

HISTORY

The history of Chester Heights predates grants of William Penn, when the Swedes had penetrated some distance inland from the Delaware River and had found the rich soil very conducive to productive farming. To a remarkable extent, the area had continued to be so used until the last decade. In the 18th and 19th centuries, the Borough was part of Aston Township, though this northernmost section of Aston did not have a village aspect as such. With the advent of a railroad, which made its first run-through on Christmas day 1833, a concentration of houses developed. With the reach of the automobile, a settlement of homes sprang up along the oldest road in the Borough. That route—now #261 or Valley Brook Road—was once known as the “Logtown Road” and was one of the earliest routes from Chester settlement to the interior. It wanders over and along the West Branch of Chester Creek and is noted for its abrupt curves at the Borough’s southern end.

An 1836 school building on Valley Brook Road and Llewelyn Road was, in its day, rented by its owners to Aston for \$2 a month for use as the school for this area. It was subsequently known as the Logtown school and changed to the Chester Heights school in 1880. A second, much later stone school building stands in its place today. The Borough was the fourth ward of Aston and had been referred to for some time as Chester Heights and Wawa. It was in the northern or “Wawa” area that, over the past one hundred years or more, several large land parcels were acquired for summer residences. To date, most of these tracts have remained relatively unchanged, though they are now used as year-round private residences. (“Wawa” was the Indian name for wild goose.)

In 1852 the cornerstone of the Catholic church “St. Thomas the Apostle” was laid, and it stands today with the addition of a parochial school and residences. In 1872 an association of Methodists purchased a farm in Aston, incorporating as the Chester Heights Camp-Meeting Association, and it still convenes each July for religious retreats. The Borough of Chester Heights was officially incorporated in 1945.

Finally, approximately one dozen early fieldstone or brick dwellings remain intact though not necessarily restored. The oldest homes date to 1720 or earlier; many of them were established by 1777 when “a number of the stragglers from the defeated American army, hungry, demoralized, and exhausted in their flight from the field at Brandywine, collected in the neighborhood of Logtown, where they passed the night, sleeping in the outbuildings and open fields.”* Altogether, the houses represent an historically valuable span of 18th Century to Victorian architecture in the Borough.

PREFACE

The Borough of Chester Heights has, over the years, passed through a process of legislative change common to many American communities. While only a few simple laws were necessary at the time of the establishment of the Borough, subsequent growth of the community, together with the complexity of modern life, has created the need for new and more detailed legislation for the proper function and government of the Borough. The recording of local law is an aspect of municipal history, and as the community develops and changes,

*History of Delaware County, Pennsylvania, Henry Graham Ashmead, 1884, p. 293.

review and revision of old laws and consideration of new laws, in the light of current trends, must keep pace. The orderly collection of these records is an important step in this ever-continuing process. Legislation must be more than mere chronological enactments reposing in the pages of old records. It must be available and logically arranged for convenient use and must be kept up-to-date. It was with thoughts such as these in mind that the Borough Council ordered the following codification of the Borough's legislation.

Contents of Code

The various chapters of the Code contain currently effective legislation of a general and permanent nature enacted by the Borough of Chester Heights. Each piece of legislation has been included as a separate chapter, part or article, renumbered and stylized consistent with the style of the Code, without any substantive change.

Division of Code

The Code is divided into parts. Part I, Administrative Legislation, contains all Borough legislation of an administrative nature, namely, that dealing with the administration of government, that establishing or regulating municipal departments and that affecting officers and employees of the municipal government and its departments. Part II, General Legislation, contains all other Borough legislation of a regulatory nature. Items of legislation in this part generally impose penalties for violation of their provisions, whereas those in Part I do not.

Grouping of Legislation and Arrangement of Chapters

The various items of legislation are organized into chapters, their order being an alphabetical progression from one subject to another. Wherever there are two or more items of legislation dealing with the same subject, they are combined into a single chapter. Thus, for example, all legislation pertaining to the regulation of sewers may be found in Part II, in the chapter entitled "Sewers." In such chapters, use of article or part designations has preserved the identity of the individual items of legislation.

Table of Contents

The Table of Contents details the alphabetical arrangement of material by chapter as a means of identifying specific areas of legislation. Wherever two or more items of legislation have been combined by the editor into a single chapter, titles of the several articles are listed beneath the chapter title in order to facilitate the location of the individual item of legislation.

Reserved Chapters

Space has been provided in the Code for the convenient insertion, alphabetically, of later enactments. In the Table of Contents such space appears as chapters entitled "(Reserved)." In the body of the Code, reserved space is provided by breaks in the page-numbering sequence between chapters.

