

CITY COUNCIL

Meeting Agenda

REGULAR MEETING
COUNCIL CHAMBERS

MONDAY, NOV, 25, 2013
7:00 P.M.

The Regular Meetings of City Council are filmed and can be viewed LIVE while the meeting is taking place or at your convenience at any time after the meeting on the City's website at www.ReadingPa.gov, under Info and Downloads/Meetings and Agenda. All electronic recording devices must be located behind the podium area in Council Chambers and located at the entry door in all other meeting rooms and offices, as per Bill No. 27-2012.

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Pastor Ramon Mendez, First Evangelical Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS

- Council Commendation recognizing Rosario Amato
- Council Commendation recognizing the Garden of Good Thoughts, accepted by Ed Terrell

3. PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk by 5 pm on the day of the scheduled Council meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or any person becoming unruly while addressing Council may be called to order by the Presiding Officer and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order.

Those commenting on agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes. No comments shall be made from any other location except the podium, and anyone making

"out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's remarks. Citizens may not ask questions of Council members or other elected or public officials in attendance.

4. APPROVAL OF AGENDA

A. MINUTES: Regular Meeting of November 12, 2013

B. AGENDA: Regular Meeting of November 25, 2013

5. Consent Agenda Legislation

A. Resolution -

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

None

9. ORDINANCES FOR FINAL PASSAGE

A. Bill No. 60-2013 – 2014 Property Tax at fifteen and six hundred eighty-nine thousandths mills (.015689) on the dollar (**Council President**) *Introduced at the Sept 23 Reg Mtg*

B. Bill No. 61-2013 – 2014 Land Value Property Tax at twenty-two and nine hundred ninety-five thousandths mills (0.022995) on the dollar, or twenty dollars and ninety-nine point five cents (\$22.995) on each one thousand dollars is hereby levied and assessed on land, and a tax of twelve and five hundred fifty-nine thousandths mills (0.012559) on the dollar, or twelve dollars and fifty-five point nine cents (\$12.559) on each one thousand dollars is hereby levied and assessed on improvements to land (**Mayor**) *Introduced at the Sept 23 Reg Mtg; Advertised Oct 23; Public Hearing Nov 4th at 5 pm*

C. Bill No. 62-2013 – 2014 General Fund Budget; *Introduced at the Sept 16th Special Mtg Advertised Sept 20th; Public Hearing Held October 8th*

D. Bill No. 63-2013 – 2014 Capital Improvement Program Budget *Introduced at the Sept 16th Special Mtg Advertised Sept 20th; Public Hearing Held October 7th*

E. Bill No. 64-2013 – 2014 Position Ordinance *Introduced at the Sept 16th Special Mtg*

F. Bill No. 65-2013 – Resident Home Rule EIT; a tax of one and five tenths percent (1.5%) (Reduction of 0.1%) *Introduced at the Sept 16th Special Mtg; Advertised Sept 30th, Oct 7th and Oct 14th*

G. Bill No. 66-2013 – Commuter EIT; a tax of up to a maximum of one and two tenths percent (1.2%) (Reduction of 0.1%) **Introduced at the Sept 16th Special Mtg; Advertised Sept 30th, Oct 7th and Oct 14th**

H. Bill No. 67-2013 – increasing the Home Rule Per Capita Tax to \$20 (**Law**) **Public Hearing Nov 4th at 5 pm; Advertised Oct 16th, 23rd (Pub Hearing), 28st, Nov 4th; Introduced at the Oct 14 regular meeting**

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance – Commuter EIT; a tax of up to a maximum of one and three tenths percent (1.3%) (**Law**) **Advertised on 12-2**

B. Ordinance – Amending Chapter 576, Part 8 Entitled “Impounding And Booting Of Vehicles” by amending section 576-811 Definitions to restate in its entirety the definition for unsettled parking violations and amending and restating in its entirety section 576-812 Boot Installation (**RPA**) **Advertised on 12-2**

C. Ordinance - Amending the Code of Ordinances by amending Chapter 496 Solid Waste Part 1 Dumpster Placement by setting the set out time at 5:00 pm and correcting the snow removal requirements (**Council Staff**) **Advertised on 12-2**

D. Ordinance - Amending the Code of Ordinances by amending Chapter 496 Solid Waste Part 2 Storage and Collection by setting the set out time at 5:00 pm (**Council Staff**) **Advertised on 12-2**

E. Ordinance - Amending the Code of Ordinances by amending Chapter 180 Construction Codes Part 12 Property Maintenance Rules and Regulations by setting the set out time at 5:00 pm (**Council Staff**) **Advertised on 12-2**

F. Ordinance – Amending the Code of Ordinances Chapter 251 Food Code Part 9 Administration Section 0901.03 Permit/License by removing references to small processing and large processing (**Council Staff**) **Advertised on 12-2**

G. Ordinance – Amending the Code of Ordinances Chapter 508 Street Cuts by adding an inspection fee, modifying the re-pavement requirements, modifying the permit and application requirements and making other clarifications. (**Bus Analyst Work Group**) **Advertised on 12-2**

H. Ordinance – Memorandum of Understand regarding the Pagoda (**Law and Council Office**) **To be distributed**

<p>PENDING – Eligible for enactment at Dec 9 Reg Mtg</p>

A. Ordinance - amending the Administrative Code, Exhibit A Purchasing Policies And Procedures, Section 11 Bid Evaluation, Parts 11.4.5 And 11.4.6, by reducing the amount required for contract approvals to \$10,000 **(Council Staff)**

B. Ordinance - amending the Administrative Code, Section 5-806 Fiscal Provisions by Reducing the amount of expenditures and allocations requiring Council's approval from \$25,000 to \$10,000. **(Council Staff)**

C. Ordinance - amending the City Code Chapter 212 Fee Schedule by making additions and corrections **(Council Staff/Business Analyst) Advertised on Nov 25th**

D. Ordinance - authorizing the transfer of \$250,000.00 from Contingency to Charter Board for legal fees **(Adm Services)**

E. Ordinance - authorizing the transfer of \$215,000.00 from Contingency 01-14-91-4739 to Public Works 01-07-14-4501 \$175,000, fuel and 01-07-74-4216 \$40,000 dam assessment reviews. **(Adm Services)**

F. Ordinance - amending the City Code, Chapter 467 Sewers And Sewage Disposal, Part 3 Sewer Service Rental, Sections 467-103 And 467-104 to establish sewer service rentals, and such sewer service rental shall be effective until amended **(Pub Works) Advertised Nov 25th**

G. Ordinance - authorizing the transfer of \$21,000.00 from Building and Trades Salaries 01-10-38-4000 to Building and Trades Contracted Services; and \$29,170.00 from Zoning Contracted Services to Building and Trades Contracted Services **(Bus Analyst)**

H. Ordinance - Amending the City of Reading Zoning Ordinance by making corrections and clarifications throughout **(Council Staff/Bus Analyst) Introduced at the Oct 14 regular meeting ; Advertised Oct 21st and 28th, Reintroduced on Nov 12th; Re-advertised on Nov 20th and 27th; Public Hearing Dec 2nd at 5:00 pm; Eligible for enactment 12-09-13**

11. RESOLUTIONS

A. Resolution -

12. PUBLIC COMMENT - GENERAL MATTERS

Please see public speaking rules on first page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, November 25

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Thursday, November 28

CITY HALL CLOSED FOR THANKSGIVING HOLIDAY

Friday, November 29

CITY HALL CLOSED FOR THANKSGIVING HOLIDAY

Monday, December 2

Nominations & Appointments Committee – Council Office – 4:15 pm

Zoning Amendment Hearing – Council Chambers – 5 pm

Standards of Living Committee – Council Office – 5:30 pm

Economic Development Committee – Council Office – 6:30 pm

Monday, December 9

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

*****Monday, December 16 – Advertised 12-2-13**

Committee of the Whole – Council Office – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, December 23

No COW or Regular Business Meetings due to the holidays

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, November 25

DID Authority – 645 Penn St 5th floor – noon

District 7 Crime Watch – Holy Spirit Church – 7 pm

Tuesday, November 26

Housing Authority Workshop – WC Building – 4 pm

Housing Authority – WC Building – 5 pm

Environmental Advisory Council – Council Office – 5 pm

Planning Commission – Penn Room – 7 pm

Penns Commons Neighborhood Group – Penns Commons Meeting Room – 7 pm

Wednesday, November 27

Human Relations Commission – Penn Room – 5:30 pm

Parking Authority – Parking Authority Office – 5:30 pm

Stadium Commission – Stadium RBI Room – 7:30 pm

Monday, December 2

Shade Tree Commission – Planning Conference Room – 6 pm

Tuesday, December 3

Board of Health – Penn Room – 4 pm

Charter Board – Penn Room – 7 pm

Wednesday, December 4

Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm

District 2 Crime Watch – St Paul’s Lutheran Church – 6:30 pm

Thursday, December 5

Police Civil Service Board – Penn Room – noon

Glenside Community Council – Christ Lutheran Church – 6:30 pm

District 3 Crime Watch – Calvary Baptist Church – 7 pm

Sunday, December 8

College Heights Community Council – Nativity Lutheran Church – 7 pm

Monday, December 9

Fire Civil Service Board – Penn Room – 4 pm

6th & Amity Neighborhood & Playground Assn – 6th & Amity Fieldhouse – 6:30 pm

City of Reading City Council
Regular Business Meeting
Tuesday, November 12, 2013

Council President Francis Acosta called the meeting to order.

The invocation was given by Pastor Bruce Osterhout, from Christ Lutheran Church.

All present pledged to the flag.

ATTENDANCE

Council President Acosta
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Managing Director C. Snyder
Mayor V. Spencer

PROCLAMATIONS AND PRESENTATIONS

The mayor presented a proclamation to the IBEW for their assistance with the Hillside Holiday Light display.

PUBLIC COMMENT

Council President Acosta reviewed the public speaking regulations and stated that two (2) individuals are registered to address Council this evening on non-agenda matters. He inquired if anyone objected to suspending the rule requiring non agenda comment at the end of the meeting. As no one objected, the rule was suspended. He reviewed the remaining public speaking rules.

Esteban Palencia, of Bentley Court, expressed his desire to meet with the mayor regarding the fees and regulations for rental properties.

Rob Pollard, of Linden Street, stated that he spoke a few weeks ago regarding people of color but that none of the elected officials have reached out to him. He also stated that he applied for a City board but has had no feedback. *(Note: Mr. Pollard's application has not yet been received by the City Clerk's Office).*

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading, and the minutes for the October 28th Regular Meeting of Council and the November 4th Special Meeting. He stated that the Administration has withdrawn Resolution C regarding the CIDC from the Consent Agenda.

Councilor Marmarou moved, seconded by Councilor Reed, to approve the minutes from the October 28th Regular Meeting of Council, the minutes from the November 4th Special Meeting, the agenda for this meeting, including the legislation under the Consent Agenda heading, as amended. The motion was approved unanimously.

Consent Agenda

A. Resolution 92-2013 – ratifying the IAFF contract (**Managing Director**)

B. Resolution 93-2013 - escrow bank account to deposit recycle fees collected through certification process. (**Adm Services**)

C. Resolution 94-2013 - CD Department to administer a contract with Community Initiatives Development Corporation (CIDC) for our Micro Enterprise Loan Program. (**CD**)
WITHDRAWN

D. Resolution 952013 - promoting Lt Madison Winchester to the rank of Captain (**Police**)

ADMINISTRATIVE REPORT

Mayor Spencer called Council's attention to the report distributed at the meeting in summary:

- Noting the acquisition of the 50 acre Berkshire Bottling site also known as Dana South
- Noting the City's application for the Strong Cities, Strong Communities program
- Providing an update on the City-owned properties in the 400 block of Penn Street
- Noting the start of the 4th EMS unit on November 15th, staffed through the SAFER Grant

Councilor Goodman-Hinnershitz stated that as Council became aware of the Redevelopment Authority's purchase of the Berkshire Bottling site through the media, she requested additional information at Thursday's Budget meeting.

Councilor Sterner inquired about the cost of the repairs to the City-owned properties

on Penn Street. The mayor stated that the cost of the repairs was paid through the rental income from the two tenants. He stated that the work was performed by contractors who work for the Housing Authority.

Councilor Waltman requested an update on the CDC at the Monday's Budget meeting. He also expressed hope that the Redevelopment Authority will use vision when planning for the disposition of the Berkshire Bottling site. The mayor stated that the Redevelopment Authority plans to subdivide the site into smaller parcels.

Councilor Marmarou asked that the Redevelopment Authority provide pre-approval updates to the mayor and Council, so the elected officials are informed about the disposition of projects. He noted a beer company project was inappropriately denied by the Authority. The mayor defended the Authority, noting that the project was inappropriate for Parcel 32. The mayor stated that the Authority will provide pre-approval updates to Council.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting. In summary:

- Report on the collection of 2013 Admission Tax
- Report on the collection of 2013 Real Estate Transfer Tax
- Report on the collection of 2013 Traffic Fines and Motor Codes

REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS

None.

ORDINANCES FOR FINAL PASSAGE

A. Bill No. 55- 2013 – creating a process to handle requests for memorials on public property and creating a moratorium on the addition of new memorials on public property **(Business Analyst Work Group) Introduced at the Oct 28 regular meeting; Advertised on Nov 4th;**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to enact Bill No. 55-2013.

Councilor Goodman-Hinnershitz thanked the work group and the City Clerk for their work to develop this process to evaluate applications for the installation of new memorials and for their assistance to the group that has formed to take over the maintenance of orphaned memorials. She noted that applications for new memorials will need to show their ability to provide proper maintenance of the memorial.

Bill No. 55-2013 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6**

Nays: None - 0

B. Bill No. 56- 2013 – authorized to execute an Easement Agreement (attached as Exhibit “A”) to convey unto the Muhlenberg Township Authority a non-exclusive, perpetual easement in gross and temporary sanitary sewer construction easement upon that portion of premises known and designated as Tax Parcel # 66531810461680, generally located to the northeast of Spring Valley Road, Muhlenberg Township **(Law/Public Works) Introduced at the Oct 28 regular meeting;**

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 56-2013.

Bill No. 56-2013 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6**

Nays: None - 0

C. Bill No. 57- 2013 – amending the Department of Fire & Rescue Services Budget by authorizing the transfer of a total of \$10,450.00 in the {EXPLORER POST \$1200.00 and MACHINERY & EQUIPMENT \$9250.00} line item #01-09-33-4728 & #01-09-33-4802 to the {GENERAL PLANT SUPPLIES} line item #01-09-33-4510. **(Bus. Analyst) Introduced at the Oct 28 regular meeting;**

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 57-2013.

Bill No. 57-2013 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6**

Nays: None - 0

D. Bill No. 58- 2013 – amending the Rain Barrel Ordinance to make the regulations for the overflow consistent with pre-manufactured rain barrels, reducing the size of the overflow to 1” . **(EAC) Introduced at the Oct 28 regular meeting; Advertised on Nov 4th;**

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 58-2013.

Bill No. 58-2013 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6
Nays: None - 0**

E. Bill No. 59- 2013 – creating the City of Reading Revitalization and Improvement Zone Authority (CRIZ), as per the Municipalities Authorities Act and House Bill 465-2013 (**Man Dir**) **Public Hearing advertised 10-4; Public Hearing Date 11-7 at 5 pm Council Chambers, Ordinance advertised 10-14 and 11-4; Eligible for enactment 11-12-13**

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 59-2013.

Managing Director Snyder stated that the CRIZ is a special purpose authority created for redevelopment purposes. She stated that the Reading CRIZ is an 11 member board and that this board will prepare and submit an application to the DCED by November 30th so Reading can be considered for one of the two slots authorized in 2013. Additional opportunities will be available on or before 2016.

Councilor Goodman-Hinnershitz noted the thoughtful process Council used to select board members. She thanked the Council President and Councilor Waltman for their guidance.

Councilor Waltman stated that he supports the CRIZ process. He noted the need for the application to explain the many changes and strife Reading has undergone over the past decades and show Reading's ability to welcome opportunities like the CRIZ. He stated that he looks forward to developing a shared vision with the board.

Council President Acosta expressed his belief in the strength of the board and that he looks forward to reviewing the application before it is submitted.

Bill No. 59-2013 was enacted by the following vote:

**Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 6
Nays: None - 0**

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

A. Ordinance – amending the Administrative Code, Exhibit A Purchasing Policies And Procedures, Section 11 Bid Evaluation, Parts 11.4.5 And 11.4.6, by reducing the amount required for contract approvals to \$10,000 ~~which will bring the section into~~

~~compliance with the expenditure reduction approved in Bill No. 14-2012 (Council Staff)~~

B. Ordinance - amending the Administrative Code, Section 5-806 Fiscal Provisions by Reducing the amount of expenditures and allocations requiring Council's approval from \$25,000 to \$10,000. **(Council Staff)**

C. Ordinance - amending the City Code Chapter 212 Fee Schedule by making additions and corrections **(Council Staff/Business Analyst) Advertised on Nov 25th**

D. Ordinance - authorizing the transfer of \$250,000.00 from Contingency to Charter Board for legal fees **(Adm Services)**

E. Ordinance - authorizing the transfer of \$215,000.00 from Contingency 01-14-91-4739 to Public Works 01-07-14-4501 \$175,000, fuel and 01-07-74-4216 \$40,000 dam assessment reviews. **(Adm Services)**

F. Ordinance - amending the City Code, Chapter 467 Sewers And Sewage Disposal, Part 3 Sewer Service Rental, Sections 467-103 And 467-104 to establish sewer service rentals, and such sewer service rental shall be effective until amended **(Pub Works) Advertised Nov 25th**

G. Ordinance - authorizing the transfer of \$21,000.00 from Building and Trades Salaries 01-10-38-4000 to Building and Trades Contracted Services; and \$29,170.00 from Zoning Contracted Services to Building and Trades Contracted Services **(Bus Analyst)**

PENDING

Ordinance - 2014 Property Tax at fifteen and six hundred eighty-nine thousandths mills (.015689) on the dollar **(Council President) Introduced at the Sept 23 Reg Mtg**

Ordinance - 2014 Land Value Property Tax) at twenty-two and nine hundred ninety-five thousandths mills (0.022995) on the dollar, or twenty dollars and ninety-nine point five cents (\$22.995) on each one thousand dollars is hereby levied and assessed on land, and a tax of twelve and five hundred fifty-nine thousandths mills (0.012559) on the dollar, or twelve dollars and fifty-five point nine cents (\$12.559) on each one thousand dollars is hereby levied and assessed on improvements to land **(Mayor) Introduced at the Sept 23 Reg Mtg; Advertised Oct 23; Public Hearing Nov 4th at 5 pm**

Ordinance - 2014 General Fund Budget; **Introduced at the Sept 16th Special Mg Advertised Sept 20th; Public Hearing Held October 8th**

Ordinance - 2014 Capital Improvement Program Budget **Introduced at the Sept 16th Special Mg Advertised Sept 20th; Public Hearing Held October 7th**

Ordinance - 2014 Position Ordinance **Introduced at the Sept 16th Special Mtg**

Ordinance – Resident Home Rule EIT; a tax of one and five tenths percent (1.5%) (Reduction of 0.1%) ***Introduced at the Sept 16th Special Mtg; Advertised Sept 30th, Oct 7th and Oct 14th***

Ordinance – Commuter EIT; a tax of up to a maximum of one and two tenths percent (1.2%) (Reduction of 0.1%) ***Introduced at the Sept 16th Special Mtg; Advertised Sept 30th, Oct 7th and Oct 14th***

G. Ordinance – increasing the Home Rule Per Capita Tax to \$20 ***(Law) Public Hearing Nov 4th at 5 pm; Advertised Oct 16th, 23rd (Pub Hearing), 28st, Nov 4th; Introduced at the Oct 14 regular meeting***

RESOLUTIONS

A. Resolution 96-2013 – reappointing Anthony Waldman to the Electrical Examining Board **(Council Staff)**

B. Resolution 97-2013 –appointing Chris Heinly to the Redevelopment Authority **(Council Staff)**

Councilor Marmarou moved, seconded by Councilor Reed, to adopt Resolution No. 96-97-2013.

