpose or that by being unkept or untrimmed has lost its useful or ornamental purpose.
- H. Causing or maintaining any condition on a property that permits collection of water in which mosquitoes breed or are likely to breed.
- I. Permitting any condition which provides shelter for vectors, rodents or small animals thus favoring their multiplication and continued existence in, under or outside any structure.
- J. Storage of any junk or abandoned vehicle upon any property or roadway.
- K. Any other condition which shall threaten the public health, safety or welfare.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. In the event that any provision, section, sentence, clause of part of this Ordinance shall be held to be invalid, such invalidity shall not effect of impair any remaining provision, section, sentence, clause or part of this Ordinance. It is the intent of this Borough that such remainder shall be and shall remain in full force and effect.

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Borough Council:

By: \_\_\_\_\_  
 Gregg Betti,  
 Council President

Attest:

\_\_\_\_\_  
 Borough Secretary

\_\_\_\_\_  
 Joseph Buckshon,  
 Mayor

**CERTIFICATE**

I, the undersigned, Secretary of the Borough of Jessup, Lackawanna County, Pennsylvania (the "Borough") certify that: the foregoing is a true and correct copy of an Ordinance that was duly enacted by the Borough Council of the Borough, in accordance with law, at a meeting duly held on \_\_\_\_\_, 2026, at which meeting a quorum was present; this Ordinance has been certified and recorded by me, as Secretary of the Borough, in the book provided for the purpose of such recording; this Ordinance, upon enactment, was assigned Ordinance No. \_\_\_\_; presently, the total number of members of the Borough Council of the Borough is 7; the vote of the members of the Borough Council of the Borough, upon enactment of this Ordinance, the yeas and nays having been called, was duly recorded by me as Secretary as follows:

Gregg Betti, President	Yea _____	Nay _____
Curt Camoni, Vice President	Yea _____	Nay _____
Jeffrey Castellani	Yea _____	Nay _____
Jerry Crinella	Yea _____	Nay _____
Thomas Fiorelli	Yea _____	Nay _____
Ron Kordish	Yea _____	Nay _____
Rob Martin	Yea _____	Nay _____

This Ordinance has been advertised as required by law, in a proper newspaper of general circulation in the Borough; and this Ordinance has not been amended, altered, or repealed as of the date of this Certificate.

I further certify that the Borough Council of the Borough met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. Ch. 7, by advertising the time and place of the meeting, by posting prominently a notice of the meeting at the principal office of the Borough or at the public building in which the meeting was held, and by providing a reasonable opportunity for public comment at such meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and official seal of the Borough, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Secretary

(SEAL)

**BOROUGH OF JESSUP**

**LACKAWANNA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 6-2026**

AN ORDINANCE OF THE BOROUGH OF JESSUP, LACKAWANNA COUNTY, PENNSYLVANIA, AMENDING AN ORDINANCE, NO. 3-2011, ALONG WITH AMENDMENTS THERETO, ESTABLISHING CRITERIA FOR HANDICAPPED PARKING ZONES AND REQUIRING PERMITS THEREFORE IN THE BOROUGH OF JESSUP

The Borough of Jessup hereby enacts and ordains the following:

I. **Amendment to Section II of the Ordinance No. 3 of 2011:**

**The entirety of the following paragraph shall be deleted:**

**SECTION II:** Borough Council will select three (3) of its members at its reorganization meeting, whose duty it will be to review said applications. Said three (3) member committee shall approve or reject all such applications. Any applicants dissatisfied with the decision of the committee shall have a right of appeal to the Borough Council. Such appeal must be filed in writing to the Jessup Borough Council within thirty (30) days of the date of the written notification of the committee's decision; if the appeal is not timely filed, the aggrieved individual's right to appeal will be waived. The Mayor will cast the deciding vote if council's vote is tied. Upon approval, the Borough Secretary shall issue a permit. A master list of all approved spaces/permits shall be maintained by the Borough Secretary.

**The deleted paragraph shall be replaced as follows:**

**SECTION II:** The Borough Manager or his or her designee shall review said applications. Any applicants dissatisfied with the decision of the Borough Manager shall have a right of appeal to the Borough Council. Such appeal must be filed in writing to the Jessup Borough Council within thirty (30) days of the date of the written notification of the committee's decision; if the appeal is not timely filed, the aggrieved individual's right to appeal will be waived. The Mayor will cast the deciding vote if council's vote is tied. Upon approval, the Borough Manager or his or her designee shall issue a permit. A master list of all approved spaces/permits shall be maintained by the Borough Manager or his or her designee.

