



CITY COUNCIL

Public Safety Committee

Monday, February 1, 2010
Agenda
5:00 p.m.

Committee Members: D. Sterner, Chair; S. Marmarou; M. Goodman-Hinnershitz

- I. Temporary Sign Ordinance Amendment**
- II. Special Event Permit Ordinance**
- III. Update – Codes Ticketing System (Police)**
- IV. Deer in Charles Evans Cemetery**
- V. Vacant Property Registration - discussion**
- VI. Vagrancy - discussion**

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information. No action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

Public Safety Goals

Goal 1: Coordination of Police, Codes and Zoning Services

Goal 2: Support Problem Oriented Policing

Goal 3: Surveillance Camera Project - *underway*

Goal 4: Support Consolidation of Fire Departments - *underway*

Goal 5: Support Update of Emergency & Pandemic Plan (including NIMS Training for all required personnel) - *underway*

Goal 6: Support Health and Safety Review Ordinances

Goal 7: Support Cops and Codes Sweeps

Goal 8: Support Implementation of Sidewalk Café and Sales Ordinances

Goal 9: Support Implementation of Sidewalk Vendor Ordinance -*complete*

Goal 10: Support Public Safety at City Schools



CITY COUNCIL

Public Safety Committee

Monday, December 7, 2009

5:00 p.m.

Attendance: D. Sterner, M. Goodman-Hinnershitz, S. Marmarou

Others Attending: S. Katzenmoyer, W. Heim, D. Reed

Dennis Sterner, Chair, called the meeting to order at 5:06 p.m.

I. Special Event Permits

Chief Heim reported that he used the Texas sample in the first draft of this amendment. He noted that this amendment would allow the City to assess fees for special events for necessary manpower. He also noted that this amendment would ensure that neighborhoods are not interfered with and that events are not disrupted by others.

The Committee reviewed the ordinance.

Mr. Marmarou questioned if the Police Beneficial Assn would need to get this permit for their annual circus. Chief Heim noted his belief that they would need the permit as the event seems to fall within the definition of special event.

There was discussion on the use and display of animals. Ms. Katzenmoyer was asked to work with the Animal Rescue League to better define this phrase. It was also suggested that the exception of house-moving be better defined.

Ms. Katzenmoyer will make the necessary changes and request the ordinance be reviewed by the Law Department prior to the next Public Safety meeting.

Ms. Goodman-Hinnershitz suggested that guidelines for charging admissions fees to special events also be addressed.

Note: Council staff will also be researching a provision to allow the event to be moved to another, more suitable location as necessary.

II. Temporary Sign Ordinance Amendment

Chief Heim noted that he had not yet reviewed this amendment. Ms. Katzenmoyer explained that Council staff worked with Deputy Chief Talbot and Sgt. Delewski.

Chief Heim also suggested that the Law Department review the amendment.

Mr. Marmarou noted that he would prefer there be no signs.

Ms. Katzenmoyer noted that this amendment is based on that used in Allentown. Chief Heim stated that he will follow up with Allentown to see if the ordinance is functioning as they hoped it would.

Ms. Goodman-Hinnershitz noted an experience in which she called the phone number on a sign posted on a pole and informed the person that they were illegal and needed to be removed. She noted that they were taken down.

III. Codes Ticketing System

Chief Heim noted that this project is moving more slowly than he had hoped. He stated that IT is still working on hardware/software issues and Codes is focusing on the housing permit process. He stated his disappointment that the system is not already running. He stated that he hoped that a paper system could be introduced in the interim. He will discuss this issue with the Managing Director and the Finance Director.

Ms. Katzenmoyer stated that the ordinance to allow this system needs to be introduced before it can be implemented. Chief Heim noted his willingness to draft the ordinance.

IV. DCR

Ms. Katzenmoyer explained that the memo from Ms. Mayfield indicates that the issues raised by this committee are already addressed in the ordinance.

Ms. Goodman-Hinnershitz and Chief Heim stated their belief that the system is working better. They further stated that no amendments are needed at this time.

Ms. Goodman-Hinnershitz noted that the Appeals Board seems to hear appeals on tenants' second or subsequent evictions and that the evictions have generally been upheld.

This item will be removed from the agenda.

V. Other Business

Ms. Goodman-Hinnershitz requested that the vagrancy issue be discussed at the next Public Safety meeting. She noted that the current issue is with a particular individual in a neighborhood and that the problem is not pervasive throughout the City. However, she suggested that the City be proactive on this issue.

Chief Heim stated that vagrants can only be detained if they are a serious threat to themselves or to others.

Mr. Sterner requested that the Police Department patrol near Hillside Playground during their holiday event. He noted that there have been no problems to date.

The Public Safety Committee meeting adjourned at 5:50 p.m.

*Respectfully submitted by
Shelly Katzenmoyer,
Deputy City Clerk*

Issues for Follow-Up:

- List of property owners without rental permits – July Work Session
- Codes ticketing system ordinance - January
- Review DCR Amendment – creation of Level 1 and Level 2 DCRs – August – complete
- Special Events Permit Ordinance – Under Review
- List of tenants and landlords receiving DCRs - September
- Enforcement of 500 foot rule for student rentals - September
- Vacant Property Registration Ordinance – January 2010



City of Reading City Council Brief

Agenda Item: Sign Ordinance Amendment
From: Linda A. Kelleher City Clerk

Briefing No.: 5-2009
Date: November 23, 2009

BACKGROUND:

Over the years several City Councilors and citizens have been actively removing signs from telephone and utility poles across the City. Unfortunately the best we can do is send a warning letter advising the sponsor that it is illegal to post signs on these poles, which has done little to relieve the situation. The existing ordinance only allows citations to be issued if someone actually views the person posting the sign. After discussions with some members of Council and some members of the Police Department, Council Staff began doing research to find a better way of approaching this issue.

