



CITY COUNCIL

Meeting Agenda

REGULAR MEETING
COUNCIL CHAMBERS

MONDAY, JULY 11, 2016
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 "Live and Archived Meeting Videos". 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.

RULES FOR PUBLIC PARTICIPATION AT COUNCIL MEETINGS

The Administrative Code, Section § 5-209 defines public participation at Council meetings.

1. Citizens attending Council meetings are expected to conduct themselves in a responsible and respectful manner that does not disrupt the meeting.
2. Those wishing to have conversations should do so in the hall outside Council Chambers in a low speaking voice.
3. Public comment will occur only during the Public Comment period listed on the agenda at the podium and must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Clapping, calling out, and/or cheering when a speaker finishes his comments is not permitted.
4. Citizens may not approach the Council tables at any time during the meeting.
5. Any person making threats of any type, 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, removed from Council Chambers and/or cited.
6. Failure to abide by these regulations could result in your removal from Council Chambers and/or a citation. These regulations are meant to avoid disruptions at the meeting and they are not meant to interfere with public participation.

1. OPENING MATTERS

A. CALL TO ORDER

B. INVOCATION: Doug Didyoung, St. Mark's Lutheran Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

The purpose of the Executive Session on Monday, July 11th was related to _____ matters.

2. PROCLAMATIONS AND PRESENTATIONS

None

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 or by legibly printing their name, address and the subject matter to be discussed on a sign-up sheet found on the podium in Council Chambers between 5 pm and 7 pm on the day of the scheduled 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, including applause or cheering, 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 June 27, 2016

B. AGENDA: Regular Meeting of July 11, 2016

5. Consent Agenda Legislation

None

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

Environmental Advisory Council – Cathy Curran-Myers, Chair

9. ORDINANCES FOR FINAL PASSAGE

Pending additional information required

Bill No. 2016 – creating the Reading Regional Water Authority *Introduced at the May 23 regular meeting*

Ordinance – amending the City of Reading Code of Ordinances, Chapter 600 Zoning, Section 600-2111 Telecommunications Facility Exemptions *Introduced at the June 27 regular meeting; Advertised on June 28, July 18 and 25; Public Hearing scheduled August 1*

None

10. INTRODUCTION OF NEW ORDINANCES

A. Ordinance - authorizing Berks EIT, as the City's tax collector, to engage one or more third-party collection agencies to pursue and collect delinquent Tax and apply a fee for the use of a third-party collection agency provided that the fee does not exceed twenty-five percent (25%) of the amount of Tax collected from any such Taxpayer

11. RESOLUTIONS

None

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS / COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, July 11

Committee of the Whole – Penn Room – 5 pm

Regular Meeting – Council Chambers – 7 pm

Monday, July 18

Nominations & Appointments Committee – Council Office – 4 pm

Standards of Living Committee – Council Office – 5 pm

Finance, Audit and Budget Committee – Council Office – 5 pm

Monday, July 25

Committee of the Whole – Penn Room – 5 pm

Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Monday, July 11

Shade Tree Commission – Public Works Building – 6 pm

Tuesday, July 12

Water Authority workshop – Water Authority Office – 4:30 pm

Wednesday, July 13

Zoning Hearing Board – Council Chambers – 5:30 pm
Center City Community Organization – Holy Cross Church – 6 pm

Thursday, July 14

Police Pension Board – 3rd floor conference room – 9:30 am
Outlet Area Neighborhood Assn – St. Mark’s Lutheran Church – 6:30 pm

Friday, July 15

Fire Pension Board – Penn Room – 10 am

Monday, July 18

Library Board – 113 S 4th St – 4:30 pm

Tuesday, July 19

Fire Civil Service Board – Fire Training Center – 3 pm
HARB – Penn Room – 6:30 pm
Charter Board – Council Chambers – 7 pm

Wednesday, July 20

Officers & Employees Pension Board – Penn Room – 1:30 pm
Redevelopment Authority – Redevelopment Authority office – 3 pm

Thursday, July 21

Diversity Board – Penn Room – 3 pm
Blighted Property Review Committee – Council Chambers – 6 pm

Monday, July 25

DID Authority – 645 Penn St 5th floor – noon
District 7 Crime Watch – Holy Spirit Church – 7 pm

City of Reading City Council
Regular Meeting
June 27, 2016

Council President Waltman called the meeting to order.

