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: Pastor Felipe Fana, Iglesia Misionera La Senda
   C. PLEDGE TO THE FLAG
   D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS
   - Oath of Office to Lieutenant Kirk Litzenberger for the Fire Department
   - Recognizing Black History Month, accepted by Stacey Taylor, President Reading Branch NAACP

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 & MINUTES
   A. AGENDA: Meeting of February 13, 2017
   B. MINUTES: January 23, 2017 Regular Meeting

5. Consent Agenda Legislation
   A. Award of Contract -
   B. Resolution -

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

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

9. ORDINANCES FOR FINAL PASSAGE

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</tr>
<tr>
<td><strong>Ordinance</strong> - amending the City Code by adding Chapter 184 Controlled Substance, Drug, Device and Cosmetic making the possession of marijuana a summary offense <em>Introduced at the September 26, 2016 regular meeting</em></td>
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A. **Bill 9-2017** – authorizing the increase of 6 part-time telecommunication staff for a total of 14 with no budgetary impact *Introduced at the January 23 regular meeting*

B. **Bill 10-2017** – authorizing a budget transfer in Building Trades from the Demolition Account to the Contracted Services for $21,376.00 *Introduced at the January 23 regular meeting*

10. INTRODUCTION OF NEW ORDINANCES

A. **Ordinance** – amending the City Code Chapter 515 Subdivision and Land Development Ordinance (SALDO) submission requirements

B. **Ordinance** – authorizing the transfer of $13,000.00 from the Contracted Services line item in the Liquid Fuel Fund to the Repair Parts line item in the 2016 Liquid Fuel Fund Budget

C. **Ordinance** – authorizing the transfer of $110,000.00 from Solid Waste & Recycling fund balance to cover 2016 year end invoices from Republic Services contracted trash service.

D. **Ordinance** – authorizing the transfer of cash reserves within Fund 54 Division 44 Fees to Chemical Supplies in the amount of $45,000.00 in the 2016 Budget

E. **Ordinance** – amending the Reading City Code Chapter 77 Police, Part 1 Promotions by increasing the eligibility requirements for Sergeants from 3 years to 5 years and Lieutenants from 1 year to 3 years

F. **Ordinance** – authorizing the execution of a Stormwater Easement Agreement between the City and Schuylkill Valley School District, a Non-Exclusive, Perpetual Easement and Right-Of-Way upon that portion of premises shown and designated as the easement area as described in legal description of Drainage Easement #1 over parcel 68-5401-00-60-9178, Stadium
Improvements, being Project #2016043, prepared by Wilkinson & Associates, Inc., in Ontelaunee Township

G. Ordinance – authorizing the execution of a Stormwater Easement Agreement – Rain Garden, between the City and Schuylkill Valley School District a Non-Exclusive, Perpetual Easement and Right-Of-Way upon that portion of premises shown and designated as the easement area as described in legal description of Drainage Easement #2 Over Parcel 68-5401-00-60-9178, Stadium Improvements being Project #2016043, prepared by Wilkinson & Associates, Inc., in Ontelaunee Township

H. Ordinance – amending the 2017 Position Ordinance by eliminating 7 full-time positions and adding 4 part-time positions in the Solid Waste Division

I. Ordinance – amending the 2017 Solid Waste Budget by reducing the expenditures by ____ due to the new contract with Republic To be distributed on Monday

J. Ordinance – amending the Municipal Waste Program fees by reducing the combined trash and recycling fee from $315 to $294 and the recycling fee from $95.04 to $74.04

11. RESOLUTIONS

PENDING

A. Resolution 88-2016 – authorizing the mayor to rescind the agreement to transfer for the City's Micro-Loan Program to the Community First Fund, bringing the administration of the program in-house Tabled at 11-28-16, 12-12-16, 12-19-16 and 1-9-17 Regular Meetings