The attached ordinance was modeled after an ordinance currently used in Allentown PA and requires parties to obtain a permit to post signs for a temporary period of time and requires that the sign is removed within so many days after the event concludes. If the permit is not obtained or the party does not remove the sign in a timely period citation is allowed to the party sponsoring the event.

AMENDMENTS TO THE EXISTING ORDINANCE:

- Adds definitions of "election, political sign, special event sign, sponsor of a sign, temporary sign, street light standard, utility pole, yard or garage sale sign".
- Prohibits the use of adhesive, staples, nails, tacks, etc to affix the sign on a pole or street light.
- Prohibits signs from being affixed to trees, shrubs, traffic control device and on public property.
- Requires signs to be either 30 inches in height and 24 inches in width.
- Requires yard sale/garage sale signs to contain the address where the sale will occur.
- Requires political sign posting no earlier than 45 days prior to the election and requires their removal seven (7) days after the election,
- Special event signs can be posted 30 days prior to an event and must be removed seven (7) days after the event.
- Yard sale/ garage sale signs can be posted three (3) days before the sale and must be removed within 24 hours.
- Permit applications handled by the Codes Office and setting a permit fee of \$50.
- Makes sponsor of the sign liable for enforcement of the ordinance.

- Codes, Police and Zoning can enforce the terms of this ordinance.

ORDINANCE _____ - 2009

AN ORDINANCE AMENDING THE CITY OF READING CODIFIED ORDINANCES CHAPTER 19 SIGNS AND BILLBOARDS PART 2 UNAUTHORIZED ROADSIDE AND UTILITY POLE SIGNS PROHIBITED

SECTION 1. Amending the City of Reading Codified Ordinances Chapter 19 Signs and Billboards, Part 2 Unauthorized Roadside and Utility Pole Signs Prohibited as attached in Exhibit A.

SECTION 2. All other parts of the Ordinance remain unchanged.

SECTION 3. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2009

President of Council

Attest:

City Clerk

(Council Office)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

PART 2
UNAUTHORIZED ROADSIDE AND UTILITY POLE SIGNS PROHIBITED

§19-201. Legislative Intent

The City Council makes the following findings:

A. Unauthorized signs along city roads and on utility poles are dangers because they are intended to distract motor vehicle operators and because they often obstruct views of other vehicles.

B. Unauthorized signs along city roads spoil the natural beauty that is an invaluable asset treasured by residents, commuters and visitors.

C. Residents, commuters and visitors have frequently asked City Council members what could be done to eliminate roadside signs including, but not limited to, signs supporting candidates for elected public and labor union offices and signs soliciting for a variety of business interest.

~~D. There are a number of alternatives available to advertisers that do not have the negative impacts that signs on roadsides and utility poles have.~~

§19-202. Definitions

For the purpose of this Part, the following definition shall apply unless the context clearly indicates or requires a different meaning.

ELECTION – any regularly scheduled primary or general election, or any special election authorized by the Election Board of the County of Berks.

POLITICAL SIGN – any temporary sign which publicizes the candidacy or promotes the election of any contestant for elected public office, or which advocates a particular position on any referendum appearing on an election ballot.

SIGN - any surface, fabric or device bearing lettered, pictorial or sculptured matter designed to convey information visually and exposed to public view; or any structure including bill board or poster panel designed to carry the above visual information.

SPECIAL EVENT SIGN – any temporary sign announcing an upcoming event, whatsoever in nature. This does not include Yard or Garage Sale signs.

SPONSOR OF A SIGN –

a. for a political sign, the contestant for elected public office whose candidacy is advertised on the sign or, if applicable, the committee or organization promoting the election of said contestant; or the individual, group, organization or other entity listed on the sign as advocating the advertised position on a referendum.

b. for a special event sign, the individual, organization, corporation, government body, or other entity listed on the sign as the producer, promoter, or offeror of the event advertised.

c. for a yard or garage sale sign, the individual, family, or other entity residing at the address listed on the sign.

STREET LIGHT STANDARD – any pole or standard to which is attached a device used for illuminating a street, sidewalk, or other portion of any public right-of-way.

TEMPORARY SIGN – a sign, poster, placard, or other advertising device pertaining to an event at a fixed and limited time or duration and intended for a limited period of display.

UTILITY POLE – any pole or standard owned, maintained, serviced, or in any other way utilized by any regulated public utility, and located within the corporate limits of the City of Reading.

YARD OR GARAGE SALE SIGN – any temporary sign announcing an upcoming public sale of items taking place at a private residence. This shall include, but not be limited to, yard sales, garage sales, and porch sales.

§19-203. Temporary Signs

Temporary signs are prohibited as follows:

- A. No temporary sign shall be affixed to any utility pole or street light standard by means of nails, tacks, staples, or any other metal or hard substance or so as to cover the identifying label of the pole.*
- B. No temporary sign affixed to any utility pole or street light standard shall have a glue, gum-backing or other adhesive-backing.*
- C. No temporary sign shall exceed thirty (30”) inches in height, or twenty-four (24”) inches in width.*
- D. No temporary sign shall be affixed in any manner to any tree or shrub in the public right of way.*
- E. No temporary sign shall be posted on City property.*
- F. No temporary sign shall be so posted or constructed as to impair, impede, or otherwise obstruct the free flow of pedestrian or vehicular traffic along a public right of way by any pedestrian or vehicle operator.*
- G. No temporary sign shall be posted on any traffic control device.*
- H. No yard or garage sale sign which does not include the address and date of the sale may be posted.*

§19-204. Duration of Posting

- A. Political signs may not be posted to a utility pole or street light standard earlier than forty-five (45) days prior to an election. Such signs shall be removed within seven (7) days following the election.*
- B. Special event signs may not be affixed to a utility pole or street light standard earlier than thirty (30) days prior to the event advertised. Such signs shall be removed within seven (7) days following the event. In cases where a special event sign lists more than one event, the sign shall be removed within seven (7) days following the last event listed.*
- C. Yard or garage sale signs may not be affixed to a utility pole or street light standard earlier than three (3) days prior to the sale advertised. Such signs shall be removed within twenty-four (24) hours following the close of the sale.*

§19-205. Consent of Owner

This ordinance shall not be construed to grant permission to any person, entity, organization or corporation to use any utility pole or other property for the posting of signs nor shall it be considered to infer the consent of the owner thereof.