Councilors Marmarou and Reed noted the strengths of those appointed this evening.

Resolution No. 96-97-2013 was adopted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta, President - 6

Nays: 0

C. Resolution 98-2013 –denying the appeal for the installation of windows that do not meet the Secretary of the Interior’s Standards for 332 N 5th Street and remanding the issue to HARB. **(Council Staff)**

Councilor Reed moved, seconded by Councilor Marmarou, to adopt Resolution No. 98-2013.

Resolution No. 98-2013 was adopted by the following vote:

Yeas: Marmarou, Reed, Sterner, Waltman, - 4

Nays: Goodman-Hinnershitz, Acosta, President - 2

D. Resolution 99-2013 –authorizing the submission of the 2014 CDBG Action Plan

(CD)

Councilor Goodman-Hinnershitz moved, seconded by Councilor Marmarou, to adopt Resolution No. 99-2013.

Councilor Reed stated that she will not support the adoption of the CDBG Action Plan because it contains funding for BCTV. She stated that BCTV is lax in updating public information such as they are still running a notice from the summer noting the alteration in the trash and recycling schedule due to the heat wave. She also noted that BCTV also runs dated programming.

Councilor Goodman-Hinnershitz agreed with the concerns expressed but she expressed her support for the overall plan. She suggested that the administration develop deliverables for the Action Plan and the General Fund Budget.

Councilor Marmarou expressed his support for the programming offered by BCTV, as it helps residents to stay informed about their local government.

Councilor Waltman expressed the belief that BCTV broadcasting of Council meetings allows residents obtain an unfiltered view of their local government in action.

Councilor Reed stated that her opposition to BCTV is based on their change to become a news organization.

Resolution No. 99-2013 was adopted by the following vote:

**Yeas: Goodman-Hinnershitz, Mamarou, Reed, Sterner, Waltman, Acosta,
President - 6**

Nays: 0

E. Resolution 100-2013 – authorizing a Section 108 Application in the amount of \$750,000 with the U.S. Department of Housing and Urban Development (HUD) for Our City Reading and directing the CD Director to make a direct loan of \$150,000 to Our City Reading from the Family Business Loan Program for the development of the hotel in accordance with the terms and conditions of the program **(CD)**.

Councilor Sterner moved, seconded by Councilor Marmarou, to adopt Resolution No. 100-2013.

The mayor explained Section 108 loans, which is based on the City's CDBG allocation. The money can be reused after the loan is repaid. He stated that Mr. Boscov has repaid the Section 108 loan on the Goggleworks apartments.

Councilor Reed questioned if the money would have been better spent on other

downtown businesses. She expressed the belief that Our City Reading projects have received too much City funding. She also noted the length of time it has taken to get the hotel project started. She stated that she will support the adoption of the resolution with reservations.

Councilor Goodman-Hinnershitz expressed concern with the viability of the hotel due to the downturn in the economy. She noted that area hotels are currently struggling. She requested a project timeline. She also expressed hope that local tradesmen would be used.

Council President Acosta agreed that the project has taken years to get started but he noted the importance of the project as it will provide jobs to local tradesmen and residents. He noted that the local trades leaders have discussed using local labor with Our City Reading.

Council President Acosta stated that he will be abstaining because his employer, Fulton Bank, and his office, handles approvals of the Family Business loans.

Resolution No. 100-2013 was adopted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman - 5

Nays: 0

Abstention - Acosta, President - 1

Council President Acosta reviewed the upcoming meeting schedule and noted the addition of a budget review meeting on Thursday, November 14th at 4:30 pm.

Councilor Marmarou moved, seconded by Councilor Reed, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

**BILL NO. _____-2013
AN ORDINANCE**

**LEVYING THE REAL ESTATE TAXES FOR THE FISCAL YEAR
BEGINNING THE FIRST DAY OF JANUARY, 2014, AND ENDING THE THIRTY-
FIRST DAY OF DECEMBER, 2014.**

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS
FOLLOWS:**

SECTION 1. For general revenue purposes, a tax of fifteen and four hundred eighty-nine thousandths mills (.015489) on the dollar, or fifteen dollars and forty-eight point nine cents (\$15.489) on each one thousand dollars is hereby levied and assessed for the fiscal year beginning the first day of January, 2014, and ending the thirty-first day of December, 2014, on all real property in the City of Reading taxable for County purposes.

SECTION 2. For purposes of funding activities of the Shade Tree Commission, a tax of two-tenths mills (.0002) on the dollar, or twenty cents (\$.20) on each one thousand dollars is hereby levied and assessed for the fiscal year beginning the first day of January, 2014, and ending the thirty-first day of December, 2014, on all real property in the City of Reading taxable for County purposes.

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall be effective January 1, 2014, said date being the beginning of the fiscal year of the City of Reading.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

**BILL NO. _____-2013
AN ORDINANCE**

**LEVYING THE REAL ESTATE TAXES FOR THE FISCAL YEAR
BEGINNING THE FIRST DAY OF JANUARY, 2014, AND ENDING THE THIRTY-
FIRST DAY OF DECEMBER, 2014.**

**THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS
FOLLOWS:**

SECTION 1. A tax of twenty-two and nine hundred ninety-five thousandths mills (0.022995) on the dollar, or twenty dollars and ninety-nine point five cents (\$22.995) on each one thousand dollars is hereby levied and assessed on land, and a tax of twelve and five hundred fifty-nine thousandths mills (0.012559) on the dollar, or twelve dollars and fifty-five point nine cents (\$12.559) on each one thousand dollars is hereby levied and assessed on improvements to land, for the fiscal year beginning the first day of January, 2014, and ending the thirty-first day of December, 2014, on all real property in the City of Reading taxable for County purposes.

SECTION 2. Of the revenue generated hereby, 98.725 percent (98.725%) shall be for general revenue purposes, and 1.275 percent (1.275%) shall be allocated to support the activities of the Shade Tree Commission.

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall be effective January 1, 2014, said date being the beginning of the fiscal year of the City of Reading.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BILL NO. _____

AN ORDINANCE

AN ORDINANCE ESTABLISHING THE BUDGET FOR THE FUNDS OF THE CITY OF READING INCLUDING REVENUES AND EXPENSES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The budgeted revenues and expenses for the various funds of the City of Reading for the fiscal year beginning January 1, 2014, and ending December 31, 2014, shall be as set forth in Exhibit A attached hereto and made a part hereof.

SECTION 2. This ordinance shall be effective January 1, 2014.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

**BILL NO. _____-2013
AN ORDINANCE**

AN ORDINANCE ESTABLISHING THE CAPITAL IMPROVEMENT PLAN BUDGET FOR THE CITY OF READING INCLUDING CAPITAL EXPENDITURES AND REVENUES FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The budgeted expenses and revenues for the Capital Improvement Plan of the City of Reading for the fiscal year beginning January 1, 2014, and ending December 31, 2014, shall be set forth in Exhibit A, as attached hereto and made a part hereof.

SECTION 2. This Ordinance shall be effective January 1, 2014, said date being the beginning of the fiscal year of the City of Reading.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

City of Reading
2014 Budgeted Revenue Detail

K:\Shelly\[Motion Blank.xls]Sheet1

11/18/2013

<u>Acc't Code</u>	<u>Fund & Description</u>	2013 Adopted <u>Budget</u>	2014 Proposed <u>Budget</u>
01	General Fund		
10000XXX	Use of Fund Balance	-	1,230,478
100003009	Discount and Allowance	(300,000)	-300,000
100003010	Property Tax Current	19,706,517	19,783,297
100003020	Property Tax Prior	1,000,000	1,300,000
100003021	Penalty & Interest	200,000	300,000
100003110	Per Capita Tax	60,000	200,000
100003111	Per Capita Tax Prior	5,000	5,000
100003120	Business Privilege Tax	1,400,000	1,850,000
100003121	Bus Priv Tax - Prior Year	150,000	250,000
100003130	Real Estate Transfer Tax	1,900,000	1,982,975
100003140	Earned Income Tax Current Year	16,271,686	13,038,495
100003150	Earned Income Tax Prior Year	-	6,564,325
100003161	Curb & Sidewalk Permit	5,000	20,000
100003190	Occupation Tax	1,000,000	1,000,000
100003191	Occupation Tax - prior Year	200,000	100,000
100003210	Food Permits	141,360	0
100003220	Electrical Permits	100,053	100,053
100003221	New Construction Permits	596,000	90,000
100003222	Demolition Permits	20,000	9,900
100003223	Remodeling Permits	241,853	320,000
100003226	Trades Licenses	80,000	80,000

100003227	Examination Fees	21,966	20,000
100003228	Commercial Parking Permits	4,852	7,000
100003229	Work Order Fees	-	0
100003230	Business Privilege License	350,000	350,000
100003250	Plumbing Permits	137,211	137,211
100003251	Heating Permits	62,405	68,646
100003260	Street Cuts	100,000	170,000
100003270	Zoning Fees	198,204	128,000
100003274	Dumpster Fees	4,666	4,666
100003275	Land Development Fees	20,000	20,000
100003276	Housing No Show Fee	45,562	0
100003278	Housing Prior Year	508,437	0
100003279	Property Maintenance Fees	-	0
100003280	Housing/Rental Permit	743,576	0
100003282	Tax Administration Licenses	12,000	12,000
100003283	Franchise Fees	725,000	725,000
100003284	Other income	10,000	10,000
100003285	No Parking Signs Revenue	800	800
100003290	Public Health & Safety	442,500	0
100003310	Traffic Fines Motor Codes	325,000	325,000
100003322	Quality of Life	390,000	0
100003324	Estate of Samuel Potteiger	2,200	2,200
100003330	District Court Summary offense	825,000	850,000
100003333	Fines and Penalties P.S.P.	50,000	50,000
100003334	Fines and Penalties County		58,000

		58,000	
100003420	Rent Other Property Buildings	65,000	65,000
100003421	Rental on Stadium	22,000	300,000
100003429	Lease Rental/Grtr Berks Dev Fund	-	0
100003445	Parking Authority Txt Surcharge	190,000	190,000
100003447	Act 129 Rebates	90,414	0
100003448	RPA Ongoing Program Revenues	35,000	0
100003453	RAWA Act 47	1,500,000	1,500,000
100003510	Payment in Lieu of Taxes	150,000	80,000
100003520	Malt & Liquor Tax Distribution	50,000	50,000
100003521	Public Utility Tax Distribution	49,000	49,000
100003525	Act 147 of 1988	38,000	38,000
100003526	Snow & Ice Control	50,000	50,000
100003541	Reading Public Library	620,000	767,644
100003543	School District School Guard	255,000	200,000
100003550	Police Training Reimbursement	130,000	130,000
100003560	Pension-State Contributions	2,800,000	3,150,000
100003600	Copies of Books, Ordinanc, Etc	500	500
100003635	Fire Insurance Certification	400	400
100003660	Recreational Facilities	-	0
100003661	Swimming Pool	-	0
100003662	Pagoda & Tower	-	0
100003711	Indirect Cost Reimburse- Trash	49,004	133,689
100003721	Sales Property/Equip/Supplies	5,000	5,000
100003730	Refund Prior Years Expense	700	700

100003743	Miscellaneous	30,000	30,000		
100003750	Damages Recovered	30,000	5,000		
100003751	Indirect Cost Reim.- Recycling	254,896	250,216		
100003752	Indirect Cost Reimburse- Sewer	1,066,442	1,161,432		
100003753	Indirect Cost Reimburse-CD	282,497	189,996		
100003756	Direct Cost Reimb Code Service	-	0		
100003762	Pension Reimbursement	38,000	68,760		
100003766	CD Bond Interest	26,000	0		
100003910	Transfer Fr Capit Reserve City	-	0		
100003950	Transfer - Water Fund	4,970,000	5,170,000		
100003951	Indirect Cost Reim. - Water	250,000	0		
100003952	Meter Surcharge	1,700,000	1,700,000		
100003954	Transfer from Sewer Fund	3,000,000	3,000,000		
100003961	Solid Waste Transfer	-	0		
101013554	Grants and Gifts - MAIG Coord & Other			-	0
104063554	Grants and Gifts - Comp'hsv. Plan	80,000	80,000		
106103288	Bank Charge Revenue	100	100		
106133554	Grants and Gifts - DCED Controller			40,000	0
106193160	Admissions Fee/Tax	510,000	425,000		
106193214	Reimb-Collection Expense	10,000	10,000		
106193631	School District Tax Services	20,000	20,000		
106193632	Duplicate Bill Fee	-	0		
106233554	Grants and Gifts - JAG Technology Mgr			16,087	15,000
107143610	Fleet Maint - Other Jurisdictions	40,000	40,000		
107143977	Direct Reimb. - Sewer		35,000		

		35,000		
107503653	Towing Revenue	15,000	15,000	
107523977	Direct Reimb. - Sewer	150,000	150,000	
107713743	Miscellaneous	2,000	2,000	
107733710	Checking Account Revenue	-	0	
107733763	CD Cost Reimbursement	-	0	
107743104	Telephone Reimbursement	-	0	
108293710	Checking Account Revenue	15,000	15,000	
108313544	Police Reimb - RSD	-	0	
108313545	Kenhorst Police Contract	418,581	431,139	
108313546	Direct Reimb Community Policing	175,000	225,000	
108313554	Grants and Gifts	33,876	415,000	
108313613	Rdg. Housing Auth.-Reimb.	265,000	200,000	
108313633	Police Application Fee	-	2,000	
108313636	Other Department Earnings	-	2,000	
108313650	Police Services OT/Copy Service	170,000	275,000	
108313654	Burglary/Robery Alarm Ordinanc	60,000	40,000	
108313777	Heart and Lung Reimbursement	50,000	40,000	
109323554	Grants and Gifts	6,000	1,295,145	
109323561	Fireman Relief Association Contrib.		40,000	40,000
109323620	Fire Incident Reports	3,500	3,500	
109323623	False Fire Alarm Fee	65,000	45,000	
109323624	Engine Company Inspection	-	0	
109323636	Other Department Earnings	3,500	3,000	
109323642	Fire Prevention Permits	185,000	133,000	

109323777	Heart and Lung Reimbursement	250,000	250,000
109333644	Delinquent Collections	3,500	4,000
109353619	EMS Record Report	3,000	2,500
109353641	User Fees	2,836,638	3,536,638
109353643	Standby Revenue	90,000	75,000
109353644	Delinquent Collections	10,000	10,000
109353671	Membership Fees	60,000	60,000
110363003	Vacant for Sale	200	21,000
110363004	Vacant for Rehab	68,682	11,817
110363005	Vacant Code Compliance	800	12,000
110363006	Certificat of Transfer	800	135,000
110363210	Food Permits	-	165,000
110363229	Work Order Fees	17,303	17,303
110363267	CDBG Revenue to fund Codes	500,000	500,000
110363268	Housing Inspection	1,311,643	800,000
110363276	Housing No Show Fee	-	7,000
110363278	Housing Prior Year	-	450,000
110363280	Housing/Rental Permit	-	890,000
110363281	Appeals Fees	1,258	500
110363288	Miscellaneous Revenue	500	500
110363290	Health & Safety	-	262,500
110363322	Quality of Life	-	390,000
110373201	Zoning Housing Appeals	100,000	29,000
110373202	Civil Complaint Judgments	26,727	11,000
110373203	Zoning Inspector No Show		3,850

		29,000		
110373279	Property Maintenance Fees	-	11,520	
110383204	Demolition Account Collection	5,000	5,000	
110383207	B&T Plan Review Fee	101,000	15,000	
110383219	Re-Introduction of Power	14,341	14,341	
110383224	Assessment Fee	13,984	12,000	
110383281	Appeals Fees	950	500	
110383622	Placard Removals (Fines)	11,687	12,000	
110383689	Revenue Fee (Accessibility)	10,607	28,183	
110383756	Direct Reimb Trades	170,000	170,000	
111113444	Reimb Drug Testing	500	100	
114913780	Civil Service Board Reimb	-	0	
114913905	Employee Contrib to Med Insur	1,465,845	1,500,000	
114913939	Repmt of Various Debts to City	-	0	
116003300	Rental - Parking Authority	1,000,000	1,000,000	
116003301	Parking Authority Supplementary Revenues			810,000 810,000
118913554	Grants and Gifts	47,000	47,000	
			0	
General Fund Grand Total		<u>76,932,310</u>	<u>84,375,519</u>	
35	Liquid Fuels			
3507003410	Interest on Investments	-	0	
3507003553	State Motor License Fund Grant	<u>1,364,200</u>	<u>1,364,200</u>	
Total		<u>1,364,200</u>	<u>1,364,200</u>	
50	Water			
5015003410	Interest on Investments	-	0	
5015003450	Lease Payment Fr Water		8,638,137	