B. Resolution – reappointing David Moodhart to the Shade Tree Commission

C. Resolution – reappointing Craig Weisman to the HVAC Board

D. Resolution – reappointing Mary Wolfe to the Blighted Property Review Committee

12. PUBLIC COMMENT – GENERAL MATTERS

Please see public speaking rules on second page

13. COUNCIL BUSINESS/COMMENTS

14. COUNCIL MEETING SCHEDULE

Monday, February 13
Committee of the Whole – Penn Room – 5 pm
Regular Meeting – Council Chambers – 7 pm
Monday, February 20  
City Hall closed – President’s Day holiday

**Tuesday, February 21**  
Nominations & Appointments Committee – Council Office – 4 pm  
Committee of the Whole – Penn Room – 5 pm

Monday, February 27  
Committee of the Whole – Penn Room – 5 pm  
Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

Wednesday, February 15  
O & E Pension Board – Penn Room – 1:30 pm  
Redevelopment Authority – Redevelopment Office – 3 pm

Thursday, February 16  
Blighted Property Review Committee – Council Chambers – 6 pm  
Shade Tree Commission – Public Works bldg. – 6 pm

Friday, February 17  
Fire Pension Board – Penn Room – 10 am

Monday, February 20  
Library Board – 113 S 4th St – 4:30 pm

Tuesday, February 21  
Fire Civil Service Board – Fire Training Center – 3 pm  
Water Authority – Penn Room – 4 pm  
HARB – Penn Room – 6:30 pm  
Charter Board – Council Chambers – 7 pm

Wednesday, February 22  
Main Street Board – Chamber Office – 3:30 pm  
Parking Authority – Parking Authority Office – 5:30 pm

Monday, February 27  
DID Authority – 645 Penn St 5th floor – noon  
Electrical Examining Board – Building/Trades Conference Room – 4:30 pm  
District 7 Crime Watch – Holy Spirit Church – 7 pm

16. ADJOURN
City of Reading City Council  
Regular Meeting  
January 23, 2017

Council President Waltman called the meeting to order.

The invocation was given by Randall Grossman, Grace Bible Fellowship.

All present pledged to the flag.

There was no executive session at the Committee of the Whole meeting.

ATTENDANCE
Council President Waltman
Councilor Daubert, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Twyman, District 3
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

PROCLAMATIONS AND PRESENTATIONS
• Commendation celebrating Dude be Nice Day

PUBLIC COMMENT
Council President Waltman stated that there are four (4) citizens registered to address Council 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.

Gary Kubovscak, of Centre Ave., stated that his client purchased 1259 Spruce Street in 2013 as a two (2) unit rental; however, it was later discovered that the property was actually zoned for single family use. He distributed paperwork on the property. He
stated that he is attempting to assist his client by obtaining direction on resolving this issue with the City.

**Mel Jacobson, of North 5th Street,** stated that he has observed illegal parking during the evening hours at the North 5th and Greenwich Street intersection over a long period of time. He stated that when cars park in this yellow lined area they create a line of sight problem that can create safety problems for other vehicles and pedestrians. Reports of the situation to the police have not resolved the illegal parking. He stated that the yellow paint is fading and he asked the City to repaint the faded area. He also suggested installing a security camera at the North 5th and West Greenwich intersection to record speeding.

**Noahleen Betts, of Perkiomen Avenue,** was not present.

**Maryanne Ciarlone, of North 5th Street,** thanked the mayor and managing director for cleaning out the swamp at RAWA. She distributed a right to know request for the Baker Tilley Forensic Audit Report. She stated that when she applied for a seat on an Authority it was discovered that she had a municipal delinquency valued at approximately $34K which resulted in her account entering collections. She stated that no one informed her that she had a delinquent account. She expressed the belief that performing background checks is prohibited by the constitution and the Charter.

**APPROVAL OF THE AGENDA & MINUTES**

Council President Waltman called Council's attention to the agenda for this meeting, including the legislation listed under the Consent Agenda heading and the minutes from the January 9th Regular Meeting of Council. He announced the need to amend the Consent Agenda section by adding an Award of Contract for engineering services From Great Valley Consultants for the Kenhorst Blvd. repaving project and a Resolution authorizing the 2017 bank accounts.

Councilor Daubert moved, seconded by Councilor Marmarou, to approve the minutes from the January 9th Regular Meeting of Council and the agenda, including the Consent Agenda legislation, as amended. The motion was approved unanimously.