§19-206. Registration, Permit and Fees

No person shall post temporary signs without first registering the name and mailing address of the sponsor of said sign in the Codes Office. Such registration shall not be construed to grant permission to post temporary signs on the property of another without said property owner's consent.

For signs to be posted, a permit must be obtained in the Codes Office stating the applicant's name, address, telephone number, and the purpose of the sign. The fee shall be set at \$50.

§19-207. Accountability of Sponsor

In all cases in which temporary signs are posted, it shall be the responsibility of the sponsor of the sign to insure that each sign is posted and removed in accordance with the provisions of this ordinance.

If any signs are found to have been posted in violation of this ordinance, or to have remained posted beyond the specified time period for removal of signs, the sponsor of the signs shall be liable to punishment under the terms of this ordinance.

§19-208. Conflict with other Ordinances

This article shall not be in conflict with the Building Code (current edition) and Zoning Code of the City of Reading.

§19-203. Signs Prohibited

Unless a permit has been issued and is valid in accordance with the provisions elsewhere in this Code, all signs are prohibited from:

——— A. The area within the right of way lines of all public streets, sidewalks, — boulevards, highways, avenues, alleys, roads, or other public ways (the — area within the right of way lines includes unpaved areas).

——— B. Any utility poles or structures within the right of way lines.

§19-204 209. Removal of ~~Prohibited~~ Unpermitted Signs

1. **Removal Procedure** Any sign found to violate this Part may be removed forthwith by the Department of Public Works employees or by any other city employee ~~duly authorized by the Mayor or the Director of the Department of Public Works~~. If the sign is located upon a State or County right-of-way, the City may notify the designated State or County authorities of the pending violation.

2. **Notice, Storage, Return** Upon removal of any sign in violation of this Part, a designated employee of the Department of Public Works or the Property Improvement Division of the ~~Community Development Department~~ shall keep a record of the location from which the sign

was removed. Further, a reasonable attempt shall be made to contact the owner by telephone. If such attempt is successful, the owner shall be notified of the removal and of the location where the sign may be retrieved. If telephone contact is not achieved, written notice of the violation of the retrieval location may, but is not required to, be provided. In either case, the Department of Public Works shall store any removed sign for at least 10 days. After expiration of the 10 day period, The City shall be permitted to destroy or discard any sign.

~~3. **Persons Deemed Responsible** The person(s), organization(s), or business(es) named or promoted on the sign posted in violation of this Part shall be deemed the owner responsible for the violation, absent prior notification to the Director of the Department of Public Works or the Property Improvement Division Manager of another responsible party. Nothing in this Part shall be interpreted to make any person, organization, or business liable for any signs posted by persons over who he/she/it has no control.~~

§19-205 210. Public Nuisance

Any sign posted in violation of this Part is hereby declared to be a nuisance. In addition to any other remedy provided by this Part, the City may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation.

§19-206 211. Notice

~~The Property Improvement Division Manager Zoning Office is authorized to send written notices to individuals or organizations the Division Manager Zoning Office believes that have violated this Part or who may be inclined to do so in the future, including candidates for elected office. The notice may include a copy of this Part and intentions of the Division Manager Zoning Office to enforce it.~~

§19-212. Enforcement

Codes Enforcement, Zoning, and the Police Department shall be responsible for enforcing all provisions of this ordinance

§19-207 213. Penalty

A violation of this Part shall be a summary offense. Each sign in violation of this Part shall constitute a separate offense. The owner of the sign and/or any person who caused the violation of this Part shall be subject to the prosecution and fine. ~~The fine shall be not more than \$300 per sign and no less than \$75 per sign.~~

Any person or persons who violate(s) any provisions of this ordinance and who fails to comply with any requirements within seven (7) days of being sent notice shall be guilty of a violation. A fine of ten (\$10) dollars shall be paid for the first violation of each sign and a fine of five (\$5) dollars for each sign shall be paid for each day thereafter that a violation continues.

BILL NO. _____-2009
A N O R D I N A N C E

Amending the City of Reading Codified Ordinances Chapter 15 Motor Vehicles and Traffic Part 12 Parades by renaming Part 12 Parades, Special Events and Public Gatherings and amending as attached

SECTION 1. City Council wishes to establish a standard process for permitting Special Events by the public and private sector using City Streets, facilities, or services. It is recognized that Special Events provide benefits to the City of Reading through the creation of unique venues for expression and entertainment. However, certain Special Events, due to their size and special requirements, may place unique demands on public resources or pose a danger to public health, safety, and welfare. In order to plan for these demands on public resources and to ensure that the public health and safety of its citizens is protected, the City of Reading must receive advance notice of any Special Events that are to occur within its boundaries. The provisions of this Ordinance are intended to address those concerns and are not intended to place an unreasonable burden on individuals' rights of association or freedom of expression. It is the intent of the Reading City Council to protect the rights of its citizens to engage in free speech activities, yet allow for the least restrictive and reasonable regulation of time, place, and manner of those activities within the overall context of rationally regulating Special Events that have an impact on public facilities and services.

