ORDINANCE NO. 2026-380

AN ORDINANCE OF THE BOROUGH OF MIDDLEBURG, SNYDER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 27 – ZONING - PART 16, 27-1601 TABLE OF PERMITTED USES; RESIDENTIAL USES - OF THE MIDDLEBURG BOROUGH CODE TO INCLUDE MULTIFAMILY RESIDENTIAL USE WITHIN THE BOROUGH IN THE COMMERCIAL (C) ZONE.

WHEREAS, the Council of the Borough of Middleburg is empowered by the Pennsylvania Borough Code, to pass ordinances necessary for the proper management, care and control of the Borough and its finances and the maintenance of peace, good government, health and welfare of the Borough and its citizens, trade, commerce and manufacturers; and

WHEREAS, the Council of Middleburg Borough has proposed to amend Middleburg Borough Ordinance Chapter 27, Part 16, §27-1601 to include Multifamily (3 stories and under) New and Conversion buildings for Residential Use in the Commercial (C) zone:

NOW, THEREFORE, it is hereby ordained and enacted by the Council of the Borough of Middleburg as follows:

Section 1. Chapter 27 ZONING, Part 16, §27-1601, Table of Permitted Uses; Residential Use, is amended to include the following:

Chapter 27, Part 16, §27-1601 [Ord. 206, 2/4/1985; as amended by Ord 218, 7/21/1987; by Ord 295, 11/8/2005] Table of Permitted Uses; Residential Uses:

...

Multifamily (3 stories and under), New and Conversion buildings shall be added to the Use table and allowed in the Commercial (C) zone.

...

Section 2. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Borough that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included.

Section 3. All ordinances or resolutions, or parts of ordinances or resolutions, which are inconsistent with this Ordinance, are hereby repealed to the extent of their inconsistency with the terms of this Ordinance. All other provisions of Middleburg Borough Code shall remain in full force and effect.

Section 4. This ordinance shall become effective five (5) days after adoption.

DULY ENACTED AND ORDAINED this 14th day of July 2026, by the Council of the Borough of Middleburg, Snyder County, Pennsylvania, in lawful session duly assembled, after receiving public comment thereon and following proper notice of its intent to consider adoption of this Ordinance.

ATTEST:

Elizabeth Paige
Administrator/Secretary
(Middleburg Borough Seal)

BOROUGH OF MIDDLEBURG:

By: _____
James Shull, President

APPROVED AS AN ORDINANCE OF THE BOROUGH OF MIDDLEBURG, SNYDER COUNTY, PENNSYLVANIA, THIS 14th DAY OF JULY 2026.

Heidi Potter, Mayor

CERTIFICATE OF ADOPTION

AND NOW, this 14th day of July 2026, I hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the Borough Council of the Borough of Middleburg, Snyder County, Pennsylvania, at a properly called and duly advertised meeting held on July 14, 2026 at which time a quorum was present.

Elizabeth Paige, Administrator/Secretary
(Middleburg Borough Seal)

CERTIFICATE OF PREPARATION

AND NOW, this 14th day of July 2026, I hereby certify that I prepared the foregoing Ordinance adopted by the Borough Council of the Borough of Middleburg, Snyder County, Pennsylvania, at a properly called and duly advertised meeting held on July 14, 2026.

Beau A. Hoffman, Solicitor