

FOREWORD

History

This comprises the recodification of the ordinances of the City of Hermitage. Located in Mercer County and first settled in 1796, the Township of Hickory was incorporated in 1833 from portions of Shenango and Pymatuning Townships. Following the incorporation of the cities of Sharon and Farrell and the Boroughs of Sharpsville and Wheatland, the remainder of the Township was incorporated into a First Class Township.

The Home Rule Charter and Optional Plans Law, Act 62 of 1972, provided all local governments in Pennsylvania a unique opportunity of true "home rule." On August 9, 1972, Ordinance 13-72 was enacted by the Board of Commissioners, providing for a referendum on electing a Governmental Study Commission of nine members. On November 7, 1972, the electors voted in favor of a Commission and selected nine members with the task of studying present Township government and the alternatives of an Optional Plan of Government or a Home Rule Charter.

On March 13, 1974, the final report of the Government Study Commission recommended a Home Rule Charter, which was approved on May 21, 1974, by a vote of 1, 375 to 546. The Charter was to become effective on January 1, 1976.

A resolution of April 9, 1975, stated the Board of Commissioners' intent to start an informational campaign to consider the possibility of a name change for the Township. A survey was conducted to determine possible names. In July, 1975, the Commissioners petitioned the Court of Common Pleas of Mercer County pursuant to the Act of June 14, 1957, P.L. 330. The petition contained almost double the signature requirement of 10% of the registered electors of the Township. The questions to be placed on the ballot were whether the name of the Township should be changed, and if so, which name — "Hermitage," "Mount Hickory" or "Hickory Hills."

In November 4, 1975 municipal elections the voters approved, by 2,986 to 695, a change in name and selected "Hermitage." The Honorable John Q. Stranahan, President Judge of the Mercer County Court of Common Pleas, issued an order on December 11, 1975, decreeing that the name of the Township of Hickory shall be and is hereby changed to Hermitage, Pennsylvania, effective January 2, 1976.

During 1975, the Commissioners also authorized the codification of Township ordinances beginning with Ord. 1-49, August 4, 1949. From that date through December 10, 1975, 416 ordinances and one resolution of legislative nature had been enacted. In the preparation of the codification, these 416 ordinances and the subdivision resolution 1954 were taken into consideration. Each was carefully analyzed and compared with State law, court decisions and any later enactments on the same subject, and was further considered as to modern needs and conditions in the Township. They were also studied in light of the soon to be effective Home Rule Charter.

In July 14, 1983, the Hermitage Board of Commissioners ordained and enacted into law the placement of a referendum on the question of an amendment of the Home Rule Charter of the Municipality of Hermitage to be submitted to the electors of the Municipality at the general election on November 8, 1983. The question presented to the electors of the Municipality was as follows: "Shall the Home Rule Township of Hermitage become the Home Rule City of Hermitage?"

The official certified election results on the question as submitted were 1,971 in favor and 1,846 opposed; and with the passage of said referendum, the Hermitage Board of Commissioners desired to put into effect the change of classification of the Township of Hermitage to the City of Hermitage. Ordinance No. 18-83 ordained and enacted December 22, 1983, reclassified the Home Rule Township of Hermitage to the Home Rule City of Hermitage.

The recodification of the Code of Ordinances of the City of Hermitage was prepared by Penns Valley Publishers, a division of Fry Communications, Inc., and adopted by the Board of Commissioners of the City of Hermitage on September 23, 1998 by Ordinance Number 11-98.

Organization

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

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

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