SECTION 2. Amending the City of Reading Codified Ordinances Chapter 15 Motor Vehicles and Traffic Part 12 as attached

SECTION 3. All other parts of the Ordinance remain unchanged.

SECTION 4. This Ordinance shall be effective ten (10) days after passage.

Enacted _____, 2009

President of Council

Attest:

City Clerk

(Police Chief/Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

PART 12

PARADES, SPECIAL EVENTS, AND PUBLIC GATHERINGS

§15-1201. Short Title.

This Part shall be known and cited as the "Parade *and Special Events*" Ordinance of the City of Reading, Pennsylvania."

§15-1202. Definitions.

APPLICANT - *a person who has filed a written Application for a Special Event Permit*

CHIEF OF POLICE - the Chief of Police of the City of Reading, Pennsylvania

CITY - the City of Reading, *Pennsylvania*

PARADE - any parade, march or procession of any kind in or upon any street or public park within the City

PARADE PERMIT - a permit as required by this Part

PERSON - any person, firm, partnership, association, corporation, company or organization of any kind

SIDEWALK - *that portion of a Street between the curb lines or lateral lines of a roadway and the adjacent property lines intended for the use of pedestrians*

SPECIAL EVENT - ~~any event of any type to be held on the City streets or City-owned property sponsored by any person or entity of any type, profit or nonprofit, other than the City and each reference to parade in this Part shall also include special event.~~
(Ord. 14-2001, 5/29/2001)

- means a temporary event, gathering, or organized activity on any City Street, public property, or private property, or in any City park, building, or other facility, when an organized activity is conducted involving one (1) or more of the following factors:

1. *Closing of a public Street, Sidewalk, or alleyway;*
2. *Blocking or restricting public property;*
3. *Blocking or restricting access to private property of others;*
4. *Use of pyrotechnics or special effects;*
5. *Use of open flame, explosions, or other potentially dangerous displays or actions;*
6. *Use or display of animals, aircraft, or watercraft;*
7. *Sale or service of merchandise, food, or non-alcoholic and alcoholic beverages on public and private property where otherwise prohibited by Ordinance;*

8. *Installation of a stage, band shell, vehicle(s) of any kind, trailer, van, portable building, booth, grandstand, or bleachers on public property; or on private property where otherwise prohibited by Ordinance;*
9. *Placement of portable toilets on public property; or on private property where otherwise prohibited by Ordinance;*
10. *Placement of “No Parking” signs or barricades in a public right-of-way;*
11. *Amplification of music, voices, sounds, or activities that require a noise permit;*
12. *The Public Works, Fire or Police Departments reasonably determine that the event will result in substantial impact on City resources, facilities, or public safety services in response thereto;*
13. *Examples of Special Events include but are not limited to: Concerts, dances, assemblages, processions, parades, circuses, amusement rides, fairs, festivals, block parties, community events, marathons and other running events, bicycle races and tours, football games, basketball games, baseball games, golf tournaments, boat races, and other organized activity conducted for the purpose of fundraising for profit, non-profit fundraising, community promotion, or charity.*
14. *The Police Department Traffic Unit shall determine if a Special Event Permit is required.*

SPECIAL EVENT PERMIT - written, signed authorization to hold a Special Event issued by the Reading Police Department and approved by Reading’s Risk and Safety Coordinator, the City Solicitor, the Public Works Director, and the Fire and Police Chief

SPECIAL EVENT VENUE - that area for which a Special Event Permit has been issued

STREET - the entire width between the boundary lines of every publicly-maintained right-of-way when any part thereof is open to use by the public for the purpose of vehicular traffic

§15-1203. Permit Required.

~~1. No person shall engage in, participate in, aid, form or start any parade, unless a parade permit shall have been obtained from the Chief of Police.~~

Except as provided in this Ordinance, no person or entity shall conduct, facilitate, promote, manage, aid, or solicit attendance at a Special Event until a Special Event Permit has been issued by the City of Reading

Exceptions. This Part shall not apply to:

- A. Funeral processions ***by a licensed mortuary.***
- B. ***House-moving and construction activities***
- C. ***Activities of a governmental agency acting within the scope of its authority***
- D. Lawful picketing ***demonstrations on sidewalks.***

E. A governmental agency acting within the scope of its functions.

F. Students traveling to and from classes or participating in school district sanctioned educational activities provided such conduct is under the immediate direction and supervision of the proper school authorities.

§15-1204. Application.

An individual requiring a Special Event Permit shall pick up and submit a completed Application for a Special Event Permit at the City's Police Department Traffic Office. Each Applicant shall be required to pay a Processing Fee and a Security Deposit Fee, neither of which will be waived, as specified in Exhibit B: Fee Schedule. A Special Event Permit shall be submitted to the City at least sixty (60) days (two [2] months) but no more than one hundred eighty (180) days (six [6] months) prior to the date proposed for the Special Event. The Mayor, where good cause is shown, may, but is not required to, consider an Application filed less than sixty (60) days prior to the proposed date of said event or activity only if all requirements for the permit can be met

A person seeking the issuance of a parade permit shall file an application with the Chief of Police on forms provided by the Chief of Police.

Filing Period. An application for a parade permit or special event permit shall be filed with the Chief of Police not less than 60 days before the date on which it is proposed to conduct the parade or special event. The application shall be signed by the applicant or its authorized agent.

Contents. The application for a parade **special event** permit shall set forth the following information:

A. The name, address and **daytime** telephone number, **fax, cell phone number, and email address** of the person seeking to conduct such **parade event**.