II. **Amendment to Section V of Ordinance No. 3 of 2011:**

**The entirety of the following paragraph shall be deleted:**

**SECTION V:** All handicapped parking space approvals/permits shall expire on July 31<sup>st</sup> of each and every year. Renewals of existing spaces shall be subject to the same procedures as set forth herein for new applications. There shall be no fee for submitting an initial application for a handicapped parking space. However, if the space is approved, there shall be an initial Twenty Five (\$ 25.00) Dollar permit fee which must be paid prior to the issuance of the approval/permit. There shall be no fee required for subsequent renewals.

**The deleted paragraph shall be replaced as follows:**

**SECTION V:** All handicapped parking space approvals/permits shall expire on July 31<sup>st</sup> of each and every year. Renewals of existing spaces shall be subject to the same procedures as set forth herein for new applications. There shall be no fee for submitting an initial application for a handicapped parking space. However, if the space is approved, there shall be an initial One Hundred Dollar (\$ 100.00) permit fee to cover the Borough's cost for installation of the signage for a handicap parking space which must be paid prior to the issuance of the approval/permit. There shall be no fee required for subsequent renewals.

If an applicant is unable to pay the initial permit fee, the applicant shall request that the initial permit fee be waived or to pay a reduced cost. The requesting applicant shall produce verifiable evidence of income received annually. It shall be the sole determination of the Borough Manager as to whether or not the requesting applicant receives a reduced or waived fee.

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency. In the event that any provision, section, sentence, clause of part of this Ordinance shall be held to be invalid, such invalidity shall not effect of impair any remaining provision, section, sentence, clause or part of this Ordinance. It is the intent of this Borough that such remainder shall be and shall remain in full force and effect.

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Borough Council:

By: \_\_\_\_\_  
Gregg Betti,  
Council President

Attest:

\_\_\_\_\_  
Borough Secretary

\_\_\_\_\_  
Joseph Buckshon,  
Mayor

**CERTIFICATE**

I, the undersigned, Secretary of the Borough of Jessup, Lackawanna County, Pennsylvania (the "Borough") certify that: the foregoing is a true and correct copy of an Ordinance that was duly enacted by the Borough Council of the Borough, in accordance with law, at a meeting duly held on \_\_\_\_\_, 2026, at which meeting a quorum was present; this Ordinance has been certified and recorded by me, as Secretary of the Borough, in the book provided for the purpose of such recording; this Ordinance, upon enactment, was assigned Ordinance No. \_\_\_\_; presently, the total number of members of the Borough Council of the Borough is 7; the vote of the members of the Borough Council of the Borough, upon enactment of this Ordinance, the yeas and nays having been called, was duly recorded by me as Secretary as follows:

Gregg Betti, President	Yea _____	Nay _____
Curt Camoni, Vice President	Yea _____	Nay _____
Jerry Crinella	Yea _____	Nay _____
Ron Kordish	Yea _____	Nay _____
Thomas Fiorelli	Yea _____	Nay _____
Rob Martin	Yea _____	Nay _____
Jeffrey Castellani	Yea _____	Nay _____

This Ordinance has been advertised as required by law, in a proper newspaper of general circulation in the Borough; and this Ordinance has not been amended, altered, or repealed as of the date of this Certificate.

I further certify that the Borough Council of the Borough met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. Ch. 7, by advertising the time and place of the meeting, by posting prominently a notice of the meeting at the principal office of the Borough or at the public building in which the meeting was held, and by providing a reasonable opportunity for public comment at such meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and official seal of the Borough, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Secretary

(SEAL)

**BOROUGH OF JESSUP**

**LACKAWANNA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 7 of 2026**

**AN ORDINANCE OF THE BOROUGH OF JESSUP, LACKAWANNA COUNTY, PENNSYLVANIA, PROVIDING FOR GENERAL REGULATION AND CONTROL OF DOGS WITHIN THE BOROUGH OF JESSUP**

The Borough of Jessup hereby enacts and ordains the following:

**ARTICLE I Purpose and Intent**

The purpose of this Ordinance is to protect, maintain, and enhance health, safety and general welfare of present and future citizens of the Borough of Jessup.

This ordinance emphasizes the importance of proper care of dogs, as well as the owner's responsibility for the dog's behavior.