	Authori	8,687,476		
5015003744	Fire Hydrant Use	-	0	
5015003954	Transfer from Sewer Fund-Meter Reading	180,000	180,000	
5015003967	Transfer from Sewer Fund-Utility Bills			300,000 300,000
Total		<u>9,167,476</u>	<u>9,118,137</u>	
52	Self Insurance			
5211003410	Interest on Investments	20,000	0	
5211003732	Workmens Comp Reimbursement	54,207	54,207	
5211003750	Damages Recovered	10,000	10,000	
5211003901	Transfer from General Fund	2,635,984	2,541,695	
5211003903	Transfer - Trash/Recycle	84,104	71,840	
5211003950	Transfer - Water Fund	98,408	75,975	
5211003954	Transfer from Sewer Fund	<u>571,568</u>	<u>491,272</u>	
Total		<u>3,474,271</u>	<u>3,244,989</u>	
54	Sewer			
5407003410	Interest on Investments	35,000	35,000	
5407003618	Interest and Penalty	150,000	150,000	
5407003622	Fines	75,000	40,000	
5407003680	General Consumer	16,387,910	20,000,000	
5407003682	Sewer Rent Treatment	10,000,000	9,725,000	
5407003683	Industrial Waste	700,000	750,000	
5407003685	Sewer Reservation Fees	100,000	0	
5407003686	User Application Fee	2,500	2,500	
5407003688	Industrial Waste Testing	75,000	65,000	
5407003689	Revenue Fee	<u>5,000</u>	5,000	

Total		<u>27,530,410</u>	<u>30,772,500</u>
56	Recycling		
5607003554	Grants and Gifts	350,000	0
5607003641	User Fees	2,250,105	2,200,000
5607463634	Certifications	15,200	0
5607463646	Recycling Collection-RSD	49,600	50,000
5607463679	Insource Recycling Revenue	98,000	48,519
5607463724	Cogle's (Co-Mingled)	12,000	0
5607463647	Portnoff	-	0
Total		<u>2,774,905</u>	<u>2,298,519</u>
47	Trash		
5607473009	Discount and Allowance	-	0
5607473021	Penalty & Interest	55,500	0
5607473231	Trash Removal Revenue	3,237,393	3,300,000
560747xxxx	Trash Removal Revenue Other	-	153,790
5607473634	Certifications	12,500	0
5607473647	Portnoff	-	0
47	Trash	<u>3,305,393</u>	<u>3,453,790</u>
56	Recycling/Trash	<u>6,080,298</u>	<u>5,752,309</u>
20	Shade Tree		
2000003010	Property Tax Current- .2 Mills	<u>254,458</u>	<u>254,481</u>
<i>Grand Total All Funds</i>		<u>124,803,423</u>	<u>134,882,135</u>

BILL NO. _____-2013
AN ORDINANCE

AN ORDINANCE ESTABLISHING THE EMPLOYEE POSITIONS FOR THE CITY OF READING FOR THE FISCAL YEAR 2014.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Positions for the City of Reading's fiscal year beginning January 1, 2013, and ending December 31, 2013, shall be as set forth in Exhibit A attached hereto and made a part hereof.

SECTION 2. This Ordinance shall become effective January 1, 2014.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

**City of Reading
Listing of Positions
For the 2014 Operating Budget**

<i>Division</i>	<i>Position Title</i>	<i>Proposed 11/18 2014 Number of Employees</i>	
		<i>Full-Time</i>	<i>Part- Time</i>
Mayor			
	Mayor	1	-
	Assistant to the Mayor	-	1
	Special Assistant, Policy and Outreach	1	-
	Special Assistant, Government Services	1	-
	Special Assistant, Media	-	-
	Executive Assistant	1	-
		4	1
Managing Director			
	Managing Director	1	-
	Business Analyst	1	1
	Executive Secretary/ Admin Aide	1	-
		3	1
Human Relations Commission			
	HRC Executive Director	1	-
	HRC Investigator	-	-
	HRC Clerk	1	-
		2	-
City Auditor			
	City Auditor	1	-

	Auditing Coordinator	1	-
		2	-
City Council			
	Council President	-	1
	Council Member	-	6
	Deputy City Clerk	1	-
	Administrative Assistant	1	-
	City Clerk	1	-
	Intern	-	-
		3	7
Solicitor			
	Solicitor	1	-
	Confidential Secretary	1	-
	Executive Secretary/ Admin Aide/Paralegal	1	-
	Legal Specialist	3	-
		6	
Director of Administrative Services			
	Confidential Secretary	1	-
	Director of Administrative Services	1	-
	Grant Writer	1	-
	Controller	1	-
		4	-
Purchasing			
	Purchasing Coordinator	1	-
	Purchasing Clerk	-	1

	Printing Clerk	-	1
		<hr/>	
		1	2
Accounting			
	Accounting & Treasury Manager	1	-
	Accountant	1	-
	Pension Administrator	1	-
	Pension Administrator Assistant	-	1
	Revenue Accountant	1	-
	Project Accountant - WWT	1	-
	Floater/Payroll	-	-
	Payroll Clerk	2	-
	Accounting Clerk	1	-
		<hr/>	
		8	1
Information Technology			
	GIS Coordinator	1	-
	Public Safety Support	-	-
	Network Administrator	1	-
	Developer	2	-
	Web Developer	1	-
	Trainer	-	-
	System Support Analyst	2	-
	IT Manager	1	-
	Lead Developer	1	-
		<hr/>	
		9	-
Citizens Service			

Center

Citizens Service Center Manager	1	-
Treasury Coordinator	1	-
Municipal Professional	2	-
Municipal Aide II	7	-
	<hr/>	
	11	-

Human Resources

Program Coordinator	-	-
Human Resources Assistant	1	-
HR Generalist	1	-
Human Resources Manager	1	-
Human Resources Coordinator - Benefits	1	-
	<hr/>	
	4	-

Self - Insurance

Risk and Safety Coordinator	1	-
	<hr/>	
	1	-

Public Works

Confidential Secretary	1	-
Public Works Director	1	-
Engineering Aide III	1	-
Engineering Aide IV	1	-
	<hr/>	
	4	-

Garage

Maintenance Mechanic	6	-
Maintenance Worker I/Parts Person	1	-
Secretary		

		1	-
	Small Engine Repairperson	1	-
	Foreman	1	-
		<hr/>	
		10	-
Highways			
	Equipment Operator II	13	-
	Engineering Aide III	1	
	Maintenance Worker I/Sign maker	1	-
	Foreman		1
			<hr/>
			16
			-
Parks			
	Equipment Operator II	2	-
	Equipment Operator III	2	-
	Foreman	1	-
	Maintenance Worker I	-	-
	Maintenance Worker III	1	-
	Operations Division Manager	1	-
	Secretary	1	-
	Laborer	-	6
		<hr/>	
		8	6
Shade Tree			
	Equipment Operator II/Arborist	1	-
	Maintenance Worker I	1	-
		<hr/>	
		2	-
Public Property			
	Foreman	2	-

	Maintenance Worker III	-	-
	Tradesman	5	-
	Custodial Worker		8
		<hr/>	
		7	8
Police - Criminal Investigations			
	Captain	1	-
	Police Officer (CI Assignment)	19	-
	Lieutenant	1	-
	Police Officer (ID Assignment)	4	-
	Court Liaison Officer	-	1
	Clerk	-	1
	Sergeant	4	-
		<hr/>	
		29	2
Police - Special Services			
	Captain	1	-
	Lead Clerk/Trainer	1	-
	Police Officer/FTO	-	-
	Telecommunicator Supervisor	1	-
	Telecommunicator I	2	-
	Telecommunicator II	12	-
	Telecommunicator		5
	Records Clerk	4	-
	Records Office Supervisor	1	-
	TAC Officer	1	-
	Lieutenant		

		2	-
	Secretary - Police Academy	1	-
	Sergeant - Video Surveillance	1	-
	Video System Supervisor	-	-
	Video Monitor	1	8
	Systems Administrator Supervisor	1	-
		<hr/>	
		29	13
Police - Patrol			
	Captain	1	-
	Lieutenant	4	-
	Police Officer	111	-
	Police Officer/FTO	3	-
	Sergeant	14	-
	Clerk	-	1
	School Crossing Guard	-	100
		<hr/>	
		133	101
Police - Administration			
	Chief of Police	1	-
	Confidential Secretary	1	-
	Lieutenant	1	-
	Administrative Assistant	-	1
		<hr/>	
		3	1
Fire Administration			
	Clerk Typist II	1	-
	Administrative Officer	1	-

	Fire Chief	1	-
	First Deputy Chief	4	-
		<hr/>	
		7	-
	Fire Special Services (Preventive Education)		
	LT Fire Prevention Officer	3	-
	Fire Marshal	1	-
		<hr/>	
		4	-
	Fire Training		
	Lt Fire Training Officer	1	-
		<hr/>	
		1	-
	Fire Suppression		
	Second Deputy Chief	4	-
	Firefighter V	69	-
	Firefighter IV	-	-
	Firefighter III	-	-
	Firefighter II	11	-
	Firefighter I	21	-
	Firefighter Trainee	-	-
	LT Fire Suppression Officer	4	-
		<hr/>	
		109	-
	Fire EMS		
	Deputy Chief/EMS Mgr	1	-
	EMS Lieutenant	4	-
	Firefighter V - Medic	-	-
	Firefighter IV - Medic	17	-
	Firefighter III - Medic		

		-	-
	Firefighter II - Medic	-	-
	Firefighter I - Medic	-	-
	Firefighter Trainee - Medic	3	-
	Transport Coordinator	1	-
	Wheelchair Van Driver	5	-
		<hr/>	
		31	-
CD Planning			
	Planner III	1	-
		<hr/>	
		1	-
CD- Property Maintenance			
	Codes Manager	1	-
	Chief Clerk	1	-
	PMI Supervisor	3	-
	Development & Inspection Clerks	5	-
	PM Specialist	-	-
	Property Maint Aide	2	-
	Property Maint Inspector	20	-
	Housing Coordinator	-	-
	Clerk	-	-
		<hr/>	
		32	-
CD - Zoning			
	Zoning Administrator	1	-
	Zoning Technician	1	-
	Zoning Inspector	2	-

	Clerk		<u>2</u>
		4	2
CD - Trades			
	Secretary	1	-
	Chief Building Official	1	-
	Plumbing Inspector	1	-
	Building Inspector	1	-
	Electrical Inspector	1	-
	Mechanical Inspector	1	-
	HVAC Inspector	-	-
	Residential Inspector	1	-
	Clerk	-	-
		<u>7</u>	-
CD - Administration			
	Deputy CD Director	1	-
	Business Ambassador	-	-
	CD/Hist Preserv Specialist	<u>1</u>	-
		2	-
CD - HUD			
	CD Specialist	2	-
	CD Specialist Manager	1	-
	CD Specialist III	1	-
	Community Development Director	1	-
	Confidential Secretary	1	-
	Fiscal Officer	<u>1</u>	-

		7	-
Library Administration			
	Director of Libraries	1	-
	Assistant Director of Libraries	2	-
		<hr/>	
		3	-
Library - Circulation			
	Librarian I	1	-
	Librarian III	1	-
		<hr/>	
		2	-
Library - Reference			
	Librarian II	4	-
	Librarian III	1	-
		<hr/>	
		5	-
Sewers			
	System Superintendent	1	-
	Utilities Systems Manager	1	-
	Utility Engineer	1	-
	Environmental Prog Coordinator	1	-
	Foreman	2	-
	Equip Op II	11	-
	Maint Worker III	-	-
	Clerk Typist I	1	-
	Engineer Aide III	-	-
	Engineer Aide IV	-	-
	Maintenance Mechanic		

		-	-
	Project Coordinator		3
		<hr/>	<hr/>
		18	3
WWTP			
	Maint Supv	1	-
	Belt Press Op I	1	-
	Belt Press Op II	1	-
	Cert Oper/Shift Sup	6	-
	Operations Supv	1	-
	Elec/Elect Field Eng	1	-
	Utility Engineer	1	-
	Equip Op II	1	-
	Lab Supv	1	-
	Lab Tech	5	-
	Lab Tech	-	2
	Maint Worker II (Mech)	3	-
	Maintenance Mechanic	-	-
	Maint Worker III Elec/Mech	2	-
	Industrial Maint Mech	2	-
	Pump Tender	4	-
	Secretary	1	-
	Serv Utility Person	7	-
	Sewer Plant Operator I	1	-
	Sewer Plant Operator II	3	-
	Wastewater Treatment Manager	1	-

	Tradesman (Elec)	2	-
	Project Accountant - WWT	-	-
		<hr/>	<hr/>
		45	2
Recycling			
	Division Manager	1	-
	Foreman	1	-
	Commercial/Institutional Recycling Coordinator	1	-
	Municipal Aide II	1	-
	Equipment Operator II	6	-
	Maintenance Worker II	5	-
	Reading School District Recycle Education	-	-
	Education Coordinator	-	1
	Graffiti Abatement Technician	-	-
		<hr/>	<hr/>
		15	1
Trash			
	Solid Waste Supervisor	-	-
	Solid Waste Coordinator	1	-
	Graffiti Coordinator	-	-
	Clean City Coordinator	1	-
	Equipment Operator II	2	-
	Graffiti Abatement Technician	-	-
		<hr/>	<hr/>
		4	-
	<i>Number of Full-Time and Part-Time Employees</i>	<u>596</u>	<u>151</u>

BILL NO. _____

AN ORDINANCE

AN ORDINANCE AMENDING CHAPTER 24 PART 2B HOME RULE EARNED INCOME TAX SECTION 24-221 THROUGH SECTION 24-235 OF THE CITY OF READING CODIFIED ORDINANCES. SECTION 24-221 THROUGH SECTION 24-235 SHALL PROVIDE FOR A TAX OF ONE AND FIVE TENTHS PERCENT (1.5%) ON ALL EARNED INCOME AND NET PROFITS GENERATED BY RESIDENTS OF THE CITY OF READING. THIS TAX OF ONE AND FIVE TENTHS PERCENT (1.5%) ON ALL EARNED INCOME AND NET PROFITS GENERATED BY RESIDENTS OF THE CITY OF READING SHALL BE IN ADDITION TO THE TAX COLLECTED UNDER 24-201 ET SEQ. OF THE CITY OF READING CODIFIED ORDINANCES.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Section 24-221 through Section 24-235 of the City of Reading Codified Ordinances shall read as follows:

Chapter 24 Part 2B

Home Rule Earned Income Tax

24-221 Definitions.

24-222 Imposition of Tax.

24-223 Annual Returns of Taxpayers.

24-224 Declaration and Payment of Tax.

24-225 Collection at Source.

24-226 Income Tax Officer; Powers and Duties.

24-227 Suit for Collection of Tax.

24-228 Interest on Unpaid Tax.

24-229 Payment and Refunds.

24-230 Applicability.

24-231 Severability.

24-232 Effective Term.

24- 233 Rules and Regulations.

24-234 Hearing Officer.

24- 239 Penalty.

24-221 DEFINITIONS.

The following words and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates or requires a different meaning:

(a) "Association" means a partnership, limited partnership or any other unincorporated group of two or more persons.

(b) "Tax Administration" means the City of Reading Tax Administration designated by Council to administer the provisions of this Earned Income Tax article under the direction of the Finance Director.

(b) "Business" means an enterprise, activity, profession or any other undertaking of an unincorporated nature conducted for profit or ordinarily conducted for profit whether by a person, partnership, association or any other entity.

(c) "Corporation" means a corporation or joint stock association organized under the laws of the United States, the Commonwealth of Pennsylvania, or any other state, territory, foreign country or dependency.

(d) "Council" means the City Council of Reading.

(e) "Current year" means the calendar year for which the tax is levied.

(f) "Domicile" means the place where one lives and has his permanent home and to which he has the intention of returning whenever he is absent. Actual residence is not necessarily domicile, for domicile is the fixed place of abode which, in the intention of the taxpayer, is permanent rather than transitory. Domicile is the place in which a man has voluntarily fixed the habitation of himself and his family, not for a mere special or limited purpose, but with the present intention of making a permanent home, until some event occurs to induce him to adopt some other permanent home. In the case of businesses or associations, the domicile is that place considered as the center of business affairs and the place where its functions are discharged.

(g) "Earned income" means salaries, wages, commissions, bonuses, incentive payments, fees, tips and other compensation received by a person or his personal representative for services rendered, whether directly or through an agent, and whether in cash or in property not including, however, wages or compensation paid to persons on active military service, periodic payments for sickness and disability other than regular wages received during a period of sickness, disability or retirement, or payments arising under workmen's compensation acts, occupational disease acts and similar legislation, or payments commonly recognized as old age benefits, retirement pay or pensions paid to persons retired from service after reaching a specific age or after a stated period of employment, or payments commonly known as public assistance, or unemployment compensation payments by any governmental agency, or payments to reimburse expenses, or payments made by employers or labor unions for wage and salary supplemental programs, including, but not limited to, programs covering hospitalization, sickness, disability or death, supplemental unemployment benefits, strike benefits, social security and retirement.

(h) "Employer" means a person, partnership, association, corporation, institution, governmental body or unit or agency, or any other entity employing one or more persons for a salary, wage, commission or other compensation.

(i) "Income Tax Officer" or "Officer" means a person, public employee or private agency designated by the governing body to collect and administer the tax on earned income and net profits.

(j) "Net profits" means the net income from the operation of a business, profession or other activity, except corporations, after provision for all costs and expenses incurred in the conduct thereof, determined either on a cash or accrual basis in accordance with the accounting system used in such business, profession, or other activity, but without deduction of taxes based on income.

(k) "Nonresident" means a person, partnership, association or other entity domiciled outside the taxing district.

(l) "Person or individual" means a natural person.

(m) "Preceding year" means the calendar year before the current year

(n) "Resident" means a person, partnership, association or other entity domiciled in the taxing district.

(o) "Succeeding year" means the calendar year following the current year.

(p) "Taxpayer" means a person, partnership, association or any other entity required hereunder to file a return of earned income or net profits, or to pay a tax thereon.

(q) "Tax Administration" means the City of Reading Tax Administration designated by Council to administer the provisions of this Earned Income Tax article under the direction of the Finance Director.

24-222 IMPOSITION OF TAX.

A tax, for general revenue purposes, of one and five tenths percent (1.5%) over and above the tax collected under 24-201 et seq. of the City of Reading Code of Ordinances is hereby imposed on the following:

(a) Salaries, wages, commissions and other compensation earned from year to year, on and after January 1, 2014, by individual residents of the City of Reading.

(b) Net profits earned from year to year, on and after January 1, 2014, by residents of the City.