B. If the **parade event** is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of such organization.

C. The name, address and telephone number of the person who will be the **parade event** chairman and who will be responsible for its conduct.

D. **The location of the event.**

E. **The purpose of the event.**

F. The date, days, and times when the **parade event** is to be conducted.

G. **The setup, tear-down, and cleanup dates and times.**

H. The route to be traveled, the starting point and the termination point for parades.

I. The approximate number of persons who, and animals and vehicles which, will constitute the parade; the type of animals and description of vehicles.

J. The hours, when such parade **event** will start and terminate.

K. A statement as to whether the parade **event** will occupy all or only a portion of the width of the streets proposed to be traversed.

L. The location by streets of any assembly areas for such parade **event**.

~~M. The time at which units of the parade will begin to assemble at any such assembly area or areas.~~

~~N. If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the Chief of Police a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on his behalf.~~

~~L. The purpose of the parade.~~

M. Maps detailing proposed site locations and/or routes along with written descriptions of the following:

- a. Amplification Devices: Types used and for what purposes.*
- b. Electrical Requirements: Voltage, amperage, and apparatus associated with electrical needs for activities, vendors, etc.*
- c. Emergency Medical Stations: First aid or emergency medical services based on Special Event risk factors, as determined by the City Manager or City Manager's designee.*
- d. Equipment: Types of equipment used to service Special Event and/or to be showcased in the event.*
- e. Fire Lanes: Contingency plan for access by fire-fighting and emergency medical vehicles, equipment, and personnel.*
- f. Fireworks or Pyrotechnic Displays: Amount, type, and fire safety plans, including proof of application for state permit. All pyrotechnic/fireworks/flame display plans must be reviewed by the Fire Marshal's office and a member of the Fire Marshal's staff must be present at the time of the display.*
- g. Litter Control: Number, size, and location of trash receptacles, as well as trash removal and disposal.*
- h. Parade, Race, Other Similar Activities: Including but not limited to marathons, "fun-runs," "walk-a-thons," trail rides, cycle and motorbike tours, watercraft events, scavenger hunts, etc. Show start and finish locations.*

- i. Portable Toilets: The number of portable sanitation facilities based on the Portable Sanitation Association International (PSAI) policy, City policies, and City codes, including quantity that will be ADA accessible.*
- j. Signage: Type of proposed on-site and off-site signage, including quantity, dimensions, and materials.*
- k. Street Closures and Detours: A statement as to whether the Special Event will occupy all or only a portion of the width of the Streets, Sidewalks, or other public rights-of-way proposed for pedestrian and vehicular traffic control.*
- l. Structures: All temporary structures, including but not limited to booths, buildings, stages, bleachers, fences, tents, awnings, and canopies.*
 - (a) If any temporary structure is equal to or larger than two hundred (200) square feet in diameter, a certificate confirming the use of flame-retardant material shall be provided by Applicant.*
- m. Vendors: List each vendor, including products and services offered. Pennsylvania law requires valid tax ID number for each vendor.*
- n. Vehicles: Types of vehicles used to support services to the Special Event and/or to be showcased in the event.*

N. Admission Fees: The cost of admission, if any, and whether the event is a public or private event.

O. Alcoholic Beverages:

- a. Conditions and restrictions on the use of alcoholic beverages.*
- b. Submit a list all vendors who will be providing alcohol, along with copies of their TABC certificates.*

Note: Alcoholic Beverages are prohibited in all City parks, playgrounds and facilities.

P. Animals: A description of the types of animals anticipated to be part of the Special Event, if any. Refer to the Animal Control Ordinance for requirements for proper control and handling of animals and animal waste during Special Events.

Special Events applications including the use of animals will be reviewed by the Animal Control Agency.

Q. Attendance:

- a. The approximate number of persons who will be attending the Special Event each day for the duration of the Special Event Permit.*

- b. *The approximate number of persons who will participate in the event as volunteers or workers.*

Note: The PA Department of Health requires an ambulance on standby at the event for all events expecting 5,000 or more people.

R. Insurance: Proof of comprehensive general liability insurance in the amount of one million dollars (\$1,000,000.00), naming the City of Reading as additional insured. Also, include additional affected entities, i.e., BEDC.

S. Miscellaneous: Any special or unusual requirements that may be imposed or created by virtue of the nature or operation of the proposed Special Event activity, as well as any other information required by the Police Traffic Office.

T. Water/Wastewater: If applicable, a plan for the disposal of waste water, including capture and containment, which plan shall be approved by the Public Works Department. All water generated must be disposed of through an approved sanitary sewage system that is constructed, maintained, and operated according to law.

U. Liability insurance covering the City for any claim or claims by any persons or entities arising out of the conducting of said parades or special events shall be required as a condition to granting the applications with respect to those parades or special events which considering the nature thereof, and the activities involved, in the discretion of Chief of Police, on the recommendation of the Safety and Risk Manager of the City, require insurance in such amounts as the Chief of Police shall determine on the advice of the Safety and Risk Manager of the City.

V. Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit should be issued.

Late Applications. The Chief of Police, where good cause is shown therefore, shall have the authority to consider any application hereunder which is filed less than 60 days before the date of such parade or special event is proposed to be conducted.

~~**Application Fee.** A fee in an amount as established from time to time by resolution of City Council to cover the expenses incident to processing shall be paid by the person applying for the permit at the time of the filing of the application.~~

§15-1205. Fees, Time Limit, and Cost

Fees. Due and payable at the time of filing Application if event occurs on City property.

1. Processing Fee will NOT be waived:

a. With proof of non-profit status (i.e., 501-C): One hundred dollars (\$100.00).

b. All others: Three hundred dollars (\$300.00).