The invocation was given by Councilor Chris Daubert.

All present pledged to the flag.

ATTENDANCE

Council President Waltman

Councilor Daubert, District 1

Councilor Goodman-Hinnershitz, District 2

Councilor Marmarou, District 4

Councilor Reed, District 5

Councilor Slifko, District 6

City Auditor D. Cituk

City Solicitor C. Younger

City Clerk L. Kelleher

Managing Director G. Steckman

Mayor W. Scott

Council President Waltman stated that Councilor Twyman is excused due to a scheduling conflict.

The executive sessions that occurred at the Committee of the Whole meeting pertained to personnel and litigation.

PROCLAMATIONS AND PRESENTATIONS

- Commendation recognizing the 75th Anniversary of the John P. Feeney Funeral Home, accepted by Michael Feeney
- Commendation celebrating the Penn Street Framer's Market, accepted by Lucine Sihelnik

PUBLIC COMMENT

Council President Waltman stated that there are two (2) citizens registered to address Council; one on agenda matters and one on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the meeting. As no one objected the rule was suspended.

Councilor Daubert read the public speaking rules that were adopted by Council.

Evelyn Morrison, of Rose Street, stated that the public comment period for the annual CDBG Block Grant is upcoming. She expressed hope that members of the public would take advantage of the public comment period and provide the City with their thoughts. She noted the importance of citizen input and participation in government. She described her long term study of Reading and noted her recent problem getting Right to Know applications processed. She expressed her desire to review the RAWA external audit and she noted the potential for conflict as the City and RAWA use the same external auditing firm.

Carlos Zayas, of South 11th Street, noted the need to upgrade the banners and signage downtown. He stated that he has no position on the existence of RAWA or the proposed new authority. However, he expressed concern with the recent appointment of an employee to RAWA, from a business sense, not a personal sense. He expressed concern that the water asset remain a public asset and not a private asset. He suggested that Council and the Solicitor review relevant case law from other municipalities. He stated that elected officials are required to do their homework before they appoint people to various positions.

APPROVAL OF THE AGENDA & MINUTES

Council President Waltman called Council's attention to the agenda for this meeting and the minutes from the June 27th Regular Meeting of Council. He noted the need to amend the agenda to include appointment resolutions to make three (3) promotions within the Police Department to the Consent Agenda and to add an ordinance for introduction amending the zoning ordinance. No one objected to the amendment of the agenda.

Councilor Daubert moved, seconded by Councilor Reed, to approve the minutes from the June 13th Regular Meeting of Council and the agenda, as amended, including the legislation listed under the Consent Agenda heading. The motion was approved unanimously.

Consent Agenda

A. Resolution No. 53-2016 – authorizing the promotion of Lt. Kelly Kerr to the rank of Captain

B. Resolution No. 54-2016 – authorizing the promotion of Sgt. Brian Rogers to the rank of Sergeant

C. Resolution No. 55-2016 – authorizing the promotion of Sgt. Matthew Shappell to the rank of Sergeant

ADMINISTRATIVE REPORT

The mayor explained that he met with Make the Road PA representatives and their legal counsel today about their proposal for a local municipal ID program. He stated that he described the flaws in the proposed ordinance and the proposed program. He also noted the new problems with the municipal ID program the New York City, where people have begun counterfeiting the municipal

ID cards. He read the press statement issued from the Mayor and City Council and announced that the consideration of the Make the Road municipal ID program has ended.

Councilor Marmarou noted the availability of State IDs through PennDOT located on Lancaster Avenue, accessible via public transportation.