**Consent Agenda**
A. Award of Contract - for the Code and License Appeals Board to Hartman, Valeriano, Magovern & Lutz Inc., 1100 Berkshire Boulevard, Suite 301 Po Box 5825 Wyomissing, PA 19610 at a cost of $10,000 yearly

C. Resolution 12-2017 – authorizing the disposal of 2009 Purchasing records

D. Resolution 13-2017 – authorizing conditional offers of employment to 9 probationary patrol officers entering the Police Academy


F. Award of Contract – to Great Valley Consultants for engineering work for the repaving of Kenhorst Blvd., in the amount of $50,606.

G. Resolution 15-2017 – authorizing the 2017 bank accounts

ADMINISTRATIVE REPORT
The managing director announced that the ground breaking ceremony for the WWTP will be this Thursday at 11 am. He announced that the City’s website was recently upgraded and that input is requested.

The managing director stated that 1259 Spruce Street was registered with zoning as a single family rental; however, in 2006 the property morphed into a two (2) unit rental through property improvements made without zoning or building/trade permits. He stated that although Property Maintenance records inspections after 2006 as a two (2) unit, those recognitions do not provide the required zoning permit. He explained that the zoning process cannot be waived by the mayor or managing director and that the property owner will need to follow the prescribed zoning process.

AUDITOR’S REPORT
City Auditor Cituk read the report distributed to Council at the meeting, in summary:
• 2012-16 Admissions Tax collection
• 2012-16 Real Estate Transfer Tax

Councilor Reed suggested considering the reduction of the Real Estate Transfer Tax by one percentage as the tax is performing better than projected in the 2016 budget. She expressed the belief that this tax, along with others, as unfairly high and harm real estate sales in the City. She expressed the belief that some realtors avoid properties in Reading due to the high transfer tax.
The Auditor suggested discussing this reduction with PFM before taking any action. He noted that this tax was increased at the height of the real estate market. The increase in the Transfer Tax helped the City hold back property tax increases due to the high rate of property transiency.

The managing director stated that he and the mayor believe that many of the City’s taxes and fees are painful, especially the resident EIT rate. He noted that by moving outside of Reading a person can instantly increase their salary by 2.5%. He stated that he and the mayor would like to find ways to reduce the many high fees and taxes.

Councilor Goodman-Hinnershitz reminded all of the balance of taxes and fees that support the operation of municipal government. She stated that reductions in some areas will necessitate the increase of taxes and fees in other areas.

Councilor Twyman stated that he welcomes the conversation on this issue and he agreed that the issue should be further reviewed.

Councilor Slifko stated that the issue needs a comprehensive review and analysis prior to any reduction or adjustment.

Council President Waltman expressed the belief that the performance of the Real Estate Transfer Tax reflects a positive change in the real estate market. He agreed that this tax was increased to capitalize on the high rate of property transiency in Reading and that the increase was a tradeoff to prevent raising real estate taxes. He noted that the reasonable price of property in Reading removed some of the sting from the Real Estate Transfer Tax when compared to the price of property in surrounding communities.

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

None.

**ORDINANCES FOR FINAL PASSAGE**

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A. Bill No. 3-2017 – authorizing a No-Parking zone on the south side of Chestnut Street adjacent to the west side of the existing driveway for Remcon Plastics at 208 Chestnut Street, for a distance of approximately 40 feet. The purpose of the restriction is to improve the safety conditions of that driveway for delivery trucks entering and leaving and the cars that park near the driveway entrance *Introduced at the January 9 regular meeting*

Councilor Slifko moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 3-2017.

Councilor Slifko stated that this No-Parking zone was requested as a safety measure to improve the line of sight for trucks making deliveries to Remcon Plastics.

Bill No. 3-2017 was enacted by the following vote:

- Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman, President - 7
- Nays: None – 0

B. Bill No. 4-2017 – amending the Code of Ordinances Chapter 23 Boards, Commissions, Committees and Councils Part 4 First Energy Stadium Commission by adding language regarding capital expenditures funded by the City, as attached *Introduced at the January 9 regular meeting*

Councilor Marmarou moved, seconded by Councilor Slifko, to enact Bill No. 4-2017.