2. Security Deposit will NOT be waived:

a. Five hundred dollars (\$500.00).

b. Refundable if the location of the Special Event is clean and free of litter and damage.

3. Use of City Personnel Resources for Event:

a. Fire and EMS, Police, and Public Works will determine the number of and duration of personnel needed to provide services for the event based on the nature, the location, and the number of expected attendees. Extra employees will often have to be scheduled as to not significantly interfere with regular city operations.

b. Costs for needed services shall be paid according to the current City hourly rate for the personnel involved in the event and in adherence to conditions set forth in bargaining agreements, such as the minimum number of hours to be paid for such employee service.

c. Cost estimates will be provided to the Applicant at least 14 days prior to the event.

d Any complaints concerning the amount and cost of personnel needed to provide a clean and safe event will be heard and decided by the director of Finance or the City Managing Director.

§15-1206. Time Limit for Filing and Changes.

A timely Application for Special Event Permit shall be filed no less than sixty (60) days and no more than one hundred and eighty (180) days prior to the date on which the proposed Special Event shall occur.

The Mayor, where good cause is shown, may, but is not required to, consider an Application filed less than sixty (60) days (two [2] months) prior to the proposed date of said event or activity.

Any proposed changes to the Application prior to the date of the event must be approved by the Police Department with possible consultation with Public Works, Fire, Risk and Safety and the City Solicitor.

§15-1207. Date of Special Event Not Confirmed Until Permit Issued

Notwithstanding the Police Traffic Unit's acceptance of a completed Application, no date for a Special Event shall be considered confirmed until an Applicant has fully complied with all necessary requirements and the Special Event Permit has been approved and issued by the City of Reading. If an Application for a Special Event has been submitted for a specific date but is waiting for approval, no other Application can be accepted for that same date until a decision on the first Special Event Application has been made.

Certain annual Special Events have a "standing tentative reserved date," such as the Holiday Parade and the Labor Day Parade. These dates will be honored providing the Applicant submits the Special Event Permit Application in accordance with this Ordinance.

To avoid double-booking a City facility, the person responsible for City facilities should be notified immediately of the proposed date and event so that the venue can be tentatively reserved for said date.

§15-1205. Standards of Issuance.

The Chief of Police shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

~~_____ A. The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.~~

~~_____ B. The conduct of the parade will not require the diversion of so great a number of police officers of the City to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the City.~~

~~_____ C. The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service, to areas contiguous to such assembly areas.~~

~~_____ D. The conduct of such parade will not interfere with the movement of fire fighting equipment in route to a fire.~~

~~_____ E. The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute.~~

~~_____ F. The parade is not to be held for the sole purpose of advertising any product, goods or event and is not designed to be held purely for private profit. Provided, however, the prohibition against advertising any product, goods or event, shall not apply to charitable events and to signs identifying organizations or sponsors furnishing or sponsoring floats or transportation for the parade.~~

~~_____ G. A hold harmless and indemnification agreement has been executed by that applicant holding the city, its officers, agents, servants, employees and their successors, harmless from any claims by any persons or entities as a result of the conducting of said parade or special event and agreeing to indemnify the City, its officers, agents, servants, employees and their successors, from any loss as a result of the claim or claims of any persons or entities arising from the conducting of the parade or special event.~~
(Ord. 14-2001, 5/29/2001)

§15-1208. Conditions for Issuance of a Special Event Permit

The City of Reading Police Traffic Office may issue a Special Event Permit when:

- 1. An Application is successfully completed and filed in accordance with this ordinance; and*
- 2. All of the following conditions are satisfied:*
 - a. The Special Event will not substantially interrupt the safe and orderly movement of vehicular and pedestrian traffic.*
 - b. The Special Event will not require the diversion of police officers, fire department personnel or other department employees so as to significantly impact the City department's ability to respond appropriately to regular City duty throughout the remainder of the community.*

c. The concentration of persons, animals, vehicles, or things at the staging and disbanding areas, as well as along the event or street activity route, will not unduly interfere with the movement of police, fire, ambulance, and other emergency vehicles on the streets.

d. The Special Event is not being conducted for an unlawful purpose, nor will it violate any Ordinance of the City or any other applicable law.

e. The Special Event will not substantially interfere with any other Special Event for which a Special Event Permit has already been issued; nor shall it substantially interfere with the provision of City services in support of other scheduled events or unscheduled government functions.

f. The Special Event will not have any unmitigated adverse impact upon residential or business access and traffic circulation in the same general venue.

~~§15-1206. Notice of Rejection.~~

~~The application for parade permit shall be deemed denied unless within 10 days of the making of the application, the Chief of Police gives written notice by first class mail to the applicant at the address set forth in the application that the application is approved conditioned upon the applicant securing the insurance coverage as may be required in §15-1204(3)(N).
(Ord. 14-2001, 5/29/2001)~~

§15-1209. Denial or Revocation of a Special Event Permit

The Police Department Traffic Office, in consultation with the City Mayor or Managing Director, may deny or revoke a Special Event Permit Application if the Applicant fails to satisfy or violates any of the requirements set forth in this ordinance; or

- 1. The Applicant has made or permitted the making of a false or misleading statement or omission of material fact on the Special Event Permit Application; or*
- 2. The Applicant has violated this Ordinance or has had a Special Event Permit revoked within the preceding twelve (12) months.*
- 3. The Applicant violates or has violated within the past twelve (12) months another City Ordinance or State law*

§15-1210. Notice of Decision

If the Application is rejected, the Police Department Traffic Office shall provide by facsimile transmission, e-mail, telephone, and/or U.S. mail directed to the Applicant within ten (10) business days after the date upon which the Application was filed, a notice of its action, stating the facts and conclusions which are the basis for the denial of the Permit.