Councilor Reed noted the extensive research provided by the City Clerk's office and the legal opinion from the Solicitor. She expressed the belief that there is a better path to obtaining a legal ID. She suggested that Make the Road PA approach the State and Federal officials, as this program is not in the purview of local government.

Councilor Daubert stated that he is sympathetic to the issue; however, he expressed the belief that the immigration problem is one that must be addressed by the State and Federal governments, not local municipalities.

Councilor Slifko stated that originally he thought a municipal ID program could exist; however, a closer study of the proposed program shows that the underlying problems experienced by immigrants are problems that need to be addressed by the State and Federal governments. He noted that all local elected officials are sworn to protect and obey local, state and federal laws.

Councilor Goodman-Hinnershitz expressed that the municipal ID highlights a changing population. She stated that handling immigration issues is a natural role for the federal government. She commended the group for proposing the program locally but she expressed the belief that the issue can be more properly addressed by the Federal government. She stated that the proposed program did not meet legal muster. She noted that the program was not widely accepted nationally and she expressed the belief that immigrants should follow the State ID process or work to become naturalized.

Council President Waltman noted that various issues with National and State law often become problems for local government. He gave some examples such as pension and health care. He stated that while he is sympathetic to the issues presented, it is best to use available solutions identified in the State and Federal government systems.

The mayor noted the variety of problems with the local ID program in municipalities that have adopted the program.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting, in summary:

- 2012-16 Admissions Tax
- Update on the 2015 external audit which will be in draft form shortly

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

None.

ORDINANCES FOR FINAL PASSAGE

Pending additional information required

Bill No. 2016 – creating the Reading Regional Water Authority *Introduced at the May 23 regular meeting*

None.

INTRODUCTION OF NEW ORDINANCES

Councilor Goodman-Hinnershitz read the following ordinance into the record:

Bill No. 2016 – amending the City Zoning Ordinance Section 600-2111 exempting PUC regulated corporations

RESOLUTIONS

A. Resolution 56- 2016– reappointing Michael Leifer to the Fire Civil Service Board

Councilor Marmarou moved, seconded by Councilor Slifko, to adopt Resolution No. 56-2016.

Councilors Marmarou noted the skills and qualifications this candidate will bring to the Fire Civil Service Board.

Resolution No. 56-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Waltman, President - 6

Nays: None - 0

B. Resolution No. 57-2016 – approving the Conditional Use permit at 436 S 18th St., to allow the conversion of one commercial unit to a residential rental unit, creating two residential rental units at the property with conditions

Councilor Goodman-Hinnershitz moved, seconded by Councilor Slifko, to adopt Resolution No. 57-2016.

Councilor Slifko explained that this decision to allow the conversion of a commercial unit to a rental unit is more compliant with the neighborhood and the zoning district.

Councilor Goodman-Hinnershitz stated that this conversion does not add intensity or hardships to the neighborhood. She recognized the existing parking stress in the neighborhood caused in part by the limited parking on Cotton Street.

Resolution No. 57-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Waltman, President - 6

Nays: None - 0

C. Resolution No. 58-2016 – approving the Conditional Use permit at 800 N 5th St., to allow the conversion of one commercial unit to a residential rental unit, creating five residential rental units at the property with conditions

Councilor Goodman-Hinnershitz moved, seconded by Councilor Slifko, to adopt Resolution No. 58-2016.

Councilor Slifko explained that this decision to allow the conversion of a commercial unit to a rental unit is more compliant with the neighborhood and the zoning district. He noted that two additional off-street parking spaces will be created which will help reduce the existing parking stress.

Councilor Daubert agreed with Councilor Slifko's statement.

Resolution No. 58-2016 was adopted by the following vote:

Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Waltman, President - 6

Nays: None - 0

COUNCIL COMMENT

Councilor Daubert described the upcoming downtown concert series that will bring various musical genres into the City.

Councilor Goodman-Hinnershitz noted the benefit from all events within our urban setting. She also described the upcoming visit of Reutlingen officials to Reading on July 4-6.

Councilor Marmarou noted the wealth of out-of-town visitors at the Pagoda each weekend. He encouraged Berks County residents to visit this landmark.