Councilor Slifko stated that this is a housekeeping item to provide for the disposition of the small capital allocation made to the Stadium.

Bill No. 4-2017 was enacted by the following vote:

- Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman, President - 7
- Nays: None – 0

C. Bill No. 5-2017 – amending the 2016 City of Reading Self Insurance Fund budget by authorizing the transfer of $80,000 from the Human Resources/Risk & Safety Division
Worker’s Compensation Claims line item to the Self Insurance Fund Other Insurance Premiums line item **Introduced at the January 9 regular meeting**

Councilor Reed moved, seconded by Councilor Slifko, to enact Bill No. 5-2017.

The managing director explained that this budget amendment will allow the City to purchase construction insurance at the WWTP.

**Bill No. 5-2017 was enacted by the following vote:**

**Yeas:**  Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman, President - 7  
**Nays:**  None – 0

**D. Bill No. 6-2017** - amending Code of Ordinances of the City of Reading, Chapter 212 Fee Schedule, Section 113, Fire Prevention, Fire Protection and Medical Transportation  
**Introduced at the January 9 regular meeting**

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 6-2017.

**Bill No. 6-2017 was enacted by the following vote:**

**Yeas:**  Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman, President - 7  
**Nays:**  None – 0

**E. Bill No. 7-2017** - amending the City of Reading Code of Ordinances Chapter 396 Parks and Recreation, Part 5 Memorial Structures on Public Property by prohibiting all activities that could cause physical damage to any memorial **Introduced at the January 9 regular meeting**


Councilor Goodman-Hinnershitz explained that the need for this ordinance came from Representative Rozzi and his Chief of Staff who have formed a group to protect and restore the various monuments within Reading and Berks County. She explained the damage occurring in Memorial Grove in City Park, especially to the Viet Nam Memorial. She noted that vandalism to memorials and memorial grounds is already covered in the State Crimes Code. This ordinance adds that reference into our local code. She explained
that this is a summary offense with a fines not to exceed $500. She stated that police are sure to use their power wisely and counsel offenders when appropriate.

Councilor Daubert stated that while he realizes that it is not the intent of the ordinance to fine the City youth but he expressed the belief that fines will be unavoidable. He suggested a strong educational program. He stated that he will not support this ordinance.

Councilor Twyman agreed that the focus should be on education or some alternative option.

Councilor Reed stated that she supports this ordinance. She noted that while the park is meant for everyone she questioned why those who skateboard would use memorials rather than a more appropriate area of the park.

Councilor Slifko noted that the ordinance restricts activities that could damage the memorials and monuments; however, the other areas of the park can be used. He noted that the park is large and other areas are available. He suggested working with the Rec Commission to establish a Skateboard Park.

Councilor Goodman-Hinnershitz stated that the Rozzi-Schlanger volunteer group is working on a project that will install walkways in Memorial Grove and security cameras that will tie into the existing Police Department system.

Bill No. 7-2017 was enacted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman, President - 6
Nays: Daubert – 1

**F. Bill No. 8-2017** – authorizing the payment of two of the Kansas State Bank loans in the amounts of $176,300.29 and $37,025.75 Introduced at the January 9 regular meeting

Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 8-2017.

The managing director explained that paying off these loans will save the City approximately $60K.

Bill No. 8-2017 was enacted by the following vote:
Yeas: Daubert, Goodman-Hinnershitz, Marmarou, Reed, Slifko, Twyman, Waltman, 
President - 7
Nays: None – 0

INTRODUCTION OF NEW ORDINANCES
Councillor Goodman-Hinnershitz read the following ordinances into the record:

A. Ordinance – authorizing the increase of 6 part-time telecommunication staff for a total of 14 with no budgetary impact

B. Ordinance – authorizing a budget transfer in Building Trades from the Demolition Account to the Contracted Services for $21,376.00

RESOLUTIONS

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COUNCIL COMMENT
Councillor Marmarou asked the managing director to work with Ms. Ciarlone to resolve the issue she described during the public comment period.