§15-1211. Street Activity and Route Restrictions

Special Events shall comply with the following restrictions. The Police Department and/or City Managing Director may alter the time restrictions stated herein upon review of the Special Event's location, time, type, safety concerns, the City's capabilities, and proximity to residential properties.

- 1. Special Events held on public property within the City limits or on a publicly-maintained right-of-way may begin staging (setting up) at 6:00 a.m. and shall disband (shut down) at 10:00 p.m. Cleanup must be completed by midnight.*
- 2. Special Events held primarily in a residential area may begin staging (setting up) at 10:00 a.m. and shall disband (shut down) by 8:00 p.m. Cleanup must be completed by 10:00 p.m.*
- 3. Special Events held primarily in a residential area and requiring street closures, the appropriate safety/security measures must be approved by the Chief of Police and/or the Managing Director for the duration of the Special Event and at the expense of the Applicant.*
- 4. Noise levels for such Special Events shall not exceed maximum permissible sound levels in accordance with City noise Ordinance. This includes but is not limited to air horns and other horn-blowing apparatus, whistles, and amplified music, speech, and other sounds.*
- 5. Throwing any items, including but not limited to candy, gum, food, beads, confetti, balloons, and toys, from any and all kinds of moving vehicles, equipment, trailers, bicycles, motorcycles, animals, etc. during Special Event parades is strictly prohibited. However, such items may be handed to individuals curbside.*
- 6. Only licensed drivers may operate motorized vehicles and equipment during parades. This includes but is not limited to automobiles, tractors, trucks of all makes, all-terrain vehicles (ATV), and go-carts.*

§15-1212. Temporary Signs for Special Events

It is unlawful for any person to place, post, paint, erect, display, secure, or maintain any sign, banner, lighting, or advertising without the prior written approval of the Public Works Department. In case of conflict with the City's sign regulations in the Code of Ordinances, the City's sign Ordinance shall control.

All Special Event signs, banners, flyers, or advertisements of any kind shall be contained within the boundaries of the event location and shall be removed within twenty-four (24) hours of the completion of the Special Event. A Special Event sign not removed in compliance with this section may be removed by the City at the expense of the Applicant to include costs incurred by the City for removal of same. If a Special Event sign, banner, flyer, or advertisement becomes a hazard to the public's safety or welfare due to inclement weather, inadequate maintenance, accidental damage, or other cause, the City shall remove the sign immediately at the sole cost of the Applicant. After removal by the City, the City may store, dispose, destroy, or otherwise handle the sign as it deems appropriate and shall have no liability to the Applicant or sign owner related to same. All banners not picked up by the Applicant or designee within one (1) week after completion of said Special Event, may be disposed, destroyed, or otherwise handled as deemed appropriate with no liability on the part of the City.

§15-1213. Appeal Procedure.

Any person aggrieved by the action of the Chief of Police shall have the right to have the action of the Chief of Police reviewed by the Mayor of the City upon written request to the Mayor delivered by registered mail at the Mayor's office. The Mayor shall thereupon review the action of the Chief of Police and the reasons for his action and notify the aggrieved party by mail within 10 days of the receipt of the appeal of his action thereon.

Where a late application has been denied by the Chief of Police, the action of the Chief of Police may be reviewed by the Mayor, upon receipt of a written request for review by the aggrieved party. Failure to issue a permit within 3 days of the receipt of the appeal shall be deemed notice of dismissal of the appeal.

§15-1214. Alternative Permit.

The Chief of Police in denying an application for a ~~parade~~ **special event** permit shall be empowered to authorize the conduct of the ~~parade~~ **special event** on a date, at a time, or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within 5 days after notice of the action of the Chief of Police, file a written notice of acceptance with the Chief of Police. An alternate ~~parade~~ **special event** permit shall conform to the requirements of, and shall have the effect of a ~~parade~~ **special event** permit under this Part.

§15-1215. Notice to City and Other Officials.

Immediately upon the issuance of a parade permit, the Chief of Police shall send a copy thereof to the following:

- A. The Mayor.
- B. The City Solicitor.
- C. The Fire Chief.

§15-1210. Contents of Permit.

~~Each parade permit shall state the following information:~~

- ~~_____ A. Date of the parade.~~
- ~~_____ B. Starting time and termination time of the parade.~~
- ~~_____ C. The portions of the streets to be traversed that may be occupied by the parade.~~
- ~~_____ D. The number of persons, animals and motor vehicles that will be in the parade.~~
- ~~_____ E. Such other information as the Chief of Police shall find necessary.~~
- ~~_____ F. Where liability insurance is required covering the City as provided in §15-1204(3)(N) the name of the insurance company, the policy number, limits of _____ liability and the period of coverage insuring the City against any claims by any _____ persons or entities. (Ord. 14-2001, 5/29/2001)~~

§15-1216. Duties of Permittee.

A permittee hereunder shall comply with all permit directions and conditions and with applicable laws and ordinances.

Possession of Permit. The parade chairman or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of the parade.

§15-1217. Public Conduct During Parade Special Event.

Interference. No person shall unreasonably hamper, obstruct or impede or interfere with any ~~parade or parade assembly~~ **special event** or with any person, vehicle or animal participating or used in a ~~parade~~ **special event**.

Driving Through Parades Events. No driver of any vehicle shall drive between the vehicles or persons comprising an ~~event parade~~ when such vehicles or persons are in motion and are conspicuously designated as a ~~parade~~ **special event**.

Parking on Parade Special Event Routes. The Chief of Police, **Police Traffic Supervisor, City Managing Director or designated representative** shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a ~~parade~~ **special event**.