Councilor Slifko commended Steve Harrity and the Cleaner City program for their city-wide work that coordinates with various volunteer groups.

Councilor Reed congratulated Centre Park on another great Garden Tour. She described the memorial event held in Centre Park for the victims of the Orlando shooting incident. She also noted

the new pet clinic on North 11th Street across from the Humane Society. She thanked the Shumo family for their generosity to the community.

Councilor Reed noted the rapid recovery of the police officer who was shot in Delaware County and she expressed thanks to all first responders.

Council President Waltman reviewed the upcoming meeting schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk

Drafted by City Clerk
Sponsored by/Referred by City Council
Introduced on May 23, 2016
Advertised on

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. ____ 2016
(Duly Enacted _____ 2016)**

AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA, SIGNIFYING THE INTENTION OF CITY COUNCIL TO ORGANIZE A MUNICIPAL AUTHORITY UNDER THE PROVISIONS OF THE PENNSYLVANIA MUNICIPALITY AUTHORITIES ACT, AS AMENDED AND SUPPLEMENTED, TO BE KNOWN AS THE “READING REGIONAL WATER AUTHORITY”; SETTING FORTH THE FORM OF THE ARTICLES OF INCORPORATION; APPOINTING THE FIRST MEMBERS OF THE BOARD OF THE AUTHORITY AND FIXING THEIR TERM OF OFFICE; DESIGNATING THE PURPOSES FOR SAID AUTHORITY; AUTHORIZING THE EXECUTION AND FILING OF THE ARTICLES OF INCORPORATION; AUTHORIZING THE TAKING OF ALL SUCH ACTION AS MAY BE NECESSARY OR APPROPRIATE TO ORGANIZE SAID AUTHORITY, INCLUDING THE PUBLICATION OF REQUIRED PUBLIC NOTICE; AND CONTAINING CLAUSES FOR SEVERABILITY, REPEAL, AND EFFECTIVE DATE.

WHEREAS, the City of Reading, Berks County, Pennsylvania (the “City”), is empowered to establish, organize, and incorporate an authority pursuant to §5603 of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”); and

WHEREAS, in preparation for the passage of this Ordinance, a public hearing was held by the City Council of the City pursuant to notice duly advertised as required by the Municipality Authorities Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City and **IT IS HEREBY ORDAINED AND ENACTED** by the authority of the same, as follows:

INTENT. It is the intent of the City Council of the City to organize an authority under provisions of the Municipality Authorities Act.

NAME OF AUTHORITY. The name of the authority shall be the “Reading Regional Water Authority”.

ARTICLES OF INCORPORATION. The proposed Articles of Incorporation of said Reading Regional Water Authority are as follows:

READING REGIONAL WATER AUTHORITY

ARTICLES OF INCORPORATION

To: The Secretary of the Commonwealth of Pennsylvania.

In compliance with requirements of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented (the “Municipality Authorities Act”), and pursuant to the ordinance enacted by the City Council of the City of Reading, Berks County, Pennsylvania, expressing the intention and desire of the City Council of said municipality to organize a municipality authority under said Municipality Authorities Act, the incorporating municipality does hereby certify:

The name of the Authority is “Reading Regional Water Authority”.

The Authority is formed under provisions of the Pennsylvania Municipality Authorities Act, 53 Pa. C.S.A. § 5601 et seq., Act 22 of 2001, effective June 19, 2001, which codifies and amends the Municipality Authorities Act of 1945, as amended and supplemented, with all powers authorized by said Municipality Authorities Act.

No other authorities have been organized under said Municipality Authorities Act, under the former Act of June 28, 1935 (P.L. 463, No. 191), or under the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, and is in existence in or for the incorporating municipality, except that the incorporating municipality has heretofore organized (i) the Reading Area Water Authority, (ii) the Reading Regional Airport Authority, (iii) the City of Reading Revitalization and Improvement Zone Authority, (iv) the Reading Downtown Improvement District Authority, and (v) the Berks Area Reading Transportation Authority, as a joint incorporating municipality, each under the provisions of the Act of May 2, 1945 (P.L. 382, No. 164), known as the “Municipality Authorities Act of 1945”, which authorities are in existence in or for said incorporating municipality.