Councillor Slifko explained that the $34K delinquency Ms. Ciarlone mentioned is a combination of multiple delinquencies over several years. The City Clerk noted that the delinquencies were brought to Ms. Ciarlone’s attention.

Councillor Slifko requested that Public Works repaint the curbs at North 5th and Greenwich Streets, as noted by Mr. Jacobson. The managing director stated that the curb painting will be done when the weather warms and conditions permit.

Councillors Goodman-Hinnershitz announced the Groundhog Day event with Patty Pagoda at the Pagoda on February 2nd at 7 am. She announced that a bus trip to New York is being planned for those who would like to see the play Sweat, which is about Reading.
Councilor Goodman-Hinnershitz spoke of the success of the New Year’s Eve event at the Pagoda and the success of the pump track.

The managing director announced that the State of the City address will be delivered by the mayor on Monday, January 30th at 4 pm in Council Chambers.

Councilor Twyman spoke about the need for citizens to get involved in their local government by attending meetings and meeting with elected officials.

Councilor Daubert agreed with the need to reduce the resident EIT rate and other taxes. He also recognized those who participated in the Women’s March here and in Washington DC.

Councilor Reed stated that she attended the march in DC which resulted in shoulder-to-shoulder participants. She stated that this was a fabulous event well attended by people from many States. She noted that human rights are also women’s rights. She expressed the belief that this event marked a good beginning.

Council President Waltman reviewed the upcoming meeting schedule.

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

Respectfully submitted by Linda A. Kelleher CMC, City Clerk
BILL NO. 2016
AN ORDINANCE OF THE CITY OF READING, BERKS COUNTY, PENNSYLVANIA; PROVIDING FOR THE AMENDMENT OF THE ZONING ORDINANCE, AS CODIFIED AS CHAPTER 600 OF THE CITY CODE, AND PARTICULARLY PROVIDING FOR THE REPEAL AND REPLACEMENT OF §600-2100 TELECOMMUNICATIONS TOWERS AND ANTENNA; AMENDING PORTIONS OF §600-800 DISTRICTS, §600-1202 SPECIAL EXCEPTIONS AND §600-2200 DEFINITIONS RELATING TO THE LOCATION, PLACEMENT, CONSTRUCTION AND MAINTENANCE OF TOWER-BASED WIRELESS COMMUNICATIONS FACILITIES AND NON-TOWER WIRELESS COMMUNICATION FACILITIES; PROVIDING FURTHER FOR THE REGULATION OF SUCH FACILITIES WITHIN THE PUBLIC RIGHTS-OF-WAY AND OUTSIDE THE PUBLIC RIGHTS-OF-WAY; PROVIDING FOR THE ENFORCEMENT OF SAID REGULATIONS; SAVING CERTAIN PROVISIONS FROM REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, be it, and it is hereby ORDAINED by the City of Reading City Council County, Commonwealth of Pennsylvania, and it is hereby ENACTED and ORDAINED by authority of same as follows:

Findings of Fact.

By enacting this Ordinance, the City intends to:

a. Promote the health, safety and welfare of City residents and businesses with respect to wireless communications facilities;

b. Provide for the managed development of wireless communications facilities in a manner that enhances the benefits of wireless communication and accommodates the needs of both City residents and wireless carriers in accordance with federal and state laws and regulations;

c. Establish procedures for the design, siting, construction, installation, maintenance and removal of both tower-based and non-tower based wireless communications facilities in the City, including facilities both inside and outside the public rights-of-way;

d. Address new wireless technologies, including but not limited to, distributed antenna systems, data collection units, cable wi-fi and other wireless communications facilities;

e. Encourage the co-location of wireless communications facilities on existing structures rather than the construction of new tower-based structures;
f. Protect City residents from potential adverse impacts of wireless communications facilities and preserve, to the extent permitted under law, the visual character of established communities and the natural beauty of the landscape; and

g. Update the City’s wireless facilities regulations to incorporate changes in federal and state laws and regulations.