The tax levied under subsections (a) hereof shall relate to and be imposed upon salaries, wages, commissions and other compensation paid by an employer or on his behalf to a person who is employed by him. The tax levied under subsection (b) hereof shall relate to and be imposed on the net profits of any business, profession or other activity carried on by any person or persons.

Every corporation which is subject to the Pennsylvania Corporate Net Income Tax or exempt from the Pennsylvania Corporate Net Income Tax and every foreign corporation which is subject to the Pennsylvania Franchise Tax or exempt from the Pennsylvania Franchise Tax, shall be exempt from the tax imposed by this article.

The tax levied by this article shall be applicable to salaries, wages, commissions and other compensation and to net profits earned in the period beginning January 1, 2014, and ending December 31, 2014, and thereafter, from year to year on a

calendar year basis and shall be in addition to the tax imposed for the same period or periods under 24-201 et seq..

24-223 ANNUAL RETURNS OF TAXPAYERS.

A. On or before April 15 of each year, every person, resident or non-resident, who resided in the City of Reading for all or any part of the preceding calendar year shall file with the appropriate Officer an Annual Tax Return showing all earned income and net profits received and/or earned for the previous year. A husband and wife may file a joint return.

B. If a person has no earned income to report, the word "none" shall be entered on the Annual Tax Return, and the return shall be signed, dated and returned to the Officer with an explanation (military service, retired, disability income only, etc.).

C. If net profits are received, the type of business, profession, or activity shall be indicated on Annual Tax Return and the amount of the profits shall be shown on the appropriate line(s) of the Return. If a net loss is incurred in the operation of a business activity, it may not be offset against the net profit of other business activities or earned income. Losses shall be indicated as zero in all calculations involving net profits on the Annual Tax Return. Copies of the appropriate Federal or Pennsylvania Income Tax Schedules shall be attached to the Annual Tax Return to substantiate profits and/or losses indicated.

D. When a Return is made for a fiscal year, the Return shall be filed within one hundred five (105) days from the end of said fiscal year.

E. The Annual Tax Return shall also show the taxpayer's name, Social Security number, address, place or places of employment or business, the amounts of tax due, the amount of any credit claimed for tax withheld by an employer (with a copy of the Earnings and Tax Statement) or paid on estimate and such other information as may be indicated on the Return form or as may be required by the Officer. Every person subject to the tax shall file such return regardless of the fact that his wages may have been subject to withholding of the tax by his employer and regardless of whether or not tax is due.

F. At the time of filing the Annual Return, the taxpayer shall pay any tax due.

G. Tax Returns must be signed and dated by the taxpayer(s) in the space(s) provided.

24-224 DECLARATION AND PAYMENT OF TAX.

(a) Net Profits.

(1) Every taxpayer who reasonably expects that he will earn any taxable net profits during the period between January 1, 2014, and December 31, 2014, and thereafter, from year to year, shall, on or before April 15, 2014, and April 15 of each succeeding year, make and file with the Income Tax Officer, on a form prescribed by the Income Tax Officer, a declaration of his estimated net profits for the period beginning January 1, 2014, and ending December 31, 2014, and thereafter in each succeeding year between January 1 and December 31, setting forth the estimated amount of net

profits reasonably expected by him for such period and subject to the tax, the amount of estimated tax imposed by this article on such estimated net profits, and such other relevant information as the Income Tax Officer may require. The taxpayer making the declaration shall, at the time of filing thereof, pay the City one-fourth of the estimated tax shown as due thereon and such taxpayer shall thereafter pay one-fourth of the estimated tax in each of three installments, as follows: one installment on or before June 15, 2014, one installment on or before September 15, 2014, and the last installment on or before January 15, 2015, and thereafter, from year to year, on June 15, September 15 and January 15, in each succeeding year.

(2) A person who on April 15, 2014, did not reasonably expect that he would earn any taxable net profits during the period between January 1, 2014, and December 31, 2014, and who, subsequent to April 15, 2014, reasonably expects that he will earn taxable net profits on or before December 31, 2014, shall make and file on or before June 15, 2014, September 15, 2014, or January 15, 2015, and thereafter, from year to year, on June 15, September 15, and January 15, respectively, in each succeeding year, whichever of these dates next follows the date on which the taxpayer first reasonably expects such net profits, a declaration similar to that required under subsection (a)(1) hereof.

The taxpayer making the declaration shall, at the time of filing thereof, pay to the City the estimated tax shown as due thereon, provided, however, that the taxpayer shall have the right to pay the estimated tax in equal installments on or before the quarterly installment payment dates which remain after the filing of the declaration.

(3) The Income Tax Officer is hereby authorized to provide by regulations, approved by Council, for the making and filing of adjusted declarations of estimated net profits, and for the payments of the estimated tax in cases where a taxpayer who has filed the declaration hereinabove required shall thereafter either reasonably expect additional net profits not previously declared or find that he has overestimated his net profits.

(4) On or before April 15, 2015, and April 15 thereafter, from year to year, every taxpayer who has earned taxable net profits shall make and file with the Income Tax Officer a final return showing all of such net profits for the period beginning January 1, 2014, and ending December 31, 2014, and periods thereafter, year to year, the total amount of tax due, the amount of estimated tax paid under the provisions of this section and the balance due. When the return is made for a fiscal year different from the calendar year, the return shall be made within 105 days from the end of such fiscal year. The percentage of the total net profits of any calendar or fiscal year of a taxpayer beginning or ending within the period beginning January 1, 2014, and ending December 31, 2014, to which the tax imposed by this article shall be applicable shall be equal to the same percentage of such total net profits as the number of days in any such year within such period bears to the total number of days in any such year. At the time of filing the final return, the taxpayer shall pay the balance of the tax due or shall make demand for refund or credit in the case of overpayment.

(5) Every taxpayer who discontinues business prior to December 31, 2014, or prior to December 31 in any succeeding year while this article is in force and effect, shall, within thirty days after the discontinuance of business, file his final return as

hereinabove required and pay the tax due, or demand refund or credit in the case of overpayment.

(b) Salaries, Wages, Commission and Other Compensation.

(1) Every taxpayer employed on a salary, wage, commission or other compensation basis and who reasonably expects to earn any taxable earnings not subject to the provisions of Section 24-224 relating to the collection at source, shall, on or before April 15, 2014, make and file with the Income Tax Officer a declaration of his estimated total amount of taxable salaries, wages, commissions and other compensation for the period beginning January 1, 2014, and ending December 31, 2014, the estimated amount of the tax thereon that will be deducted therefrom pursuant to Section 24-224, the estimated amount of tax imposed by this article that will not be deducted therefrom pursuant to Section 24-224, and such other relevant information as the Income Tax Officer may require. In preparing a declaration of estimated taxable salaries, wages, commissions and other compensation taxable under this article, the taxpayer shall use the same amounts with respect to such items as he shall have used in preparing his declaration of estimated tax for the year 2014 for Federal income tax purposes, if such taxpayer shall be required to file any such last-mentioned declaration.

(2) A person who on April 15, 2014, did not reasonably expect that he would earn any salaries, wages, commissions and other compensation not subject to the provision of Section 24-224 relating to the collection at source, during the period between January 1, 2014, and December 31, 2014, and who subsequent to April 15, 2014, reasonably expects that he will earn salaries, wages, commissions and other compensation not subject to the provisions of Section 24-224, on or before December 31, 2014, shall make and file on or before June 15, 2014, September 15, 2014, or January 15, 2015, and thereafter from year to year in each succeeding year on June 15, September 15 and January 15 respectively, whichever of these dates next follows the date on which the taxpayer first reasonably expects that he will earn such salaries, wages, commissions and other compensation, a declaration similar to that required under subsection (b) (1) hereof. The taxpayer making the declaration shall, at the time of filing thereof, pay to the City the estimated tax shown as due thereon, provided, however, that the taxpayer shall have the right to pay the estimated tax in equal installments on or before quarterly installment payment dates which remain after the filing of the declaration.

(3) The Income Tax Officer is hereby authorized to provide by regulations approved by Council for the making and filing of adjusted declarations of estimated salaries, wages, commissions and other compensation, and for the payments of the estimated tax in cases where a taxpayer who has filed the declaration hereinabove required shall thereafter either reasonably expect additional salaries, wages, commissions and other compensation not previously declared, or find that he has overestimated his salaries, wages, commissions and other compensation.

(4) On or before April 15, 2015, every taxpayer who has received taxable salaries, wages, commissions and other compensation shall make and file with the Income Tax Officer, a final return showing all such salaries, wages, commissions and other compensation earned during the period beginning January 1, 2014, and ending December 31, 2014, the total amount of tax due thereon, the amount, if any, of estimated tax thereon paid under the provisions of this section, and the amount, if

any, of tax thereon that has been withheld pursuant to the provisions of Section 24-224 and the balance of tax due.

At the time of filing the final return, the taxpayer shall pay the balance of the tax due or shall make demand for refund or credit in the case of overpayment.

24-225 COLLECTION AT SOURCE.

(a) Every person, firm or corporation within the City who employs one or more persons on a salary, wage, commission or other compensation basis, other than domestic servants, shall deduct, at the time of the payment thereof, the tax imposed by this article on the salaries, wages, commissions and other compensation due to his employee or employees, and shall, on or before April 30, 2014, July 31, 2014, October 31, 2014, and January 31, 2015, respectively, and thereafter year to year, make and file with the Income Tax Officer, a return setting forth the taxes so deducted, and pay to the City the amount of taxes deducted for the preceding quarterly periods ending March 31, 2014, June 30, 2014, September 30, 2014, and December 31, 2014, respectively, and thereafter year to year..

(b) On or before February 28, 2015, and thereafter year to year, every such employer shall file with the Income Tax Officer:

(1) An annual return showing the total amount of salaries, wages, commissions and other compensation earned by each employee on which a tax is imposed by this article, the total amount of taxes so deducted, and the total amount of all taxes paid to the City on account of salaries, wages, commissions and other compensation earned by each employee during the period beginning January 1, 2014, and ending December 31, 2014, and thereafter year to year.

(2) A return for each person employed during all or any part of the period beginning January 1, 2014, and ending December 31, 2014, and thereafter year to year, who earned, during such period, any salaries, wages, commissions or other compensation subject to the tax imposed by this article, setting forth the employee's name, address and Social Security number, the total amount of salary, wages, commissions or other compensation earned by each employee during such period, and the amount of tax deducted therefrom. Every employer shall furnish a copy of the individual return to each employee for whom the employer is obligated to make a return under the provisions of this article.

(c) Every employer who discontinues business prior to December 31, 2014, and thereafter year to year, shall, within thirty days after the discontinuance of business, file the returns herein above required and pay the tax due.

(d) The failure or omission of any employer to make the deductions required by this section does not relieve any employee from the payment of the tax or from complying with the requirements of this article relating to the filing of declarations and returns.

(e) If an employer makes a deduction of tax as required by this section, the amount deducted shall constitute in the hands of such employer a trust fund held for the account of the City as beneficial owner thereof, and the employee from whose salaries, wages commissions or other compensation such tax was deducted shall be

deemed to have paid such tax. Payment of the tax under the provisions of this section shall not relieve the taxpayer from filing a final return required by Section 24-223.

24-226 INCOME TAX OFFICER; POWERS AND DUTIES.

(a) It shall be the duty of the Income Tax Officer to collect and receive the taxes, fines and penalties imposed by this article. It shall also be his duty to keep a record showing the amount received by him from each person paying the tax and, if paid by such person in respect to another person, the name of such other person and the date of such receipt.

(b) The Income Tax Officer is hereby charged with the administration and enforcement of the provisions of this article, and all amendments thereto, as well as all rules and regulations of Council pertaining thereto, for the administration and enforcement of this article, including provisions for the re-examination and correction of declarations and returns, and of payments alleged or found to be incorrect, or as to which an overpayment is claimed or found to have occurred, and to grant reasonable extensions of time upon proper cause shown for filing declarations or returns found necessary for the administration of this article.

(c) The Income Tax Officer, and agents designated in writing by him, are hereby authorized to examine the books, papers, and records of any employer, taxpayer, person, firm or corporation whom the officer reasonably believes to be an employer or taxpayer, in order to verify the accuracy of any declaration or return, or if no declaration or return was filed, to ascertain the tax due. Every employer, taxpayer, person, firm or corporation whom the Officer reasonably believes to be an employer or taxpayer, is hereby directed and required to give to the Officer, or to any agent designated by him, the means, facilities and opportunity for such examination and investigations, as are hereby authorized.

(d) Any information gained by the Income Tax Officer, his agents, or by any other official, agent or employee of the City as a result of any declarations, returns, investigations, hearings or verifications required or authorized by this article shall be confidential and shall not be disclosed to any person except for official use in connection with the administration or enforcement of this article or as otherwise provided by law.

(e) Any person aggrieved by any action of the Income Tax Officer shall have the right of appeal as provided by law.

24-227 SUIT FOR COLLECTION OF TAX.

(a) The Income Tax Officer may sue in the name of the City for the recovery of taxes due and unpaid under this article.

(b) Any suit brought to recover the tax imposed by this article shall be begun within three years after such tax is due, or within three years after the declaration or return has been filed, whichever date is later, provided, however, that this limitation shall not prevent the institution of a suit for the collection of any tax due or determined to be due in the following cases:

(1) Where no declaration or return was filed by any person, although a declaration or return was required to be filed by him under provisions of this article, there shall be no limitation.

(2) Where an examination of the declaration or return filed by any person, or of other evidence relating to such declaration or return in the possession of the Income Tax Officer, reveals a fraudulent evasion of taxes, there shall be no limitation.

(3) In the case of substantial understatement of tax liability of twenty-five percent or more, and no fraud, suit shall be begun within six years.

(4) Where any person has deducted taxes under the provisions of this article and has failed to pay the amounts so deducted to the Income Tax Officer, or where any person has willfully failed or omitted to make the deductions required by this article, there shall be no limitation.

(5) This section shall not be construed to limit the City from recovering delinquent taxes by any other means provided by this article.

(c) The Income Tax Officer may sue for recovery of an erroneous refund provided such suit is begun two years after making such refund, except that the suit may be brought within five years if it appears that any part of the refund was induced by fraud or misrepresentation of material fact.

24-228 INTEREST ON UNPAID TAX.

If for any reason the tax is not paid when due, interest at the rate of six percent per annum on the amount of such tax, and an additional penalty of one-half of one percent of the amount of the unpaid tax for each month or fraction thereof during which the tax remains unpaid, shall be added and collected. Where suit is brought for the recovery of any such tax, the person liable therefore shall, in addition, be liable for the costs of collection and the interest and penalties herein imposed.

24-229 PAYMENT AND REFUNDS.

The Income tax Officer is hereby authorized to accept payment of the amount of tax claimed by the City in any case where any person disputes the validity or amount of the City's claim for the tax. If it is thereafter judicially determined by a court of competent jurisdiction that there has been an overpayment to the Income Tax Officer, the amount of the overpayment shall be refunded to the person who paid.

24-230 APPLICABILITY.

The tax imposed by this article shall not apply:

(a) To any person as to whom it is beyond the legal power of the City to impose the tax herein provided for under the Constitution of the United States and the Constitution and Laws of the Commonwealth of Pennsylvania.

(b) To the net profits of any institution or organization operated for public, religious, educational or charitable purposes, to an institution or organization not organized or

operated for private profit or to a trust or a foundation established for any such purposes.

This section shall not be construed to exempt any person who is an employer from the duty of collecting the tax at source from his employees and paying the amount collected to the City under the provisions of Section 24-224

24-231 SEVERABILITY.

The provisions of this article are severable. If any sentence, clause or section of this article 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 or sections of this article. It is hereby declared to be the intent of Council that this article would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section not been included herein.

24-232 EFFECTIVE TERM.

This article shall be in force and effect from January 1, 2014, to and including December 31, 2014, and thereafter, from year to year, between January 1, and December 31, inclusive, in each succeeding year until otherwise ordained by the City or revoked by an act of Assembly, now or hereafter in force and effect, of the Commonwealth of Pennsylvania.

Wherever in this article a date is designated referring to a particular year, such year shall be construed to refer to the initial year in which this article is effective, and thereafter shall be construed to mean each succeeding year in which this article remains in effect.

Dates used in this article relevant to the initial effective period shall be construed in succeeding years with reference to the corresponding next year.

24-233 RULES AND REGULATIONS.

The Division of Tax Administration shall issue rules and regulations for the implementation of this ordinance. Such rules and regulations shall be subject to approval by City Council.

24-234 HEARING OFFICER.

The Tax Administration Manager is designated as the hearing officer to conduct hearings and decide all appeals filed.

24-239 PENALTY.

(a) Any person who fails, neglects or refuses to make any declaration or return required by this article, any employer who fails, neglects or refuses to register or to pay the tax deducted from his employees, or fails, neglects or refuses to deduct or withhold the tax from his employees, any person who refuses to permit the Income Tax Officer or any agent designated by him to examine his books, records and papers, and any person who knowingly makes an incomplete, false or fraudulent

return, or attempts to do anything whatsoever to avoid the full disclosure of the amount of his net profits or earned income in order to avoid the payment of the whole or any part of the tax imposed by this article shall, upon conviction thereof before any justice of the peace, alderman or magistrate, or court of competent jurisdiction in Berks County, be sentenced to pay a fine of not more than five hundred dollars (\$500.00) for each offense, and costs, and, in default of payment of said fine and costs to be imprisoned for a period not exceeding thirty days.

(b) Any person who divulges any information which is confidential under the provisions of this article shall, upon conviction thereof before any justice of the peace, alderman or magistrate, or court of competent jurisdiction, be sentenced to pay a fine of six hundred dollars (\$600.00) for each offense, and costs, and in default of payment of such fines and costs shall be imprisoned for a period not exceeding ninety days.

(c) The penalties imposed under this section shall be in addition to any other penalty imposed by any other section of this article.

(d) The failure of any person to receive or procure forms required for making the declaration or returns required by this article shall not excuse him from making such declaration or return.

SECTION 2. This Ordinance shall become effective January 1, 2014.

Enacted _____ day of _____, 2013.