The name of the incorporating municipality is the City of Reading, Berks County, Pennsylvania.

The names and addresses of the members of the City Council of the City of Reading, the incorporating municipality, are as follows:

<u>OFFICE</u>	<u>NAME</u>	<u>ADDRESS</u>
President	Jeffrey Waltman	723 N 4 th St Street Reading, PA 19601
Vice President	Donna Reed	1525 Argonne Rd Reading, PA 19601
Council Member	Chris Daubert	1135 Gregg Avenue Reading, PA 19607
Council Member	Stratton P. Marmarou	1515 Linden Street Reading, PA 19604
Council Member	Marcia Goodman-Hinnershitz	564 S 15th Reading, PA 19601
Council Member	Brian Twyman	849 N 11 th St Reading, PA 19604

Council Member

John Slifko

919 N 3rd St
Reading, PA 19601

The terms of office of the first members of the Board of said Reading Regional Water Authority shall commence on the date of appointment and shall be computed from the first Monday in January of 2015.

The term of existence of the Reading Regional Water Authority shall be for a period of fifty (50) years.

Advertisement of notice of filing these Articles of Incorporation is submitted herewith.

IN WITNESS WHEREOF, the undersigned has executed these Articles on behalf of the City of Reading, Berks County, Pennsylvania, and has caused to be affixed the seal and attested this _____ day of _____ 2016.

**CITY OF READING
BERKS COUNTY, PENNSYLVANIA**

By: _____
Wally Scott, Mayor

Attest: _____
Linda A. Kelleher CMC, City Clerk

COMMONWEALTH OF PENNSYLVANIA :
 : SS.
COUNTY OF BERKS :

On this ____ day of _____, 2014, before me a Notary Public in and for said Commonwealth, personally appeared the above named Vaughn Spencer and Linda A. Kelleher, who stated that their official positions in the City of Reading are, respectively, the Mayor and City Clerk of the City of Reading, and who, in due form of law, acknowledged the foregoing Articles of Incorporation to be the act and deed of said City of Reading for the purposes therein specified.

Notary Public

NOTARIAL SEAL

My Commission Expires: _____

MEMBERS. The first members of the Board of said Reading Regional Water Authority, shall be specifically appointed members of said Board for the terms set commencing on the date of appointment and computed from the first Monday in January, 2017.

AUTHORITY TO EFFECT THE INCORPORATION OF THE AUTHORITY. The Mayor of the City is hereby authorized and directed to execute the Articles of Incorporation of the proposed Reading Regional Water Authority in substantially the form set forth in this Ordinance, and the City Clerk of the City is hereby authorized and directed to attest the same and to affix thereto the seal of the City. Such officers are authorized and directed to execute and deliver such other documents, agreements, certificates and instruments, and to do all acts necessary or appropriate to effect the incorporation of the proposed Reading Regional Water Authority, including, but not limited to, to cause notice of the substance of this Ordinance, including the substance of the foregoing Articles of Incorporation, and the proposed filing of such Articles of Incorporation, to be published as required by the Municipality Authorities Act.

The Mayor of the City and the City Clerk of the City are authorized and directed to file such Articles of Incorporation and the necessary proofs of publication with the Secretary of the Commonwealth of Pennsylvania and to do all other things necessary to effect the incorporation of the Reading Regional Water Authority, including payment of the required filing fees.

PURPOSES AND PROJECTS AUTHORIZED. The Reading Regional Water Authority shall have all the purposes, powers, and rights, as provided by the Municipality Authorities Act; provided, however, that the Authority shall be prohibited, without prior approval of City Council, from (a) undertaking any project which is not related to waterworks, water supply works or water distribution systems and (b) undertaking any project, whether or not related the waterworks, water supply works or water distribution systems, which involves the incurrence of any long term debt.

