

BOROUGH OF MIFFLINBURG
UNION COUNTY, PENNSYLVANIA

ORDINANCE NO: 2026-10

AN ORDINANCE OF THE BOROUGH OF MIFFLINBURG, COUNTY OF UNION, COMMONWEALTH OF PENNSYLVANIA, AMENDING CHAPTER 29 OF THE CODE OF ORDINANCES OF MIFFLINBURG BOROUGH, ZONING; PART 1 GENERAL PROVISIONS, PART 2 DEFINITIONS, PART 5 SUPPLEMENTAL REGULATIONS.

IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of Mifflinburg, Union County, Pennsylvania, as follows:

WHEREAS, pursuant to 8 Pa.C.S. § 3301.1, the Borough of Mifflinburg, Union County, Pennsylvania (the “Borough”), is authorized to adopt ordinances and is further authorized to amend existing ordinances by the enactment of subsequent ordinances; and,

WHEREAS, pursuant to 8 Pa.C.S. § 3301.1(c), the Borough is authorized to adopt resolutions for any purpose, including for setting forth certain rules, regulations, and standards pertaining to Borough ordinances; and,

WHEREAS, the Borough has determined it to be best in the interest of the Borough to amend certain ordinances in order to promote the general welfare of the public and to facilitate the orderly administration of the Borough; and,

WHEREAS, it is the purpose and intent of the members of Council of the Borough of Mifflinburg by the enactment of this Ordinance to amend Chapter 29, Part 1, Section 106(4), Part 2, Section 201 and Part 5, Section 520(E), in order to promote the general welfare of the public and to facilitate the orderly administration of the Borough.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Borough Council of the Borough of Mifflinburg, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

ADOPTION OF ORDINANCE:

SECTION 1: Chapter 29, Part 1, Section 106(4), Part 2, Section 201 and Part 5, Section 520(E) of the Code of Ordinances of Mifflinburg Borough shall be amended, as follows:

§ 29-106(4). Application of Regulations.

[All other subparts remain the same, subpart four (4) is amended as follows]

4. Whenever a use is not specifically permitted under the provisions of this Ordinance, the Zoning Officer shall refer the matter to Borough Council to hear and decide such use as a conditional use request. The party seeking the use determination is required to file a conditional use application with Borough Council. Borough Council shall have the authority to permit the use or deny the use in accordance with the standards governing conditional use applications under this Ordinance and the Pennsylvania Municipalities Planning Code. The use may be permitted if it is similar to and compatible with the permitted uses in the zoning district and in no way is in conflict with the general purposes and intent of this Ordinance. The burden of proof shall be upon the applicant to demonstrate that the proposed use would not be detrimental to the public health, safety, and welfare of the neighborhood. No zoning permit shall be issued by the Zoning Officer for any such unspecified use until this determination has been made by Borough Council.

§ 29-201. Applicable Definitions.

[All other definitions shall remain the same, only “Impervious Surface” shall be amended to now read as follows below]

Impervious Surface

A surface that prevents the percolation of water into the ground. For the purposes of this chapter impervious surface shall include, but not be limited to, the following: concrete, asphalt, building coverage, water impoundments, gravel and crushed stone areas, highly compacted soil, etc.

§ 29-520(E). Buildings in the National Historic District.

[All other subparts shall remain the same, only “Subpart E” below shall be added as follows]

E. Properties Identified as Historic

Properties within the Borough limits which have been designated as historic by the Borough are found in Appendix N to the Borough of Mifflinburg Code of Ordinances and are subject to this Part 5.

The effective date of this Ordinance shall be October 20, 2026.

SECTION 2: Except as set forth hereafter, all ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3: The Ordinance shall be effective on May 1, 2026, and all calendar years thereafter unless repealed or modified by Ordinance of the Borough of Mifflinburg.

SECTION 4: In all other respects, Chapter 29 Zoning of the Code of the Borough of Mifflinburg shall remain as heretofore enacted, ordained and amended, which said Chapter as amended, is hereby re-enacted in its entirety herein.

This Ordinance to amend Chapter 29, Part 1, Section 106(4), Part 2, Section 201 and Part 5, Section 520(E) of the Borough of Mifflinburg Code of Ordinances shall affect only those aforementioned Sections. The remainder of Chapter 29 is hereby affirmed and shall remain in full force and effect.

This Ordinance shall become effective immediately upon passage.

ORDAINED and **ENACTED** this 20th day of October, 2026, at a duly assembled public meeting by the Borough Council of the Borough of Mifflinburg.

ATTEST:

BOROUGH OF MIFFLINBURG

Margaret A. Metzger, Secretary

By:_____
Beverly L. Hackenberg, President

Approved this ____ day of _____, 2026

David M. Cooney, Mayor