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by Mayor's Office: _____

Date: _____

Approved by Mayor: _____
Date: _____

Vetoed by Mayor: _____
Date: _____

TO: Reading Eagle
DATE: September 20, 2013
FROM: Linda A. Kelleher, City Clerk

Please place the following ad in the Reading Eagle Times in the Public Notice Section on Monday, September 30, October 7, and October 14, 2014

**City of Reading
Home Rule Resident and
Commuter EIT Ordinance**

The City of Reading City Council introduced the following ordinances at their special meeting on Monday, September 16, 2013:

Ordinance – Resident Home Rule EIT; a tax of one and five tenths percent (1.5%) (Reduction of 0.1%)

Ordinance – Commuter EIT; a tax of up to a maximum of one and two tenths percent (1.2%) (Reduction of 0.1%)

These ordinances are eligible for enactment at Council's October 28, 2013 regular business meeting. The revenue projected by these combined taxes is \$11,808,015 for 2014, which will support public works and public safety services. For more information or for a copy of the complete ordinances please contact the City Clerk's Office, City Hall, 815 Washington St, Rdg, PA during regular business hours or by E Mail at Council@readingpa.org.

Linda A. Kelleher CMC
City Clerk

BILL NO. _____

A N O R D I N A N C E

AN ORDINANCE PROVIDING FOR A TAX OF UP TO A MAXIMUM OF ONE AND TWO TENTHS PERCENT (1.2%) ON ALL EARNED INCOME AND NET PROFITS GENERATED IN THE CITY OF READING BY NON-RESIDENTS OF THE CITY OF READING FOR 2014.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City of Reading hereby imposes a tax of two tenths of one percent (0.2%) on all earned income and net profits generated by non-residents of the City of Reading within the City of Reading who are subject to payment of earned income and net profits tax to the taxpayer's resident (domicile) taxing authority in the amount of one percent (1.0%).

SECTION 2. The City of Reading hereby imposes a tax of one and two tenths percent (1.2%) on all earned income and net profits generated by non-residents of the City of Reading within the City of Reading who are not subject to payment of earned income and profits tax to the taxpayer's resident (domicile) taxing authority.

SECTION 3. The City of Reading hereby imposes a tax of a certain percentage which when added to the percentage imposed by the taxpayer's resident (domicile) taxing authority equals one and two tenths percent (1.2%) on all earned income and net profits generated by non-residents of the City of Reading within the City of Reading.

SECTION 4. This tax on non-residents is hereby imposed on; (a) all salaries, wages, commissions and other compensation earned on or after January 1, 2014, during the calendar year 2014, by non-residents of the City for work done or services performed or rendered in the City of Reading; (b) the net profits earned on or after January 1, 2014, during the calendar year 2014, of businesses, professions or other activities conducted in the City of Reading by non-residents.

SECTION 5. This tax levied above shall not be shared by the School District, of Reading or otherwise, and non-residents shall continue to be given credit for the amount of earned income tax paid to their home municipal taxing authorities.

SECTION 6. The revenues resulting from the above tax may be used for general revenue purposes.

SECTION 7. This tax shall first be levied, collected and paid beginning on January 1, 2014, and during the calendar year of 2014 under all circumstances whether or not a fiscal year is used by the taxpayer.

SECTION 8. Should any section of this Ordinance be declared invalid for any reason, said declaration shall not have any affect on the remainder of this Ordinance.

SECTION 9. This Ordinance shall become effective January 1, 2014 and shall continue in effect until it may be repealed or modified by ordinance enacted by the City of Reading Council in accordance with the applicable Home Rule Charter provisions.

Enacted on _____ 2013

Francis Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

TO: Reading Eagle
DATE: September 20, 2013
FROM: Linda A. Kelleher, City Clerk

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The City of Reading City Council introduced the following ordinances at their special meeting on Monday, September 16, 2013:

Ordinance – Resident Home Rule EIT; a tax of one and five tenths percent (1.5%) (Reduction of 0.1%)

Ordinance – Commuter EIT; a tax of up to a maximum of one and two tenths percent (1.2%) (Reduction of 0.1%)

These ordinances are eligible for enactment at Council's October 28, 2013 regular business meeting. The revenue projected by these combined taxes is \$11,808,015 for 2014, which will support public works and public safety services. For more information or for a copy of the complete ordinances please contact the City Clerk's Office, City Hall, 815 Washington St, Rdg, PA during regular business hours or by E Mail at Council@readingpa.org.

Linda A. Kelleher CMC
City Clerk

BILL ____-2013
AN ORDINANCE

AN ORDINANCE AUTHORIZING FOR GENERAL REVENUE PURPOSES IN 2014 A HOME RULE PER CAPITA TAX OF \$20.00 ON EACH PERSON AGED 18 YEARS OR MORE RESIDING IN THE CITY OF READING, PROVIDING FOR ITS COLLECTION, AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Effective January 1, 2014, the City of Reading shall level a Home Rule Per Capita Tax of \$20.00 per year on each person residing in the City of Reading. This tax shall be payable on June 1, 2014. This Home Rule Per Capita Tax shall be in addition to the Per Capita Tax previously authorized by the Local Tax Enabling Act renumbered (53 P.S. § 6924.101 et seq.).

SECTION 2. Any resident failing to pay the aforementioned Home Rule Per Capita Tax within 60 days of the due date shall pay a penalty of 50% of the tax plus all related and reasonable collection expenses as may be imposed and as authorized by this Council.

SECTION 3. The Administration is directed by this Council to explore alternatives to assure the broadest possible compliance herewith and report its recommendations to the Council prior to January 31, 2014.

SECTION 4. The City derives authority to levy this tax by virtue of its Home Rule Charter.

SECTION 5. This ordinance shall become effective on January 1, 2014 or 10 days after approval by the Mayor, whichever may be later, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES CHAPTER 5 ADMINISTRATIVE CODE, EXHIBIT A PURCHASING POLICIES AND PROCEDURES, SECTION 11 BID EVALUATION, PART 11.4.5 AND 11.4.6, BY REDUCING THE AMOUNT REQUIRED FOR CONTRACT APPROVALS.

The Council of the City of Reading hereby ordains as follows:

Section 1. Amending the Code of Ordinances, Chapter 5 Administrative Code, Exhibit A Purchasing Policies And Procedures, Section 11 Bid Evaluation, Part 11.4.5 And 11.4.6, by reducing the amount required for contract approvals as follows:

Section 11 Bid Evaluation and Award

11.4 Bid Award.

11.4.1 It is the policy of the City to make awards to the vendor who meets the specifications for the items or services to be purchased at the lowest cost. Factors such as delivery time, quality, operating and maintenance costs, service, etc., as well as initial price, should be taken into consideration in determining the lowest cost vendor.

11.4.2 The department director shall review all bids and make a recommendation to the purchasing manager by completing the "Recommendation to Award Contract" form.

If the purchasing manager does not agree with the recommendation of the department director, the award will be referred to the purchasing committee for determination.

11.4.3 The Director of Finance shall review the recommendation to ensure an award is compatible with the budget.

11.4.4 The Managing Director shall approve all recommendations.

11.4.5 The Mayor shall have final approval of contract under ~~\$50,000~~ **\$10,000**.

11.4.6 City Council shall award or reject all contracts ~~exceeding \$50,000~~ **that are \$10,000 or more**.

11.4.7 A purchase order shall be initiated after the contract award; however, it shall not be issued until the contract documents have been finalized.

11.4.8 The successful vendor, after receiving the contract documents, has 10 working days to sign and return with the necessary bonds.

11.4.9 If the selected vendor fails to deliver a bond or items bid within the time limits specified, the purchasing manager may choose to recommend rescinding the award and readvertise for bids. In such event, the delinquent bidder shall be responsible for the costs of rebidding and the amount of any increase in the contract price thereby resulting. The purchasing manager shall properly document the action, the reasons for the action and retain the vendor bid surety not as a penalty, but as liquidated damages for inability to comply with the contractual agreement.

Section 2. This ordinance shall become effective ten (10) days after its adoption in accordance with Sections 219 and 221 of the City of Reading Home Rule Charter.

Section 3. Any and all ordinances which are contrary to the amendment are hereby repealed.

Enacted by Council _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

ORDINANCE NO. ____-2013

AN ORDINANCE AMENDING THE CITY OF READING CODE OF ORDINANCES CHAPTER 5 ADMINISTRATIVE CODE, SECTION 5-806 FISCAL PROVISIONS BY REDUCING THE AMOUNT OF EXPENDITURES AND ALLOCATIONS REQUIRING COUNCIL'S APPROVAL FROM \$25,000 TO \$10,000.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION ONE. Amending the City of Reading Code of Ordinances Chapter 5 Administration and Government, Section 5-806 Fiscal Provisions, Part C.7 by reducing the amount of expenditures and allocations requiring council's approval from \$25,000 to \$10,000 as follows:

Fund Accounts. §5-806. Fiscal Provisions.

C. Regulations concerning appropriations and transfers.

[Amended 4-11-2011 by Ord. No. 17-2011; 2-27-2012 by Ord. No. 14-2012]

1. The authorization and expenditure of all funds and preparation of department budgets shall be in accordance with a policy adopted by the Council and a financial procedures manual to be prepared and periodically reviewed and updated by the Administrative Services Department. Expenditures shall be executed in a uniform manner for every City Department.

2. The Administrative Services Director shall prepare and submit a monthly report to the Mayor, the Managing Director, and Council. This monthly report shall include all expenditures, borrowing, or any use for each City department and each City Fund account, and status reports comparing those expenditures with the adopted budget, as well as any Department justification of transfer, borrowing, or any use of funds within departments, between departments and within or between City Funds account.

3. In order to allow flexibility in the administration of the City's business, Departments may transfer money between line items within the department. A majority of Council, in response to any monthly report, may place a limit on the amount of additional excess expenditure allowed for any program or line item. This is not intended to restrict unduly the Mayor's ability to manage and administer the budget.

4. Justification for transferring, borrowing or any use of funds between departments and/or City Fund accounts must be presented to and approved by Council. The financial procedures manual will stipulate the following:

- (a) Expenditure procedures.
- (b) Justification procedures for transferring money between line items.
- (c) Justification procedures for transferring money between departments.

(d) Administration of petty cash funds.

(e) Justification procedures for transferring, borrowing, or any use of money between City Fund accounts.

5. Requiring an amendment to the City's annual Budget Ordinance authorizing the transfer, borrowing, or any use of all monies including, but not limited to, transfers, borrowing, or any use of funds between departments, and transfers, borrowing, or any use of funds in and out of any City Fund account, account or line item either attached in part or unattached to a departmental budget. The City Funds include all general, operating, capital and enterprise funds. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer, borrowing, or any use of funds and the proposed use for the funds transferred at least two weeks before the transfer is required.

6. Requiring an amendment to the City's annual Budget Ordinance to authorize any cumulative modification to any departmental overall budget or line item exceeds \$10,000. The request for a budget amendment must be submitted to City Council with an agenda memorandum explaining the justification for transfer and the proposed use for the funds transferred, borrowed or used at least two weeks before the transfer is required.

7. Requiring City Council approval, via ordinance, for the following:

- a. Salary increases that were not approved in or included in the budget for the fiscal year and fall outside the labor contract for union employees.
- b. All expenditures not approved and listed in the operating or capital budgets for the fiscal year prior to those expenditures occurring.
- c. All expenditures and allocations of ~~\$25,000~~ **\$10,000** or more from and to any and all agency funds and any and all line items falling in the Departmental and Nondepartmental area of the General Fund.

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

SECTION THREE. This ordinance shall become effective ten (10) days after its adoption in accordance with Sections 219 and 221 of the City of Reading Home Rule Charter.

Enacted by Council _____, 2013

President of Council

Attest:

City Clerk

(Council Staff)

ORDINANCE _____ - 2013

AN ORDINANCE OF THE CITY OF READING AMENDING THE CODE OF ORDINANCES CHAPTER 212 FEES AS ATTACHED

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: The Code of Ordinances of the City of Reading Chapter 212 Fees is hereby amended as attached.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4: This Ordinance shall become effective in ten (10) days in accordance with Charter Section 219 after passage.

Enacted _____, 2013

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

§ 212-101. Alarm systems.

Description	Fee	Ordinance No.	Code Citation
Permit application fee (nonrefundable)	\$50	126-1995	§ 120-104G
Alarm business permit (annual)	\$50	126-1995	§ 120-105
Alarm user permit fee	\$25	14-2001	§ 120-113
Unnecessary/needless false burglary alarms. A service fee shall be charged for each unnecessary/needless false alarm in a calendar year, pursuant to the chart set forth below:		41-2010	§ 120-115

Alarm in Calendar Year

1	Free (no charge)
2	\$50
3	\$50
4	\$100
5	\$100
6	\$150
7	\$150
8	\$150
9	\$150
10	\$250
11	\$250
12	\$250
13	\$500
For each alarm 14 and greater (over 13) in a calendar year	\$500 per alarm

~~Fire protection contractor false alarm – \$50 ————— ? ————— ?~~

212-104. Business licenses – annual license tax

Description	Fee	Ordinance	Code Citation
Solicitations (taking orders for goods)	\$80 \$30	60-1980	339-103
Pawnbroker	\$800 \$100	50-1954	339-103
Market house	\$800 \$100	50-1954	339-103
Express companies, power companies, communications	\$800 \$100	50-1954	339-103
Motor vehicles for hire (per vehicle)	\$800 \$100	50-1954	339-103
Motor buses (per vehicle)	\$800 \$100	50-1954	339-103
Motor buses (per vehicle) from the City to points with a radius of 10 miles	\$400 \$50	50-1954	339-103
Taxi	\$80 each not to exceed \$800 \$10 each not to exceed \$100	50-1954	339-103
Bowling alley, pool and billiard tables, gaming tables (per alley or table)	\$50 \$20	60-1980	339-103
Theaters with live performances, circuses	\$800 \$100	50-1954	339-103
Movie theaters (no stage production)	\$800 \$100	50-1954	339-103
Amusement devices	\$100 \$40	50-1954	339-103
Shuffleboard	\$100 \$20	50-1954	339-103
Juke box	\$100 \$40	60-1980	339-103
Coin-operated riding device	\$100 \$20	4-1961	339-103
Public dump or junkyard	\$800 \$100	50-1954	339-103
Newspaper vendor at sidewalk stands	\$10	60-1980	339-104
Business license fee (annual)	\$55	36-2009	339-205

212-105. Commercial laundries.

Description	Fee	Ordinance	Code Citation
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Commercial laundry establishment permit (annual)	\$50	19-2004; 40-2012 124-2012	173-106
Each washer and/or dryer	\$10 \$5 per unit	19-2004	173-106

212-108. Existing Building Code.

Description	Fee	Ordinance	Code Citation
Permit fee: (based on labor & materials)		96-2006	180-502
\$0 to \$250	\$50		
\$250.01 to \$500	\$70		
\$500.01 to \$1,000	\$90		
Excess of the first \$1,000 for each Additional \$1,000 or part thereof	\$15		
Administrative Fee	\$4	96-2006	180-502
Consultation Fee	\$50 per hour	96-2006	180-502
Removal of Placard	\$150	42-2011	180-502
<i>Accessibility Plan Review</i>	<i>2.5%</i>	<i>43-2011</i>	<i>180-902</i>

212-116. Housing permits.

Description	Fee	Ordinance	Code Citation
Adding:			
<i>Abandoned Real Property Registration</i>	<i>\$200</i>	<i>48-2013</i>	<i>308.303</i>

212-119. Miscellaneous.

Description	Fee	Ordinance	Code Citation
City of Reading Code	\$600 \$450	31-2002	N/A
Tax, water, and sewer certifications	\$35 \$25	54-2005	N/A
Dishonored check fee	\$35 \$32	53-2002	N/A
Payment in coin <i>surcharge</i>	20% \$10	53-2002	N/A
Law Dept: Lien statement request received by the City's Law Dept from individuals or entities, except requests from City employees in the course of their duties	\$25	41-2009	N/A

~~Handicapped permit~~ ~~\$0~~ ~~31-2009~~ ~~N/A~~

212-120 Parks and recreation.

Description	Fee	Ordinance	Code Citation
Chairs and tables	\$1/chair \$4/table \$4/bench \$25 deposit \$20 to activate electricity	20-2008	N/A
Small stage (per day)	\$175 Resident \$200 Non-resident \$200 deposit	20-2008	N/A
Large stage (per day)	\$275 Resident \$300 Non-resident \$250 deposit	20-2008	N/A
<i>Portable stage (per day)</i>	\$100 Resident \$150 Non-resident \$200 deposit		
Showmobile rental (per day)	\$350 \$300 deposit	20-2008	N/A
Barricades (per 4)	\$2.50 Resident \$3.50 Non-resident \$10 deposit \$100	20-2008	N/A
<i>Banners on light poles</i>	\$50 each		
<i>Banners across streets</i>	\$175		
<i>City Park Portable Potties</i>	\$50 each \$100 handicapped accessible		

Bingo cage	\$10 Resident \$15 Non-resident \$25 deposit	20-2008	N/A
PA system	\$50 Resident \$55 Non-resident \$100 deposit	20-2008	N/A
Picnic kit	\$20 Resident \$25 Non-resident \$25 deposit	20-2008	N/A
Small bleachers (per day)	\$100 Resident \$150 Non-resident \$100 Deposit \$150 Non-Resident deposit	20-2008	N/A
Large bleachers (per day)	\$200 resident \$200 resident deposit \$250 non-resident \$250 non-resident deposit \$100 deposit	20-2008	N/A
Popcorn machine	\$50 resident \$55 non-resident \$25 deposit	20-2008	N/A
Schlegel pool admission fee	\$2 for age 8—16 \$5 age 17 and up <i>3 and under free with paid adult</i> <i>\$5 for age 4 and older</i>		N/A
Schlegel pool membership fee	\$15 age 8—16 \$50 age 17—64 \$20 age 65 and older \$75 single family \$90 family w 3 or fewer children \$110 family w for or more children		N/A

				<i>increase</i>
<i>6-inch</i>	<i>100,000</i>	<i>\$915.84</i>	<i>\$952.47</i>	<i>4% annual increase</i>
<i>8-inch</i>	<i>160,000</i>	<i>\$1,458.84</i>	<i>\$1,517.19</i>	<i>4% annual increase</i>
<i>10-inch</i>	<i>230,000</i>	<i>\$2,092.34</i>	<i>\$2,176.03</i>	<i>4% annual increase</i>

Volumetric Service Charge

<i>Volumetric Rates Based on Customer Meter Size</i>	<i>2014 Monthly Volumetric Service Charge (per 1,000 gallons in excess of Volumetric Allowance)</i>	<i>2015 Monthly Volumetric Service Charge (per 1,000 gallons in excess of Volumetric Allowance)</i>	<i>Monthly Volumetric Service Charge After 2015</i>
<i>5/8-inch Uniform Rate</i>	<i>\$8.49</i>	<i>\$8.83</i>	<i>4% annual increase</i>
<i>For Meters Larger than 5/8-inch</i>			
<i>First 750,000 Gallons</i>	<i>\$9.05</i>	<i>\$9.41</i>	<i>4% annual increase</i>
<i>Next 3,000,000 Gallons</i>	<i>\$7.24</i>	<i>\$7.53</i>	<i>4% annual increase</i>
<i>Over 3,750,000 Gallons</i>	<i>\$6.83</i>	<i>\$7.10</i>	<i>4% annual increase</i>

Initial industrial waste discharge permit application for categorical industries, each site	\$500	17-1998	§ 467-215C
Reapplication or revision to and industrial waste discharge permit for categorical industries, each site	\$250	17-1998	§ 467-215C
Initial industry's waste discharge permit application for noncategorical industries, each site	\$100	17-1998	§ 467-215C
Reapplication or revisions to an industrial waste discharge permit for noncategorical industries	\$50	17-1998	§ 467-215C
Scheduled or industry requested sampling and analysis and/or inspection — minimum per site	\$300	17-1998	§ 467-215C
Sampling of multiple discharge points	\$300 for the first sample and \$250 for each additional sample	17-1998	§ 467-215C
Unscheduled sampling and analysis	\$300 per sample plus out-of-pocket expenses for testing	17-1998	§ 467-215C

and related costs
if there is a permit
exceedance

212-136. Solid Waste and Recycling.