SEVERABILITY. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of this City that such remainder shall be and shall remain in full force and effect.

REPEALER. All ordinances or parts of ordinances inconsistent with this Ordinance shall be and the same expressly are repealed.

EFFECTIVE DATE. This Ordinance shall take effect upon its advertisement and enactment as required by law.

DULY ENACTED, THIS ____ DAY OF _____, 2016, BY THE COUNCIL OF CITY OF READING, BERKS COUNTY, PENNSYLVANIA, IN LAWFUL SESSION DULY ASSEMBLED.

Attest:

CITY OF READING
Berks County, Pennsylvania

Linda A. Kelleher CMC, City Clerk

By: _____
Jeffrey Waltman, President of Council

(SEAL)

Drafted by
Sponsored by/Referred by
Introduced on
Advertised on

City Clerk/Assist. Solicitor
Planning/Law
June 27, 2016
June 28, July 18 and 25, 2016

**BILL NO. _____ 2016
AN ORDINANCE**

**AN ORDINANCE OF THE CITY OF READING AMENDING THE ADMINISTRATIVE CODE,
ZONING ORDINANCE SECTION 600-2111 TELECOMMUNICATIONS FACILITY
EXEMPTIONS.**

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Amending the Zoning Ordinance Section 600-2111 by striking the exemption of PUC regulated corporations as follows:

§ 600-2111. Telecommunications facility exemption.

A. A commercial telecommunications tower or antenna necessary for and clearly primarily used for emergency communications by the City of Reading Police or Fire Departments, emergency medical services and other similar public safety organizations is exempt from these requirements.

~~B. All PUC regulated corporations are exempt from these regulations.~~

SECTION 2. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 3. 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 _____, 2016

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: _____

Drafted by City Clerk/TCC
Sponsored by/Referred by Managing Director
Introduced on July 11, 2016
Advertised on

CITY OF READING
BILL NO. ____ 2016

AN ORDINANCE AUTHORIZING COLLECTION AGENCY FEES

The City of Reading City Council hereby ordains under authority of the Local Tax Enabling Act, the Municipal Claims and Tax Lien Act, and other applicable law, as follows:

Section 1. Definitions. The following terms shall have the meanings set forth herein:

- a. Collector. The Berks County Earned Income Tax Collection Bureau.
- b. Enactment. This of this Ordinance.
- c. Governing Body. The City of Reading City Council.
- d. Tax. All local earned income taxes, other taxes, penalties, interest, and costs that the Collector collects on behalf of the Taxing Authority under the Local Tax Enabling Act, 53 P.S. § 6924.101, *et seq.*, or other statutory law.
- e. Taxpayer. An employer or taxpayer that is liable for Tax.
- f. Taxing Authority. City of Reading.

Section 2. Authorization. The Taxing Authority acknowledges the Collector may engage one or more third-party collection agencies to pursue and collect delinquent Tax in situations where the amount of delinquent Tax owed is relatively small and it is therefore cost-prohibitive for the Collector to dedicate the upfront resources necessary to pursue such delinquent Tax. The Taxing Authority hereby approves of the imposition on and collection of a fee from any delinquent Taxpayer by any third-party collection agency engaged by the Collector, provided such fee does not exceed twenty-five percent (25%) of the amount of Tax collected from any such Taxpayer.

Section 3. Notice. Promptly after adoption of this Enactment, the Taxing Authority will provide a copy of the Enactment to the Collector. If the Taxing Authority later rescinds, limits, or changes the scope of, the authorization set forth in this Enactment, then the Taxing Authority will immediately notify the Collector.

Section 4. Severability. The provisions of this Enactment are severable and if any of its provisions are ruled invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect or impair any of the remaining provisions of this Enactment. It is declared to be the intention of the Governing Body that this Enactment would have been adopted if such invalid or unconstitutional provision had not been included.

Section 5. Enactment. This Enactment is adopted and enacted _____, 2016.

ATTEST:

City of Reading City Council

City Clerk

By: _____
President of Council

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____