Pagination

Each chapter forms an autonomous unit in the page-numbering system. The first page number in each chapter is the number of that chapter followed by a colon and the numeral “1.” For example, Chapter 6 begins on page 6:1, Chapter 53 on page 53:1, etc. If a page were to be added between pages 53:2 and 53:3, it would be numbered 53:2.1. This system makes it possible to add or to change pages in any chapter without affecting pages in other chapters and to insert new chapters without affecting the existing organization.

Numbering of Sections

A chapter-related section-numbering system is employed, in which each section of every item of legislation is assigned a number which indicates both the number of the chapter in which the legislation is located and the location of the section within that chapter. Thus, the first section of Chapter 6 is § 6-1, while the fourth section of Chapter 53 is § 53-4. New sections can then be added between existing sections using a decimal system. Thus, for example, if two sections were to be added between §§ 53-4 and 53-5, they would be numbered as §§ 53-4.1 and 53-4.2.

Scheme

The Scheme is the list of section titles which precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the Scheme titles are repeated as section headings in the text.

Histories

At the end of the Scheme in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the enactment number (e.g., ordinance number, local law number, bylaw number, resolution number, etc.), if pertinent, and the date of adoption. In the case of chapters containing parts or articles derived from more than one item of legislation, the source of each part or article is indicated in the text, under its title. Amendments to individual sections or subsections are indicated by histories where appropriate in the text.

General References; Editor’s Notes

In each chapter containing material related to other chapters in the Code, a table of General References is included to direct the reader’s attention to such related chapters. Editor’s Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Appendix

Certain forms of local legislation are not of a nature suitable for inclusion in the main body of the Code but are of such significance that their application is community-wide or their

provisions are germane to the conduct of municipal government. The Appendix of this Code is reserved for such legislation and for any other material that the community may wish to include.

Disposition List

The Disposition List is a chronological listing of legislation adopted since the publication of the Code, indicating its inclusion in the Code or the reason for its exclusion. The Disposition List will be updated with each supplement to the Code to include the legislation reviewed with said supplement.

Index

The Index is a guide to information. Since it is likely that this Code will be used by persons without formal legal training, the Index has been formulated to enable such persons to locate a particular section quickly. Each section of each chapter has been indexed. The Index will be supplemented and revised from time to time as new legislation is added to the Code.

Instructions for Amending the Code

All changes to the Code, whether they are amendments, deletions or complete new additions, should be adopted as amending the Code. In doing so, existing material that is not being substantively altered should not be renumbered.

Adding new sections. Where new sections are to be added to a chapter, they can be added at the end of the existing material (continuing the numbering sequence) or inserted between existing sections as decimal numbers (e.g., a new section between §§ 65-5 and 65-6 should be designated § 65-5.1).

Adding new chapters. New chapters should be added in the proper alphabetical sequence in the appropriate division or part (e.g., Part I, Administrative Legislation, or Part II, General Legislation), utilizing the reserved chapter numbers. New chapter titles should begin with the key word for the alphabetical listing (e.g., new legislation on abandoned vehicles should be titled “Vehicles, Abandoned” under “V” in the Table of Contents, and a new enactment on coin-operated amusement devices should be “Amusement Devices” or “Amusement Devices, Coin-Operated” under “A” in the Table of Contents). Where a reserved number is not available, an “A” chapter should be used (e.g., a new chapter to be included between Chapters 166 and 167 should be designated Chapter 166A).

Adding new articles. New articles may be inserted between existing articles in a chapter (e.g., adding a new district to the Zoning Regulations) by the use of “A” articles (e.g., a new article to be included between Articles XVI and XVII should be designated Article XVIA). The section numbers would be as indicated above (e.g., if the new Article XVIA contains six sections and existing Article XVI ends with § 166-30 and Article XVII begins with § 166-31, Article XVIA should contain §§ 166-30.1 through 166-30.6). **NOTE:** In chapters where articles appear on the Table of Contents, simply add new articles to the end of the chapter since they are not arranged by subject matter.

Supplementation

Supplementation of the Code will follow the adoption of new legislation. New legislation or amendments to existing legislation will be included and repeals will be indicated as soon as possible after passage. Supplemental pages should be inserted as soon as they are received and old pages removed, in accordance with the Instruction Page which accompanies each supplement.

Acknowledgment

The assistance of the Borough officials is gratefully acknowledged by the editor. The codification of the legislation of the Borough of Chester Heights reflects an appreciation of the needs of a progressive and expanding community. As in many other municipalities, officials are faced with fundamental changes involving nearly every facet of community life. Problems increase in number and complexity and range in importance from everyday details to crucial areas of civic planning. It is the profound conviction of General Code Publishers Corp. that this Code will contribute significantly to the efficient administration of local government. As Samuel Johnson observed, "The law is the last result of human wisdom acting upon human experience for the benefit of the public."