**ARTICLE II Definitions**

**Dog:** Any domestic dog, including all breeds and types of domestic dogs, including those kept as pets, working dogs, guide dogs, hearing dogs, and dogs used by municipal or state police departments.

**Owner:** any person who has the right of ownership of any dog or has custody of such animal or any person who harbors or permits such animal to remain on or around their property.

**Running at Large:** being upon any public road, highway, street, alley, park or any other public land, or upon property of another person other than the owner, and not being accompanied by or under the immediate control of the owner or any other person having custody of said dog.

**Public Property:** limited to any street, highway, alley, or alleyway, sidewalk or walkway, park, playground or other public area within the borough.

**ARTICLE III Licensing of Dogs**

It shall be unlawful for the owner, custodian, or keeper of any dog to have such an animal without bearing a current license tag. The dog licensing shall be performed under the rules and regulations of Lackawanna County. License fees for dogs shall be paid to the County.

**ARTICLE IV Regulations of Dogs**

1. No owner, custodian, handler, or keeper of any dog shall permit such dog to run at large in the Borough of Jessup, either upon public streets, highways, public property, or any

right of way (i.e. public sidewalks, and the property between the curb and said sidewalks).

- a. Nothing in the ordinance shall be construed to prohibit the owner, custodian, handler, or keeper of any dog from permitting such dog from having free roam/access within the boundaries of property either owned or leased by said owner, custodian, handler or keeper, so long as the dog does not prevent the general public from accessing any public sidewalk(s) (including the area between the curb and sidewalk) by unwanted contact.
2. No owner, custodian, handler, or keeper of any dog shall permit such dog to run at large or on leash/lead in the Borough of Jessup, on the property of another without the explicit permission of the property owner or lessee.
    - a. A dog is considered to be "Running at Large" unless the control of the owner, custodian, handler, or keeper by means of a proper leash or lead. When the owner, custodian, handler, or keeper is under the age of 18, the juvenile shall be of appropriate maturity and ability to keep said dog under control.
  3. A dog will be considered under control when such dog is secured with a proper leash or lead, and is prevented from:
    - a. Making unwanted contact with other people, dogs or other animals;
    - b. Attacking, biting or otherwise injuring another person, dog or animal;
    - c. Damaging public property;
    - d. Damaging property of another; and
    - e. Trespassing on private property, excluding areas open to public access or right of way.
  4. A proper leash or lead is one that consists of reasonable construction, quality and condition to control the specific dog or dogs attached to it. The leash or lead must be attached to an appropriate and correctly fitting dog collar or harness designed and capable of controlling the specific dog's size, weight and temperament. A leash designed to be used without a collar is permitted so long as all other criteria have been met.

#### **ARTICLE V Seizure, Detention and Costs**

1. It shall be the duty of the Jessup Borough Police Department, or any other agent of the Borough, to seize, detain, and impound any dog, licensed or unlicensed, found running at large, either upon the public streets, highways, public property, or any public right of way of the Borough or on the property of any other person and unaccompanied by its owner, custodian, handler, or a keeper.

2. In the event that a dog running at large is apprehended by the Jessup Borough Police Department or its agent and is sheltered by the Borough in any licensed kennel as a result of the inability of the Police Department to ascertain its owner, the owner of the dog, if subsequently ascertained, will be assessed a fee of \$\_\_\_\_\_ and shall be responsible for the payment of all reasonable expenses incurred by reason of the dog's detention prior to its release to the owner. Nothing in this section shall be construed to limit any other penalty imposed under this Chapter.
3. Disposition of Licensed and Unlicensed Dogs: The disposition of seized, detained, and impounded licensed and unlicensed dogs shall be in accordance with the same procedures as applied under the Pennsylvania Dog Law, 3 Pa. Stat. Ann. §§ 459-101-1205, as amended, which procedures are incorporated herein by reference.

#### **ARTICLE VI Noise & disturbances**

1. No owner, custodian or keeper of any dog shall permit such dog to make any loud or harsh noise, alarm, or disturbance which shall interfere with or deprive the peace, quiet, rest or sleep of any person.
2. No owner, custodian, or keeper of any dog shall permit such dog to cause annoyance, alarm, or noise disturbance for more than 15 minutes at any time of the day or night, by repeated barking, whining, screeching, howling, braying or other like sounds which can be heard beyond the boundary of the owner's property.
3. Every keeper of any dog shall cause the litter or droppings there from to be collected daily in such a container or receptacle that when closed, shall be rodent-proof and fly-tight, and after every such collection shall cause such container or receptacle to be kept closed. At least once a week, every such keeper shall cause all litter and droppings so collected, to be disposed of in such a manner as not to permit the presence of fly larvae or malodorous conditions. It shall be the duty of the owner to remove feces from property other than their own immediately.