Description	Fee	Ordinance	Code Citation
Recycling service fee (annual)	\$82.33	72-2011	496-203
Municipal waste collection and disposal service fee (annual)	\$212.65 \$203.65	72-2011	496-204
Administrative fee for an application for an appeal to the Solid Waste and recycling Appeals Board	\$25	43-2006	496-207
Trash/recycling certification	\$35 \$25	68-2002	N/A

212-140. Streets and sidewalks.

Description	Fee	Ordinance No.	Code Citation
Curb permit (feet)		31-2009	§ 508-301B
0 to 24	\$250		
25 to 49	\$300		
50 to 99	\$350		
100 to no limit	\$350 for every 100 feet plus \$3.50 per foot for every foot over 100 feet		
Street restoration		31-2009	§ 508-302A
1 foot wide	\$35/foot		
2 feet wide	\$70/foot		
Building line survey, first side (feet)		31-2009	§ 508-304B
0 to 49	\$200		
50 to 99	\$250		
Second, third or fourth sides	Repeat rates		
Residential driveway permit fee	\$400	31-2009	§ 508-305B
Commercial driveway permit fee	\$450	31-2009	§ 508-305B

Driveways spanning property line for joint use of abutting properties	\$250 for each user		
Reconstruction of driveway	\$50	31-2009	§ 508- 305B
Sidewalk occupancy <i>cut</i> permit	\$50 <i>\$100 per cut</i>	31-2009	
Street cut permit		31-2009	
0 to 5 square yards	\$150/sq. yard		
Over 5 square yards, per additional square yard	\$120/sq yard		
Vault, areaway, basement stairs or structure (each)			
Sidewalk vault fee	\$80	31-2009	§ 508-306A
Sidewalk repair construction permit	\$80	31-2009	§ 508-307A
Time limit extension	\$10	35-2008	§ 508-309A
Annual license for commercial parking lot	\$5 per space with \$25 minimum	35-2008	§ 508-403
Street occupancy permit	\$10	35-2008	§ 508-702
Street restoration fee		35-2008	§ 508-702
Not to exceed five square yards	\$150/square yard		

Each additional square yard over five \$120/square yard

Street cut permit

31-2009

Street Cut Permit \$10 / permit

Street Cut Inspection Fee \$100 / street cut

0 to 5 square yards \$150/sq. yard 508-704

Over 5 square yards, per additional square yard \$120/sq. yard

For cuts on streets paved within 5 years of the application date, add 100% to the above fee.

For cuts on streets paved 6 – 10 years prior to the application date, add 80% to the above fee.

Bore hole fee \$5 per bore hole 35-2008 § 508-707A

Ahead of paving permit \$10 per block and/ or street intersection

Time extension fee \$10 per month or fraction thereof

212-146. Zoning.

Description	Fee	Ordinance	Code Citation
Adding: <i>Failure to Appear or Gain Access</i>	<i>\$150</i>		
<i>Zoning Map Amendment</i>	<i>\$1000</i>		

FUND TRANSFER

TO: Members of City Council
FROM: Christian F. Zale, City Controller
PREPARED BY: Christian F. Zale, City Controller
MEETING DATE: November 12, 2013
AGENDA MEMO DATE: November 5, 2013
RECOMMENDED ACTION: Fund Transfer

BACKGROUND:
Requesting transfer of \$250,000.00 from Contingency to Charter Board for legal fees.

BUDGETARY IMPACT:
\$250,000.00 added expense

PREVIOUS ACTION:
None

RECOMMENDED BY:
City Controller

RECOMMENDED MOTION:
Approve the request.

BILL NO. _____ - 2013

AN ORDINANCE

AN ORDINANCE REQUESTING AUTHORIZATION TO TRANSFER FUNDS FROM CONTINGENCY TO CHARTER BOARD WITHIN THE GENERAL FUND.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$250,000.00 from Contingency 01-14-91-4739 to Charter Board 01-17-91-4777.

SECTION 2. This ordinance shall become effective ten (10) days after its adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

FUND TRANSFER

TO: Members of City Council
FROM: Christian F. Zale, City Controller
PREPARED BY: Christian F. Zale, City Controller
MEETING DATE: November 12, 2013
AGENDA MEMO DATE: November 6, 2013
RECOMMENDED ACTION: Fund Transfer

BACKGROUND:

Requesting transfer of \$215,000.00 from Contingency to Public Works for vehicle fuel, \$175,000 and dam assessment reviews, \$40,000.

BUDGETARY IMPACT:

\$215,000.00 added expense

PREVIOUS ACTION:

None

RECOMMENDED BY:

City Controller

RECOMMENDED MOTION:

Approve the request.

BILL NO. _____ - 2013

AN ORDINANCE

AN ORDINANCE REQUESTING AUTHORIZATION TO TRANSFER FUNDS FROM CONTINGENCY, \$215,000 TO PUBLIC WORKS FOR VEHICLE FUEL \$175,000 AND DAM ASSESSMENT REVIEWS, \$40,000 .

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$215,000.00 from Contingency 01-14-91-4739 to Public Works 01-07-14-4501 \$175,000, fuel and 01-07-74-4216 \$40,000 dam assessment reviews.

SECTION 2. This ordinance shall become effective ten (10) days after its adoption, in accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

BILL NO. _____

AN ORDINANCE

AMENDING CODE OF ORDINANCES OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, CHAPTER 467 SEWERS AND SEWAGE DISPOSAL, PART 3 SEWER SERVICE RENTAL, SECTIONS 467-103 AND 467-104 TO ESTABLISH SEWER SERVICE RENTALS, AND SUCH SEWER SERVICE RENTAL SHALL BE EFFECTIVE UNTIL AMENDED.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. On January 1, 2014, Section 467-103 Metered Service; Due Date; Interest Penalty; Reductions and Rebates of the Code of Ordinances of the City of Reading, Berks County, Pennsylvania, Chapter 467 Sewers and Sewage Disposal, Part 1 Sewer Service Rental shall be deleted, in its entirety, and replaced with the following:

SECTION 467-103. Sewer Service Rental.

1. The sewer service rental is divided into a meter service charge and a volumetric service charge for properties with a water meters. To the extent a property does not have a water meter and is subject to a gross fixed or flat water rate, the monthly sewer service rental for such property shall equal one hundred fifty percent (150%) of the fixed or flat water rates assessed to such property by the Reading Area Water Authority or its successor.
2. Monthly Meter Service Charge. For properties with water meters, the meter service charge will be assessed as a fixed monthly charge based on the size of a property's water meter, with a maximum monthly volumetric allowance for water consumption set by meter size, as identified in the Table 1, below:

Table 1: Monthly Meter Service Charge Schedule

Water Meter Size	Monthly Volumetric Allowance (Gallons)	2014 Monthly Meter Service Charge	2015 Monthly Meter Service Charge	Monthly Meter Service Charge After 2015
5/8-inch	2,000	\$27.82	\$28.93	4% annual increase
3/4-inch	3,000	\$37.99	\$39.51	4% annual increase
1-inch	5,000	\$56.09	\$58.33	4% annual increase
1.25-inch	6,660	\$71.11	\$73.96	4% annual

				increase
1.5-inch	10,000	\$101.34	\$105.39	4% annual increase
2-inch	16,000	\$155.64	\$161.86	4% annual increase
3-inch	30,000	\$282.34	\$293.63	4% annual increase
4-inch	50,000	\$463.34	\$481.87	4% annual increase
6-inch	100,000	\$915.84	\$952.47	4% annual increase
8-inch	160,000	\$1,458.84	\$1,517.19	4% annual increase
10-inch	230,000	\$2,092.34	\$2,176.03	4% annual increase

3. Monthly Volumetric Service Charge. In the event water is consumed on a property with a water meter in excess of the applicable monthly volumetric allowance, as identified in Table 1, a monthly volumetric service charge, as calculated in Table 2, shall be included in such property's sewer service rental in addition to the meter service charge. No volumetric service charge shall apply in any month that a property's water consumption does not exceed the applicable monthly volumetric allowance.
- a. For properties with a water meter equal to 5/8-inch, a uniform volumetric rate per one thousand gallons of water consumed shall be charged as the volumetric service charge.
 - b. For properties with water meter larger than 5/8-inch, a tiered rate structure per one thousand gallons of water consumed shall be charged as the volumetric service charge.

Table 2: Volumetric Service Charge Schedule

Volumetric Rates Based on Customer Meter Size	2014 Monthly Volumetric Service Charge (per 1,000 gallons)	2015 Monthly Volumetric Service Charge (per 1,000 gallons)	Monthly Volumetric Service Charge After 2015
5/8-inch Uniform Rate	\$8.49	\$8.83	4% annual increase
For Meters Larger than 5/8-inch			
First 750,000 Gallons	\$9.05	\$9.41	4% annual increase
Next 3,000,000 Gallons	\$7.24	\$7.53	4% annual increase
Over 3,750,000	\$6.83	\$7.10	4% annual

Gallons			increase
---------	--	--	----------

- The meter service charge and volumetric service charge shall be increased on January 1st of each calendar year in accordance with schedules set forth in Tables 1 and 2.

SECTION 2. On January 1, 2014, Section 467-104 Fixed Rate Service; Due Date and Interest Penalty of the Code of Ordinances of the City of Reading, Berks County, Pennsylvania, Chapter 467 Sewers and Sewage Disposal, Part 3 Sewer Service Rental shall be deleted, in its entirety, and replaced with the following:

Section 467-104. Sewer Service Rental Due Date and Interest Penalty.

- Bills for sewer service rentals shall be rendered on a monthly. All sewer service rentals shall be due and payable to the City within thirty (30) days of the issuance of a bill.
- A penalty of ten (10%) shall be added to bills not paid by the due date printed on the bills, which date shall be thirty (30) days after date of issuance of such bills.
- Reductions or rebates may be provided to customers who do not discharge a significant portion of their metered water to the sewage system. Such adjustments shall be determined pursuant to rules and procedures adopted by resolution of Council.

SECTION 4. All remaining sections of Part 3 Sewer Service Rental shall remain in effect (Sections 467-101 through and including 467-106).

SECTION 5. Any court determination that a portion of this Ordinance is unconstitutional or invalid shall not affect the remaining portion of this Ordinance.

SECTION 6. This Ordinance shall become effective on the date of passage by City Council and approval by the Mayor, override of the Mayor's veto, or passage by City Council and the Mayor's failure to approve or veto within ten (10) days of submittal to him.

Passed Council _____, 2013

President of Council

Attest:

City Clerk

BILL NO. ____ - 2013

AN ORDINANCE

AN ORDINANCE REQUESTING AUTHORIZATION TO TRANSFER FUNDS
TOTALLING \$50,170 WITHIN THE 2013 DEPARTMENT OF COMMUNITY
DEVELOPMENT BUDGET TO FUND INSPECTION SOFTWARE FOR THE
BUILDING & TRADES DIVISION.

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Authorizing the transfer of \$21,000.00 from Building and Trades Salaries
01-10-38-4000 to Building and Trades Contracted Services 01-10-38-4216; and
\$29,170.00 from Zoning Contracted Services 01-10-37-4216 to Building and Trades
Contracted Services 01-10-38-4216.

SECTION 2. This ordinance shall become effective ten (10) days after its adoption, in
accordance with Sections 219 & 221 of the City of Reading Home Rule Charter.

Enacted _____, 2013

President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

BILL NO. _____ - 2013

AN ORDINANCE OF THE CITY OF READING AMENDING THE CITY OF READING CODIFIED ORDINANCES, CHAPTER 576 ENTITLED "MOTOR VEHICLES AND TRAFFIC", PART 8 ENTITLED "IMPOUNDING

AND BOOTING OF VEHICLES”, SUBSECTION B ENTITLED “BOOTING OF MOTOR VEHICLES” BY: (1) AMENDING SECTION 576-811 ENTITLED “DEFINITIONS” TO AMEND AND RESTATE IN ITS ENTIRETY THE DEFINITION FOR UNSETTLED PARKING VIOLATIONS; AND (2) AMENDING AND RESTATING IN ITS ENTIRETY SECTION 576-812 ENTITLED “BOOT INSTALLATION”.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City of Reading Codified Ordinances, Chapter 576 entitled “Motor Vehicles and Traffic”, Part 8 entitled “Impoundment and Booting of Vehicles”, Subsection B entitled “Booting of Motor Vehicles, as attached in Exhibit A:

SECTION 2. All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended by this Ordinance shall remain in full force and effect.

SECTION 3. If any section, subsection, sentence or clause of this Ordinance is held for any reason to be invalid, such decisions shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4. This Ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, in accordance with Section 219 of the City of Reading Home Rule Charter.

ENACTED: _____,
2013

President of Council

Attest:

City Clerk

(Council Office & Parking Authority)

Submitted to the Mayor: _____
Date: _____, 2013

Received by the Mayor’s Office: _____
Date: _____, 2013

Approved by the Mayor: _____
Date: _____, 2013

Vetoed by the Mayor: _____
Date: _____, 2013

EXHIBIT A

B. Booting of Motor Vehicles.¹

§576-811. Definitions.

As used in this Part, the following words shall have the following meanings:

BOOT, BOOTING or BOOTED – the act of immobilizing a motor vehicle in such a manner as to prevent its operation with a device or by means which will cause no damage to such vehicle unless it is moved while such device is in place or such means are employed.

UNSETTLED PARKING VIOLATIONS – outstanding violation(s) of this Part or the Pennsylvania Motor Vehicle Code **indicated by notice, ticket or for which** citation(s) ~~have been filed with a District Justice and a summons has been issued~~ to which either no response has been made or for which a **summons or** warrant has been issued, **and** including **any** adjudicated citation(s) **for which where** the fine and costs **have been imposed and remain are** unpaid **in full**.

§576-8012 Boot Installation.

Any vehicle or conveyance parked within the City upon any public ground at any time may, by or under direction of a Parking Enforcement Officer or member of the Department of Police, be booted if there are five or more unsettled parking violations pending against the owner of the vehicle or conveyance ~~on file with a District Justice or the Reading Parking Authority~~. The booted vehicle may be towed by the Parking Authority any time after the boot is installed.

§576-814. Boot Removal Hearing.

1. The owner of a booted vehicle or other authorized person shall be permitted to secure release of the vehicle upon:
 - A. Depositing of the collateral required for an appearance before a District Justice to answer for each unsettled parking violation.
 - B. Paying the amount of the fine, penalty and court costs, if any, for each unsettled parking violation.
 - C. The owner of a booted vehicle or other authorized person shall have the right to a post-immobilization hearing limited to the determination of the validity of the booting. Such hearing shall be requested within 15 days after the vehicle is booted and shall be conducted by the Executive Director of the Parking Authority. The hearing shall be held during normal business hours within 1 business day of the demand thereof, or as soon as practical. The post-immobilization hearing shall not be determined of or adjudicate the merits of any citation issued relative to any immobilized vehicle but shall be limited solely to whether the vehicle was properly subject to booting under the provisions of this Part.

¹ Power to Establish – see Vehicle Code 75 Pa.C.S.A. §6109 *et seq.*
Removal and Storage – see Vehicle Code 75 Pa.C.S.A. §3352.

§576-815. Booting or Towing and Storage of Vehicles.

The Reading Area Parking Authority may immediately tow any vehicle that is booted for having a minimum of five (5) unsettled parking tickets. The booted vehicle may be towed by the Parking Authority any time after the boot is installed. If the booting occurs when a vehicle is parked in any zone regulated by towing provisions, then such vehicle is subject to immediate towing and storage. Towing and storage fees, as specified in this Chapter shall be paid, along with fees specified in §15-814 before the owner of such vehicle or authorized person, shall be permitted to repossess or secure the release of the vehicle. Unclaimed within 60 days of towing and storage shall be deemed abandoned and subject to disposal as such in the manner authorized by law.

§576-816. Booting Fee.

The owner of a booted vehicle shall be subject to a fee in an amount as established from time to time by resolution of City Council for such immobilization in addition to any outstanding fines, which fee shall be paid prior to removal unless otherwise ordered in accordance with §15-814.

§576-817. Tampering with Boot Prohibited.

Any person who shall tamper with, remove or attempt to remove any device used to immobilize a motor vehicle that has been booted pursuant to this Part, or who shall move or attempt to move the vehicle booted before release of the vehicle has been officially secured shall be, upon conviction thereof, sentenced to pay a fine of not less than \$500 nor more than \$1,000 plus costs of repairing or replacing said device, together with the cost of prosecution, and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

§576-818. Implementation and Enforcement.

This Part shall be enforced by the Reading Parking Authority whose Executive Director shall have authority for implementing the parking enforcement provisions thereof and to promulgate such rules and regulations as are necessary therefore, which regulations shall become effective upon approval by Council.

§576-819. Right to Hearing Not Waived.

Nothing in this Part shall be construed to deprive any person of the constitutional right to a hearing or trial as to the violations for which citations have been issued.