§15-1218. Inspections

Amusement rides and/or attractions associated with Special Events shall conform to statutory rules and regulations set forth in the Commonwealth of Pennsylvania. Copies of inspection or approval reports shall be required prior to use in the City limits and verified by authorized City personnel. Amusement rides in enclosed areas greater than one thousand (1,000) square feet are required to be “fire-sprinkler-ready” with an external Fire Department connection (FDC) and be inspected by the Fire Marshal’s office.

All temporary structures, including but not limited to booths, buildings, stages, bleachers, fences, tents, awnings, and canopies. If any temporary structure is equal to or larger than two hundred (200) square feet in diameter, a certificate confirming the use of flame-retardant material shall be provided by Applicant. And shall be inspected by the Fire Marshal’s office.

Special electrical and water/wastewater needs must be inspected prior to the event.

§15-1219. Animal Waste

Refer to the Animal Control Ordinance for requirements related to Special Event activities involving animals. Applicants are responsible for properly controlling and handling all animals and animal waste.

§15-1220. Insurance Required to Conduct Special Event

An Applicant for a Special Event must provide proof of comprehensive general liability insurance in the amount of one million dollars (\$1,000,000.00) to protect the City against loss from liability imposed by law for damages on account of bodily injury and/or property damage arising from any aspect of the Special Event. Such insurance shall name the City of Reading, its officers, employees, agents, and, if required, any other public entity involved in the Special Event, as additional insured on a separate endorsement maintained for the duration of the Special Event. Notice of limitation, reduction, or

cancellation of insurance coverage shall be provided immediately to the City of Reading by the carrier and the Applicant.

The insurance required shall encompass all liability insurance requirements imposed for other permits required under other sections of this Ordinance and is to be provided for the benefit of the City and not as a duty, expressed or implied, to provide insurance protection for spectators or participants.

The insurance required must be submitted to the Police Traffic Office no later than two (2) weeks prior to the event. Before this time, a letter of intent to insure from the event's insurance agency must be on file with the Application that states the City of Reading will be additionally insured. Failure to provide the insurance or the letter of intent for insurance could result in the denial/revocation of the Special Event Permit.

§15-1221. Indemnification

The Applicant for a Special Event Permit shall indemnify and hold harmless the City, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the Special Event.

§15-1222. Conditions for Premises After the Special Event

The Applicant is required to bring the premises back to the same or better condition; and failure to comply, will result in no future events to be held by the Applicant or organization.

§15-1223. Revocation of Permit.

The Chief of Police shall have the authority to revoke a parade **special event** permit issued hereunder upon violation of the standards for issuance as herein set forth.

§15-1224. Penalties.

~~1. It shall be unlawful for any person to stage, present, or conduct or attempting to stage, present or conduct a parade without first having obtained a permit therefore as herein provided or who shall otherwise violate any of the provisions of this Part.~~

~~2. It shall be unlawful for any person to participate in a parade on the City streets for which a permit has not been granted.~~

~~3. It shall be unlawful for any person to fail to comply with all directions and conditions of the parade permit.~~

~~4. Any person, firm or corporation who shall violate any provision of this Part shall be, upon conviction thereof, sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.~~

§15-1225. Penalty for Violations of Ordinance

A person commits an offense if he/she:

- 1. Knowingly commences or holds a Special Event without a Special Event Permit or with a permit that has expired or has been revoked; or*

2. *Knowingly violates any terms or provisions of this Ordinance; or*

3. *Violations of this Ordinance shall be treated as strict liability offenses regardless of intent.*

4. *This Ordinance governs fire safety and public health, safety, and general welfare. Accordingly, any person, firm, corporation, or organization violating or failing to comply with any of the provisions of this Ordinance shall be subject to the penalty as provided for in the City of Reading Code of Ordinances.*

§15-1226. Fee Schedule

Fees for All Special Events	
Processing Fee <i>with proof of non-profit status</i>	\$100.00
Processing Fee <i>for all others</i>	\$300.00
<p><i>This fee will <u>not</u> be waived.</i> <i>Due at time of filing Application.</i> <i>Must be in the form of a Cashier's Check or a Money Order issued by U.S. Post Office.</i></p>	
Security Deposit for damages/cleanup	\$500.00
<p><i>This fee will <u>not</u> be waived.</i> <i>Due at time of filing Application.</i> <i>Must be in the form of a Cashier's Check or a Money Order issued by U.S. Post Office.</i></p>	
Inspection Fee <i>required for amusement rides, temporary structures, and special electrical and water/wastewater needs</i>	\$50.00
<p><i>Applicant is responsible for fee.</i> <i>This fee will <u>not</u> be waived.</i> <i>Due at time of filing Application.</i> <i>Must be in the form of a Cashier's Check or a Money Order issued by U.S. Post Office.</i></p>	
Re-inspection Fee <i>required for above-described items</i>	\$75.00
<p><i>This fee will <u>not</u> be waived.</i> <i>Due at time of filing Application.</i> <i>Must be in the form of a Cashier's Check or a Money Order issued by U.S. Post Office.</i></p>	

Fees Include the Following Services Where Applicable	
Administrative time	
Ant and mosquito spraying as needed	
Banner Permit	
Bathrooms cleaned and stocked with paper products	
Mowing and other preparations	
Parade Permit	

Street closures with placement of cones and barricades
Traffic and/or parking control
Trash receptacles and disposal of contents

NOTE: *If damages or cleanup fees exceed the \$500.00 Security Deposit Fee, the Applicant is responsible for procuring payment of said incurred costs. The applicant is responsible for payment of said incurred costs.*

If additional costs are incurred during the production of a Special Event, such as the rental of rugs, equipment, etc., the Applicant is responsible for payment of said incurred costs. Invoice(s) will be sent to Applicant upon receipt of same.