#### **ARTICLE VII Right of Entry**

A Jessup Borough Police Officer and/or any of the authorized enforcement agencies are authorized or empowered to perform duties under this ordinance are hereby authorized to enter upon any premises to enforce the provisions of this ordinance.

#### **ARTICLE VIII Authority to Kill Dogs**

Every police officer of the Borough of Jessup and or State Police or Dog Enforcement agency shall have the authority to kill any dog which is found running at large and is deemed, after due consideration, by the said police officer to constitute a threat to the public health and welfare.

#### **ARTICLE VI Enforcement**

The Borough of Jessup, the Borough of Jessup Police Department, or any entity acting on behalf of the Borough shall be charged with enforcement of this Ordinance.

**ARTICLE VII Violations and Penalties**

Violations and penalties, any person who shall violate any provisions of this ordinance shall, upon conviction thereof, be punishable by a civil fine of not more than \$ 300.00and costs of such proceedings. The continuation of such violations for each successive day shall constitute a separate offense and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

**ARTICLE VIII Severability**

The provisions of this Ordinance shall be severable and if any of the provisions or other parts shall be held to be unconstitutional, illegal, unenforceable or otherwise invalid, such shall not affect the validity and enforceability of the remaining provisions and other parts of this Ordinance.

**ARTICLE IX Savings Clause**

The provisions of this Ordinance, or any other Ordinance or regulation in force prior to the enactment of this Ordinance, are intended as a continuation of those existing Ordinances and regulations and not as new enactments. The provisions of this Ordinance shall not affect any act done or liability incurred, nor shall they affect any suit of prosecution pending or to be instituted to enforce any existing or repealed Ordinance, regulations or parts thereof.

**ARTICLE XI Effective Date**

This ordinance shall become effective immediately upon enactment. All persons currently keeping any dogs in violation of this ordinance shall have (60) days from the effective date hereof to remedy such violation, or, upon failure to take such remedial action, shall be subject to the penalties for violation provided herein beginning on the 61<sup>st</sup> day following the enactment of this ordinance.

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

Borough Council:

By: \_\_\_\_\_  
Gregg Betti,  
Council President

Attest:

\_\_\_\_\_  
Coleen Watt, Borough Secretary

\_\_\_\_\_  
Joseph Buckshon,  
Mayor

**CERTIFICATE**

I, the undersigned, Secretary of the Borough of Jessup, Lackawanna County, Pennsylvania (the "Borough") certify that: the foregoing is a true and correct copy of an Ordinance that was duly enacted by the Borough Council of the Borough, in accordance with law, at a meeting duly held on \_\_\_\_\_, 2026, at which meeting a quorum was present; this Ordinance has been certified and recorded by me, as Secretary of the Borough, in the book provided for the purpose of such recording; this Ordinance, upon enactment, was assigned Ordinance No. \_\_\_\_; presently, the total number of members of the Borough Council of the Borough is 7; the vote of the members of the Borough Council of the Borough, upon enactment of this Ordinance, the yeas and nays having been called, was duly recorded by me as Secretary as follows:

Gregg Betti, President	Yea _____	Nay _____
Curt Camoni, Vice President	Yea _____	Nay _____
Jeffrey Castellani	Yea _____	Nay _____
Jerry Crinella	Yea _____	Nay _____
Thomas Fiorelli	Yea _____	Nay _____
Ron Kordish	Yea _____	Nay _____
Rob Martin	Yea _____	Nay _____

This Ordinance has been advertised as required by law, in a proper newspaper of general circulation in the Borough; and this Ordinance has not been amended, altered, or repealed as of the date of this Certificate.

I further certify that the Borough Council of the Borough met the advance notice and public comment requirements of the Sunshine Act, 65 Pa. C.S. Ch. 7, by advertising the time and place of the meeting, by posting prominently a notice of the meeting at the principal office of the Borough or at the public building in which the meeting was held, and by providing a reasonable opportunity for public comment at such meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and official seal of the Borough, this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Secretary

(SEAL)