BILL NO. _____

A N O R D I N A N C E

AN ORDINANCE PROVIDING FOR A TAX OF UP TO A MAXIMUM OF ONE AND THREE TENTHS PERCENT (1.3%) ON ALL EARNED INCOME AND NET PROFITS GENERATED IN THE CITY OF READING BY NON-RESIDENTS OF THE CITY OF READING FOR 2014.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The City of Reading hereby imposes a tax of three tenths of one percent (0.3%) on all earned income and net profits generated by non-residents of the City of Reading within the City of Reading who are subject to payment of earned income and net profits tax to the taxpayer's resident (domicile) taxing authority in the amount of one percent (1.0%).

SECTION 2. The City of Reading hereby imposes a tax of one and three tenths percent (1.3%) on all earned income and net profits generated by non-residents of the City of Reading within the City of Reading who are not subject to payment of earned income and profits tax to the taxpayer's resident (domicile) taxing authority.

SECTION 3. The City of Reading hereby imposes a tax of a certain percentage which when added to the percentage imposed by the taxpayer's resident (domicile) taxing authority equals one and three tenths percent (1.3%) on all earned income and net profits generated by non-residents of the City of Reading within the City of Reading.

SECTION 4. This tax on non-residents is hereby imposed on; (a) all salaries, wages, commissions and other compensation earned on or after January 1, 2014, during the calendar year 2014, by non-residents of the City for work done or services performed or rendered in the City of Reading; (b) the net profits earned on or after January 1, 2014, during the calendar year 2014, of businesses, professions or other activities conducted in the City of Reading by non-residents.

SECTION 5. This tax levied above shall not be shared by the School District, of Reading or otherwise, and non-residents shall continue to be given credit for the amount of earned income tax paid to their home municipal taxing authorities.

SECTION 6. The revenues resulting from the above tax may be used for general revenue purposes.

SECTION 7. This tax shall first be levied, collected and paid beginning on January 1, 2014, and during the calendar year of 2014 under all circumstances whether or not a fiscal year is used by the taxpayer.

SECTION 8. Should any section of this Ordinance be declared invalid for any reason, said declaration shall not have any affect on the remainder of this Ordinance.

SECTION 9. This Ordinance shall become effective January 1, 2014 and shall continue in effect until it may be repealed or modified by ordinance enacted by the City of Reading Council in accordance with the applicable Home Rule Charter provisions.

Enacted on _____ 2013

Francis Acosta
President of Council

Attest:

Linda A. Kelleher
City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

ORDINANCE _____ - 2013

AN ORDINANCE OF THE CITY OF READING AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 496 SOLID WASTE PART 1 DUMPSTER PLACEMENT BY SETTING THE SET OUT TIME AT 5:00 PM

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Code of Ordinances of the City of Reading Chapter 496 – Solid Waste, Part 1 Dumpster Placement is hereby amended as follows:

§ 496-103. Conditions of use.

A. Placement and maintenance of trash receptacles.

(1) Placement. Trash receptacles shall be located in the rear of properties and may not be visible from the public right-of-way area of a property. Trash receptacles shall not be stored within the public right-of-way on commercial, industrial property, or residential property unless it has been determined by the Codes Enforcement Division and Department of Public Works that no other location is available for trash storage and a permit for such storage has been obtained from the City.

(a) Outside view of or public right-of-way. Trash receptacles are permitted to be placed in areas that are not in or visible from the public right-of-way without obtaining a permit from the Codes Enforcement Division.

(b) Generally visible from or in public right-of-way. Trash receptacles may be permanently placed within the public right-of-way when it has been determined by the Code Enforcement Division and Department of Public Works that no other accessible location is available for trash collection and storage and the owner has received the necessary permit. The permit shall be placed on the trash receptacle. The Codes Enforcement Division, in conjunction with the Department of Public Works, shall have the authority to determine feasibility.

(c) Historical districts. No permanent trash receptacles shall be allowed on any public right-of-way or be allowed to be visible from any public right-of-way in any area designated as a historic district in the Code of the City. Where it is preclusive to place a trash receptacle out of view of the public

right-of-way as a result of the design of the structure, the location of placement of the receptacle shall be determined and a permit issued accordingly upon consultation with the Codes Division and Historic Preservation Officer. Issuance of a permit for placement of a container in a historic district with the view of the public right-of-way is subject to Chapter 295, Historic Districts, where appropriate.

(d) In areas under the jurisdiction of the Downtown Improvement District. No permanent trash receptacles shall be installed in any public right-of-way or be visible from any public right-of-way in any area under the jurisdiction of the Downtown Improvement District without review and approval by the Department of Public Works, Historic Preservation Specialist and the Downtown Improvement District Authority pursuant to Chapter 14, Part 5, Reading Downtown Improvement District Authority.

(2) Identification. The owner of the trash receptacles shall place and maintain, on the outside of each container in legible letters not less than one inch in height, the owner's name, address receptacle is servicing (if private) the permit issued by the Codes Enforcement Division for such container, where applicable.

(3) Maintenance. Each trash receptacle shall be covered at all times by a clean, leakproof, proper fitting and functioning lid. All trash receptacles shall not be loaded at any time in such a manner to constitute overloading thereby preventing suitable required covering.

(4) Clearance requirements. Permitted trash receptacles shall not obstruct or otherwise limit or prevent the full and unrestricted use of any public right-of-way. Minimum sidewalk clearances of five feet must be retained at all times.

(5) Set-out requirements. Trash receptacles may be placed temporarily at curbside directly in front of the property being serviced no earlier than ~~8:30~~ **5:00** p.m. the day before and shall be removed from the public right-of-way by 8:00 p.m. the day of scheduled refuse collection.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

Section 4: This Ordinance shall become effective in ten (10) days in accordance with Charter Section 219 after passage.

Enacted _____, 2013

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

ORDINANCE _____ - 2013

AN ORDINANCE OF THE CITY OF READING AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 496 SOLID WASTE PART 2 STORAGE AND COLLECTION BY SETTING THE SET OUT TIME AT 5:00 PM

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Code of Ordinances of the City of Reading Chapter 496 – Solid Waste, Part 2 Storage and Collection is hereby amended as follows:

§ 496-202. Authorization of recycling collection.

A. Contracts for collection; authority. The City shall contract for the curbside collection, removal, transportation and marketing of recyclable materials from single-family dwellings and multifamily dwellings with four or fewer residential units.

B. Private collection responsibility. It shall be the responsibility of the owner/operator of residential, commercial, industrial and institutional properties, and multifamily dwellings, with five or more residential units, to provide, at their own expense, for the storage, collection and disposal of all recyclables from their properties. Such storage, collection and disposal shall be carried out in such a manner as to avoid the creation of a public nuisance. Only a licensed hauler shall collect, transport or dispose of municipal waste, refuse or recyclables.

C. Separation of recyclables. Recyclables shall be kept separate from and marketed or processed separately from municipal solid waste.

(1) Owners and occupants of all residential properties of four or fewer units shall keep separate the following recyclables: clear, brown and green glass containers, all types of plastic bottles, aluminum and tin cans and mixed paper.

(a) Mixed paper shall be placed in easy-to-manage bundles not to exceed 12 inches in height and kept dry. All recyclables except mixed paper may be mixed together and placed in the recycling container provided by the City or any other solid container which, when full, shall not exceed 50 pounds.

(b) All recyclables for collection shall be set out at curbside.

(c) All recycling containers shall be placed curbside directly in front of the eligible entity, no earlier than ~~6:00~~ **5:00** p.m. the day before the scheduled collection and shall be removed from the public right-of-way by daybreak of the day after pickup. Recycling collection begins at 6:30 a.m. Containers must be removed by daybreak of the day after pickup.

§ 496-204. Collection requirements; municipal waste collection fee.

A. The City of Reading is authorized to award a contract for collection, removal, transportation and disposal of municipal solid waste which is generated from single-family residential dwellings and multifamily residential dwellings with four or fewer residential units. Said contract may be for a term not exceeding five years.

(1) Placement of municipal waste. Only such persons participating in the City-contracted solid waste collection system may place their municipal waste at the designated set- out location for collection by said contractor after ~~6:00~~ **5:00** p.m. the day before collection and must remove all containers by daybreak of the day after pickup. Any article found within a municipal waste container or garbage bag, intended to be collected by the City contractor, displaying the name and/or address of another person and/or address, that container or bag shall be presumed to be the property of such persons and shall be cited in accordance with all applicable sections of this Part.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

Section 4: This Ordinance shall become effective in ten (10) days in accordance with Charter Section 219 after passage.

Enacted _____, 2013

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

ORDINANCE _____ - 2013

AN ORDINANCE OF THE CITY OF READING AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 180 CONSTRUCTION CODES PART 12 PROPERTY MAINTENANCE RULES AND REGULATIONS BY SETTING THE SET OUT TIME AT 5:00 PM

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Code of Ordinances of the City of Reading Chapter 180 – Construction Codes, Part 12 Property Maintenance Rules and Regulations is hereby amended as follows:

§ 180-1203. Quality of life (QOL) violations.

- A. QOL.001 Accumulation of rubbish or garbage. All exterior property and the interior of every structure shall be free from any accumulation of waste, trash, rubbish or garbage.
- B. QOL.002 Animal maintenance and waste/feces cleanup. People owning, harboring or keeping an animal within the City of Reading shall not permit any waste matter/feces from the animal to collect and remain on the property so as to cause or create an unhealthy, unsanitary, dangerous or offensive living condition. All waste from animals must be cleaned up on a daily basis.
- C. QOL.003 Disposal of rubbish or garbage/dumping. Improper disposal of rubbish or garbage or dumping or disposing of rubbish or garbage on vacant, unoccupied, or other property.
- D. QOL.004 High weeds, grass or plant growth. All premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches (152.4 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation. Cultivated flowers, gardens, trees and shrubs shall not be included as a violation of this Part.
- E. QOL.005 Littering or scattering rubbish. No person shall throw, dump, place, sweep or dispose of any waste, trash, garbage or rubbish upon any public sidewalk, alley, street, bridge, public passageway, public parking area or on any public property.
- F. QOL.006 Motor vehicles. It shall be unlawful to store, park or place any unregistered, uninspected, inoperative, unlicensed or nuisance motor vehicle on any

premises. No vehicle shall, at any time, be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

G. QOL.007 Operating a food cart illegally. It shall be unlawful to operate any food cart without the proper permits and/or inspections. It shall also be unlawful to operate any food cart while any portion of the cart is inoperable.

H. QOL.008 Operating or vending without the proper permit/license. It shall be unlawful for any person, business, partnership or entity to operate, including but not limited to any business, vending cart, store or establishment without the proper permits.

I. QOL.009 Outside placement of indoor appliances/furniture. It is prohibited to store or place any/all appliances or furniture, including but not limited to ranges, refrigerators, air conditioners, ovens, washers, dryers, microwaves, dishwashers, mattresses, recliners, sofas, interior chairs or interior tables on the exterior of any property for the purpose of sale or any other reason except for the temporary purpose to perform maintenance in said property.

J. QOL.010 Ownership presumption of waste, trash and/or recyclables for illegal dumping and illegal hauling. It shall be the responsibility of every owner and/or occupant to dispose of their waste, trash or recyclables in a proper manner. Any business or person who is unable to show proof that they have legally disposed of any waste, trash or recyclables will be in violation of this Part. Should any person or business use an unlicensed hauler to dispose of their waste, trash or recyclables, said person or business shall be in violation of this Part. Upon request of the Property Maintenance/Codes Administrator or his/her designee, any owner or occupant must show proof of their appropriate trash and/or recyclable hauler. Any parts found within a municipal waste container, recycling container, garbage bag or loose trash/waste displaying the name and/or address of a person and/or persons, that trash or waste shall be presumed to be the property of such person and/or persons. It shall be unlawful for any person, business, partnership or entity to remove or haul waste, trash or recyclables without the proper approval or license. Any waste, trash or recyclables found not to be disposed of in accordance with this Part, will be a violation of this Part.

K. QOL.011 Placement or littering by private advertising matter. No person shall throw, place, sweep or dispose of litter or private advertising matter upon any public sidewalk, alley, street, bridge, public passageway, public parking area or any public property. No person, group, organization or entity will hang, place or advertise on any

public property in any manner. No person, group, organization or entity will hang, place or advertise on any property that they do not have any ownership rights without written approval of said owner.

L. QOL.012 Snow and ice removal from sidewalks. Every owner, tenant, occupant, lessee, property agent or any other person who is responsible for any property within the City of Reading is required to remove any snow or ice from their sidewalk. Any property located along Penn Street, Washington Street and/or Court Street or along Second Street, Third Street, Fourth Street, Fifth Street, Sixth Street, Seventh Street, Eighth Street and Ninth Street, between Penn Street and Washington Street, shall have all snow or ice removed within two hours of the cessation of said snow and ice falling. Furthermore, the entire sidewalk must be free of all snow and ice in these areas. Any other property within the City of Reading shall have all snow and ice removed within four hours of the cessation of said snow and ice falling and must create a path, free from any snow or ice, of three feet on said sidewalk. Should any property be a place of business within the City of Reading, all snow and ice must be removed within ~~two~~ **four** hours of the cessation of said snow and ice falling. For any property deemed a business, the entire sidewalk must be free from any snow and ice. If/when the snow and/or ice cessation happens during the hours of darkness, the time limit of removal of all snow and ice begins at daybreak.

M. QOL.013 Storage containers for waste or trash. The owner of every premises shall supply approved containers for waste or trash as well as be responsible for the removal of rubbish. All containers that store waste or trash shall be durable, watertight and made of metal or plastic. Containers must have tight-fitting covers and must be kept clean and odor free at all times. All containers must be stored in the rear of every property so said containers are not visible from the public right-of-way. Waste or trash containers may only be placed in front of any property ~~when darkness occurs~~ **after 5:00 pm** the night before the day of the scheduled pickup day. Once the licensed hauler removes the waste or trash from any property, all containers must be returned to the rear of any property before daybreak on the day following pickup. (Example: Jim Smith's trash collection day is Wednesday. Jim Smith may place his trash containers out front of his property on Tuesday night, ~~once night falls~~ **after 5:00 pm**. Jim Smith must place his trash containers in the rear of his yard before daybreak on Thursday morning.)

N. QOL.014 Storing or discarding of appliances. Refrigerators and similar equipment, including but not limited to washers, dryers, dishwashers and ranges not in operation, shall not be discarded, stored or abandoned on any premises without first removing the doors.

O. QOL.015 Storing of hazardous material. It shall be unlawful for any person, business or entity to store combustible, flammable, explosive or other hazardous materials, including but not limited to paints, volatile oils and cleaning fluids or combustible rubbish, including but not limited to wastepaper, boxes or rags unless the storage of said materials is stored in compliance with the applicable Building Codes.

P. QOL.016 Storing of recyclables. It shall be the responsibility of the owner of all residential, commercial and industrial property to ensure storage, collection and disposal of all recyclables from their property in such a manner not to create a public nuisance. Storage of recyclables is only allowed in approved containers which must be kept clean and sanitary at all times.

Q. QOL.017 Storing or serving of potentially hazardous food. No person, business, partnership or entity shall store or serve potentially hazardous food, including but not limited to out-of-date food, food being stored above or below the appropriate temperature, food being stored directly on a flooring surface, infestation problems at the location or serving food that had previously been open are considered a violation of this Part.

R. QOL.018 Swimming pools. Swimming pools shall be maintained in good repair at all times. They shall also be kept clean, safe, covered and sanitary as well.

S. QOL.019 Violating the terms of any vending license. It shall be unlawful to violate any term, part, portion or in total, any vending license. Any person, business, partnership or entity violating their vending license shall be in violation of this Part.

T. QOL.020 Historic District violation. It shall be the responsibility of the owner of a property located in a Historic District, so designated by City ordinance, to obtain a certificate of appropriateness from the Preservation Officer or the Historic Architecture Review Board before making any alteration, including paint, to the exterior of a structure visible from a public right-of-way. Failure to produce a bona fide certificate of appropriateness upon request by a Codes official shall constitute a violation of this Part.

U. QOL.021 Visible Satellite Dish in Historic District. It shall be the responsibility of the owner of a property located in a Historic District, so designated by City ordinance, to obtain a certificate of appropriateness from the Preservation Officer or the Historic Architecture Review Board before installing or retaining any satellite dish visible from a public right- of-way.

V. QOL.022 Registered trash hauler required. It shall be the responsibility of the owner of every property to register a licensed trash hauler with the City.

W. QOL.023 Temporary dumpster permit required. Each temporary dumpster, whether placed on private property or in a public right-of-way, shall display a valid permit issued by the City of Reading.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

Section 4: This Ordinance shall become effective in ten (10) days in accordance with Charter Section 219 after passage.

Enacted _____, 2013

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

ORDINANCE _____ - 2013

**AN ORDINANCE OF THE CITY OF READING AMENDING THE CODE OF
ORDINANCES CHAPTER 251 FOOD CODE PART 9 ADMINISTRATION SECTION
0901.03 PERMIT/LICENSE BY REMOVING REFERENCES TO SMALL
PROCESSING AND LARGE PROCESSING**

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Code of Ordinances of the City of Reading Chapter 251 Food Code Part 9 Administration Section 0901.03 Permit/license is hereby amended by removing references to small processing and large processing in 251-0901.03 A (1).

§ 251-0903.03 Permit/license.

A. Required [Amended 5-10-2010 by Ord. No. 25-2010]

(1) No person shall operate a restaurant or facility as set forth below in the City of Reading without a valid, non-suspended/unrevoked permit from the Health Officer and a food employee certification from the Department of Agriculture. New establishments will have 90 days to comply with said requirement; existing establishments which are not in compliance due to lack of current certification, employee turnover or other loss of certified person shall have 90 days from the effective date of this section or the date of loss to comply. The facilities and restaurants governed by and required to comply with this Part include obtaining of a permit from the City of Reading Health Officer prior to and to continue operation thereof as well as obtaining a food employee certification include, but are not limited to:

Small restaurant

Large restaurant

Itinerant restaurant

Ancillary restaurant

Small grocery

Large grocery

Supermarket

One-item wholesale
Multi-item wholesale
~~Small processing~~
~~Large processing~~
Vending machine (enclosed)
Vending machine (public right-of-way)
Mobile vending unit
Catering/commissary
Bakery
Delicatessen

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held for any reason to be invalid such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4: This Ordinance shall become effective in ten (10) days in accordance with Charter Section 219 after passage.

Enacted _____, 2013

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

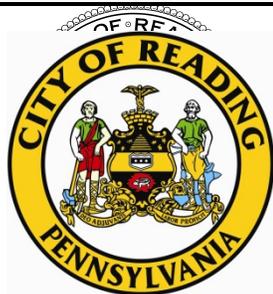
Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____



AGENDA MEMO

OFFICE OF THE MANAGING DIRECTOR

TO: City Council
FROM: David Kersley, Business Analyst
PREPARED BY: David Kersley, Business Analyst
MEETING DATE: November 25, 2013
AGENDA MEMO DATE: November 20, 2013
RECOMMENDED ACTION: Street Cuts Ordinance

RECOMMENDATION

The Public Works Streets Division, in collaboration the Law Department, the Business Analyst, the City Clerk, is proposing modifications to the City's Street Cut Permits Ordinance (§508, Part 7).

BACKGROUND

Utilities are increasing street cutting activity throughout the City. In recent months, we have seen a significant increase in street cut permits issued by UGI. Street cuts significantly and adversely impact the integrity of street surfaces. This ordinance establishes several policies to help control, regulate and mitigate damage from, street cuts. These include the following: 1) Requires utilities to pay the City to permanently restore cuts made in streets that have been paved within 10 years; 2) Establishes a two-week application period for a street cut permit; 3) Adopts specific industry standards for back-filling methods and materials; 4) Provides for an inspection of back-filling methods; 5) Establishes an inspection fee for each street cut; 6) Requires a surety bond against which the City may make a claim in a street cut restoration fails within two years; 7) Requires utilities working in intersections to bring curb ramps up to ADA and Penn DOT standards; 8) Establishes communication protocols related to emergency street cuts made to repair a failed underground utility; and 9) Provides for monetary fines for violating the Ordinance.

BUDGETARY IMPACT

The establishment of the inspection fee is expected to generate approximately \$70,000 per year in revenue, which is offset in the 2014 budget by the salary and benefits for an inspector.

PREVIOUS ACTION

Bill No. 53-2013, adopted by Council on October 28, also amended §508, Part 7. This legislation, among other things, established a restoration fee surcharge for street cut permits issued for streets paved within the past 10 years.

SUBSEQUENT ACTION

Formal action by Council is required to authorize these changes.

RECOMMENDED BY

Public Works, Law, Business Analyst and Council Staff.

RECOMMENDED MOTION

Motion to approve this Ordinance

cc: File

BILL NO. _____ - 2013

AN ORDINANCE OF THE CITY OF READING AMENDING THE CITY OF READING CODIFIED ORDINANCES, CHAPTER 508 STREET CUTS BY ADDING AN INSPECTION FEE, MODIFYING THE RE-PAVEMENT REQUIREMENTS, MODIFYING THE PERMIT AND APPLICATION REQUIREMENTS AND MAKING OTHER CLARIFICATIONS.

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the City of Reading Codified Ordinances, Chapter 508 Street Cuts by adding an inspection fee, modifying the re-pavement requirements, modifying the permit and application requirements and making other clarifications, as attached in Exhibit A:

SECTION 2. All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended by this Ordinance shall remain in full force and effect.

SECTION 3. If any section, subsection, sentence or clause of this Ordinance is held for any reason to be invalid, such decisions shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4. This Ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, in accordance with Section 219 of the City of Reading Home Rule Charter.

ENACTED: _____, 2013

President of Council

Attest: _____

City Clerk

(Bus Analyst Work Group)

Submitted to the Mayor: _____

Date: _____, 2013

Received by the Mayor's Office: _____

Date: _____, 2013

Approved by the Mayor: _____

Date: _____, 2013

Vetoed by the Mayor: _____

Date: _____, 2013

EXHIBIT A

§ 508-701

STREETS AND SIDEWALKS

§ 508-706

Part 7

Street Cut Permits

§ 508-701. Purpose.²⁰

No person, firm or corporation shall break the pavement or surface of any legally open street, between the curblines thereof, until a Street Cut Permit (Permit) is obtained from the Department of Public Works. It shall be the responsibility of the person receiving the Permit (the Permittee) to promptly restore the permitted street cut and any other affected facility in proper order and repair in accordance with this ordinance and associated guidance documents. When the street cut involves the use of a utility the Permittee shall be the owner of the utility or the owner's legal agent.

§ 508-702. Application.

Applications for a Permit to break the pavement or surface of any legally open streets shall be submitted on the form provided by the Department of Public Works, shall include all information and applicable fees, and shall be signed by the applicant. The application information and fees shall include the following:

- A. **Permit Fee.** Each application shall be accompanied by a permit fee as provided in Chapter 212, Fees.

- B. **Inspection Fee.** An inspection fee will be assessed for each separate street cut as provided in Chapter 212, Fees.
- C. **Pavement Restoration Fee.** The Permittee shall pay a permanent pavement restoration fee for those cuts where the permanent pavement restoration is provided by the City of Reading, in accordance with Chapter 212, Fees, unless otherwise stipulated. Refer to Section 508-706 Pavement cuts on recently paved streets for additional charges that may apply to recently paved streets. Permittee's who prefer to have their contractor perform the permanent pavement restoration work must have completed a Letter of Agreement with the City to that effect and will not be assessed the permanent pavement restoration fee.
- D. **Detailed Plan of the work.** A scale plan shall accompany the application showing the extent and nature of the planned work at each street cut location within the Right-of-Way. The Permittee shall include all other important details on the plan that the Permittee is aware of and other information as required by this section and as directed by the City Engineer or his/her designee (City Engineer).
- E. **Letter of Agreement.** A properly executed Letter of Agreement will be required for all Permits with the exception of a single Permit application for one street cut by a non-utility applicant.
- F. **Bond.** Each street cut will require a bond or other acceptable form of surety before a Permit is issued. The bond shall be signed by the applicant in the amount as specified in Chapter 212, Fees. The bond shall accompany the Permit application and shall remain in effect for a period of two years from the date of the acceptance of the final pavement restoration. Public utility companies shall provide a bond as specified in Chapter 212, Fees that will warrant all street cut work performed in that calendar year. Bonds for utility companies shall be renewable on an annual basis. If the condition is such that the Permittee fails to comply with this ordinance by not promptly completing the permitted work, including trench restorations and restoration of other affected facilities or fails to maintain such restorations in proper order and repair following construction, the City Engineer shall have cause to remedy that condition by calling on the Permittee's bonding company to perform the work necessary to restore the street and other affected facilities to proper order.
- G. **Additional fees and information.** The size and type of street cut(s) may require payment of additional fees and submission of additional information as prescribed in this ordinance.

All fees, plan information, bonding, application and Letter of Agreement must be provided and approved before the City will issue a Permit. Permits are issued subject to all other applicable ordinances of the City of Reading, and all applicable state and federal laws.

§ 508-703. Rejection of application

Street Cut Permits shall not be issued to any person, firm or corporation indebted to the City due to a previously issued permit.

The City Engineer may deny or delay issuance of a Permit if existing or anticipated conditions for the use of the street indicate that the street cut work will interfere with the safety and judicious use of the street and the Right-of-Way.

§ 508-704. Permit issuance and schedule for construction of street cuts

Permit applications shall be submitted a minimum of two weeks prior to the start of the proposed street cut work. The Permittee shall notify the City at least three days in advance of breaking the street. Each Permit shall be valid for a period of six months. If deemed necessary, Permit time extensions may be granted as specified in Section 508-709 Other related permits and fees.

§ 508-705. Charged surface

In computing the surface area of the permanent pavement restoration surface to be charged, twelve inches shall be added to all sides of the proposed cut. If the Permittee or City inspector determines that the Permittee removed, disturbed or damaged a pavement area greater than what is stated on the Permit, the Permittee shall pay a proportionate amount to be fixed by the Department of Public Works.

§ 508-706. Pavement cuts on recently paved streets

Final pavement restorations for street cuts on recently paved streets will be provided by the City, and are subject to additional charges to recover the premature degradation caused by the work. The restoration fee for pavement cuts on streets paved more than 10 years before the date of the application shall be calculated at the permanent pavement restoration rate specified in Chapter 212, Fees. The restoration fee for pavement cuts on streets paved within ten years from the date of the application shall be issued based on the following additional fees; 100% additional for the current year through the fifth year; and 80% additional for years six through ten.

§ 508-707. Special site conditions

Where, in the opinion of the City Engineer and at his/her sole discretion, site conditions are determined to involve construction work beyond that required for a small single utility service connection, the Permittee shall provide additional information, and may be required to perform additional work and pay additional fees. Where additional work is required to restore the pavement and other features within the Rights-of-Way, those terms shall be included in the Letter of Agreement before issuance of the Permit.

Special site conditions include, but are not limited to, permanent restoration of the street surface by the applicant, permanent restoration of the street beyond the area of the trench cut opening, construction of features within the Rights-of-Way other than trench restoration, and other special site construction work determined during the application. Examples of special site conditions are described below:

- A. **Large cuts.** Additional restoration of the pavement wearing surface will be required for cuts larger than those made for small single utility service connections. Large street cuts include, but are not limited to, the following conditions:
1. Where two or more transverse or longitudinal cuts are made within a 100 foot long section of street. (Transverse cuts are typically made for laterals that run across the street, and longitudinal cuts are typically made for mains running with the street.)
 2. Where a single longitudinal cut exceeds 100 feet.

The additional restoration for these cuts shall comply with the City's drawing and specifications for Large Street Cut Restoration which shall include milling and overlaying of the wearing surface of the entire travel lane(s) between the curb and the street centerline within the area bounded by the cut(s).

- B. **Curb ramps.** For conditions where the Permittee proposes a street cut within a street intersection, or along or through a pedestrian walkway within the City's Rights-of-Way and where the existing curb ramps at that intersection do not meet the current requirements of the Americans with Disabilities Act (ADA), the Permittee will be required to install ADA compliant curb ramps at all corners within that intersection. The area within a street intersection is the area delineated by the curb radii and the lines drawn across the streets that connect the termini of the curb radii, or the lines drawn parallel to the outside edge of the pedestrian walkways, whichever generates the larger area. This condition also applies where the work will disturb any street corner beyond the curbline. For street cuts proposed under these conditions the Permittee will be required to construct, or reconstruct curb ramps at each and every corner of the intersection or alley to meet the current ADA and Penn DOT requirements. To facilitate the proper construction of the ramps, the Permittee shall include with their Permit application the following additional provisions:

1. An existing conditions survey that includes all of the curb ramps within the intersection, alley or other accessible route where the cut is proposed to determine compliance and/or non-compliance with ADA.
2. Curb ramp designs for construction of each new and non-compliant curb ramp. The curb ramp designs must comply with the most current applicable Penn DOT standard for curb ramps. The existing condition survey and the ramp designs must be sealed by a qualified engineer or surveyor registered in the Commonwealth of Pennsylvania.
3. An amendment to the Letter of Agreement that states that the Permittee will construct or replace curb ramps within the intersection or alley that does not currently meet ADA and Penn DOT requirements.
4. A bond, letter of credit or other form of appropriate surety that includes an amount equal to cost to construct the ramps per the approved design. The form of surety other than a bond must be approved by the City Solicitor. The amount of the surety must be approved by the City Engineer.

Ramp designs will be reviewed by the City Engineer for approval prior to issuance of the Permit. For projects that involve state and/or federal funding, additional Penn DOT approval shall be required.

Following construction of the curb ramps, The Permittee shall submit to Public Works completed as-built (record) drawings of the work indicating that the ramps were properly inspected and were found to comply with the approved design.

§ 508-708. Inspection.²²

If the City of Reading determines that the permitted work is of sufficient magnitude or importance to warrant additional inspection beyond routine spot-inspection or due to noncompliance with the Permit conditions, the Permittee shall be charged for all expenses incurred by the City of Reading for the additional inspection(s).

§ 508-709. Other related permits and fees.

A separate Permit shall be issued for each individual street cut. In addition to the streets cut previously described, Street Cut Permits will be issued for the following:

A. **Bore holes.** Bore holes are small auger drilled excavations, up to 8 inches in diameter and no deeper than 18", made in the pavement section for the purpose of investigating pavement conditions, or to open the pavement for investigations below the pavement section. Bore holes made below the pavement section must utilize non-destructive excavation methods. Non-destructive excavation shall be limited to methods that use pressurized air and vacuum systems to excavate borings, up to 4 square feet in area, for visual examination of underground utilities and other subsurface conditions. Non-destructive methods other than air-vacuum systems must be approved in writing by the City Engineer prior to issuance of the Permit. Bore holes are street cuts and a bore hole fee will be charged for each bore hole made, as specified in Chapter 212, Fees. A Permit will be required for each bore hole grouping. The Permittee shall restore the bore holes in the same manner as a standard street cut. The work shall be completed within 30 days of boring. If the applicant does not restore the bore holes within that time period, the City of Reading reserves the right to take any steps deemed necessary to repair the street and the associated costs shall then be paid by the Permittee.

B. **Emergency cuts.** Emergency street cuts and excavation required to access leaking utility mains or other installations that pose a potential hazard, or bore holes required to search out threatening conditions, may be made in advance of a Permit at the discretion of the utility company conducting the investigation and repairs. Upon commencing an emergency cut, the City's Police Department shall be notified immediately at (610) 655-6111, as well as other potentially affected utilities and the PA One Call System. An authorized representative of the responsible party(ies) shall notify the Department of Public Works the next business day, and a proper Permit application accompanied by appropriate fees and other required documents shall be submitted to the City within seven business days of the commencement of the work.²³

C. **Ahead of Paving Permit.** Applicants proposing street cuts at locations that are scheduled for street improvements by the City of Reading will be charged at the Ahead of Paving Permit fee rate as specified in Chapter 212, Fees. A detailed construction plan must accompany each application for an Ahead of Paving Permit. Excavation, backfilling and temporary street cut

restoration will be performed by the Permittee at his/her cost and in accordance with the schedule as directed by the City Engineer.

- D. **Time extension.** For conditions where the permitted work may not be completed, or has not been completed, on or before the Permit expiration date, the City Engineer may, if he/she deems it advisable, take steps to backfill the trench and replace a permanent pavement over the opening. If an extension of time beyond the Permit expiration date is necessary for the Permittee to complete the work, then a written application must be submitted and signed by the Permittee at least two weeks prior to the expiration date. Permit time extensions will only be granted upon the timely submission of the Permit extension application and the payment of the time extension fee, as specified in Chapter 212, Fees.

§ 508-710. Construction Standards

- A. **Plan and subsurface drawings and record drawings.** All applicants shall include with their application scale drawings that clearly and accurately shows the location of the proposed work with respect to existing facilities within the vicinity of the proposed work that will be, or could be, affected by the work. The scope of the drawings shall include as a minimum: all adjacent underground utilities, curb lines, sidewalks, traffic control loops, and similar features in both plan and cross section view. Upon completion of work, the Permittee shall furnish to the City Engineer record drawing(s) that indicates the as-constructed location, size and type of utility or feature installed or altered and its location with reference to the street surface and the adjacent curb lines. The standard of accuracy for the drawings shall be:
1. For standard single utility service connections: the same as those submitted for Final Plan under Chapter 515 Subdivision and Land Development Ordinance.
 2. For large street cuts and cuts required for work other than a single service connection: as specified on the City of Reading's Street Cut Restoration drawing.

B. **Excavation notice.** Pennsylvania law (Act No. 187, as amended)²⁴ requires those who intend to excavate or demolish to file certain notices (PA One Call) before commencing work. Applicants for Permits to break the pavement or surface of any legally open street shall comply with all the requirements of this Act and the City of Reading permits issued where this obligation has not been met shall be deemed null and void.

The Permittee shall deliver a construction schedule in writing to the City indicating the date which the street cut will begin, the estimated date when the restoration of the trench will begin, and any other milestones that may be critical to the inspection of the work.

C. **Pavement edges.** The paved surface shall be cut to a neat edge using an asphalt/concrete saw or jackhammer. The Permittee shall take the necessary precautions to protect the neat edge, and is responsible to restore any edges that become broken.

D. **Barricades, trench covers and lighting.** All street openings shall be properly barricaded and protected by the Permittee. Excavations shall not be left open at the end of the work shift or when left unattended. Permittees are responsible for the protection of the public within the construction areas and all work zones shall be marked in accordance with PennDOT's work zone traffic control regulations until the permitted street cut is restored and approved. Nothing contained in this Part or other legislation of the City of Reading shall release the person or persons opening the street from any liability associated with claims for injury or damage resulting therefrom.

E. **Backfilling.** Materials excavated in conjunction with street cuts should be promptly hauled away and shall be removed before nightfall. The Permittee shall arrange for the immediate repair of the affected utility and backfill the trench without delay. Backfill material shall consist of crushed stone placed and properly compacted in accordance with the details and specifications issued by the City Engineer.

F. **Paving restoration.** Immediately following backfilling and compaction, the Permittee shall apply a temporary pavement restoration in accordance with the City of Reading's Street Cut Restoration drawing and specifications. For those permits where the Permittee performs the permanent pavement restoration, this work shall be completed not less than 3 months or more than 6 months following the temporary pavement restoration. The surface material shall be compacted with a gravity roller or vibrating compactor subject to the approval of the City Engineer. The Permittee shall maintain the restoration by re-excavating and/or applying additional surface material in order to provide a smooth-riding surface for a period of one year after restoration, or where applicable, until the City provides a permanent surface repair. Repairs shall be made by the Permittee within 24 hours' notice by the City. The Permittee is responsible for the continual protection and maintenance of the cut whether or not he/she is notified by the City to perform additional work.

G. **Notices to begin and end work.** The Department of Public Works shall be notified at least three work days prior to the start of the pavement cut, and shall be notified at least three work days prior to when the trench is to be backfilled and the restoration completed.²⁵

Work to conform to the City of Reading standards. The work shall be done at such time and in such manner as shall be consistent with the safety of the public and shall conform to all requirements and standards of the City of Reading. If the City of Reading discovers that the work has been discontinued or has not been properly performed, the Permittee, upon being notified thereof in writing by the City of Reading, shall immediately take all necessary steps, at Permittee's own expense, to place the work in such condition, as to conform to the City's requirements or standards. If a dispute arises between the Permittee and the City of Reading's inspector, the City of Reading's inspector shall have the authority to suspend work until the matter can be referred to the City Engineer for resolution.

§ 508-711. Violations and penalties.

Any person, firm or corporation who breaks or cuts in any manner the surface of any street of the City without first having obtained the proper permit and paid the application fee and charges hereinbefore set forth, including any time extension fee, or violates any of the other provisions of this section shall, upon conviction before Magisterial District Judge, be sentenced to pay a fine not exceeding \$300 for each offense, plus costs; and in default of the payment of such fine and costs, said person and/or the responsible agents or officers of firms or corporations, violating the provisions of this section, shall be imprisoned in the Berks County Prison for a period not exceeding 90 days.