SECTION I. Short Title.
This Ordinance shall be known as the “City of Reading Wireless Communications Facilities Ordinance.”

SECTION II. Amending Chapter 600-800 Districts as follows and renumbering the parts as required:

§ 600-801. R-1A Residential District.
A. Dimensional requirements.
B. Allowed uses.
   (1) Permitted-by-right uses.
   (a) Gardens, crop farming and forestry.
   (b) One-family detached dwelling.
   (c) Public parks, nature preserves and nonmotorized recreation trails.
   (2) Accessory uses. In compliance with Part 10, unless otherwise noted.
   (a) Animal shelters: maximum 25 square feet. No commercial use.
   (b) Garages/carports: maximum 600 square feet floor area unless it meets principal building setbacks. [Amended 2-14-2011 by Ord. No. 8-2011]
   (c) Greenhouses: maximum 280 square feet. No commercial use.
   (d) Home occupations, minor: in compliance with § 600-1006.
   (e) Storage sheds: maximum 280 square feet.
   (f) Swimming pools, accessory: see also Chapter 180, Construction Codes, and § 600-1001. [Amended 8-26-2013 by Ord. No. 35-2013]
   (g) Geothermal heat pumps. [Added 10-26-2015 by Ord. No. 58-2015]
   (h) Solar energy systems. [Added 10-26-2015 by Ord. No. 58-2015]
   (j) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or within a setback area. See § 600-2106.
   (3) Special exception uses. In compliance with § 600-1202.
   (a) Home occupations, major: in compliance with § 600-1006.
   (b) Bed-and-breakfast inns. [Added 8-26-2013 by Ord. No. 35-2013]
   (c) Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter
   (4) Conditional use. In compliance with § 600-1203.
   (a) Student home, which shall only be allowed in an existing lawful apartment dwelling.
C. Additional requirements.
(1) No development in this district requiring the removal of trees shall occur unless and until appropriate assurances are provided by the developer, backed by security acceptable to the City Solicitor, that all trees exceeding 10 feet in height, with trunks exceeding two inches in diameter, measured at four feet from ground level, will be replaced with trees of like type with a minimum height of six feet and minimum trunk diameter of two inches, measured six feet from ground level.

(2) A new principal building shall not be allowed if it will require the regrading of more than 3,000 square feet of land area that has a natural slope of greater than 25%.

7. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

§ 600-802. R-1 Residential District.

A. Dimensional requirements. 8

B. Allowed uses.

(1) Permitted-by-right uses.
   (a) Gardens, crop farming and forestry.
   (b) One-family detached dwelling.
   (c) Public parks, nature preserves and nonmotorized recreation trails.
(2) Accessory uses. In compliance with Part 10, unless otherwise noted.
   (a) Animal shelters: maximum 25 square feet. No commercial use.
   (b) Garages/carports: maximum 600 square feet. [Amended 2-14-2011 by Ord. No. 8-2011]
   (c) Greenhouses: maximum 280 square feet. No commercial use.
   (d) Home occupation, minor: in compliance with § 600-1006.
   (e) Storage sheds: maximum 280 square feet.
   (f) Swimming pools, accessory: see also Chapter 180, Construction Codes, and § 600-1001. [Amended 8-26-2013 by Ord. No. 35-2013]
   (g) Geothermal heat pumps. [Added 10-26-2015 by Ord. No. 58-2015]
   (h) Solar energy systems. [Added 10-26-2015 by Ord. No. 58-2015]
   (j) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or within a setback area. See § 600-2106.

(3) Special exception uses. In compliance with § 600-1202.
   (a) Bed-and-breakfast inn.
   (b) Home occupations, major: in compliance with § 600-1006.
   (c) Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter

(4) Conditional use. In compliance with § 600-1203.
   (a) Student home, which shall only be allowed in an existing lawful apartment dwelling.

C. Additional requirements. [Amended 2-14-2011 by Ord. No. 8-2011]

(1) Each newly built or placed dwelling unit shall have:
   (a) A minimum dwelling unit width and length of 18 feet; and
   (b) A permanent foundation or an enclosure around the base of the dwelling that has the appearance of a permanent foundation.
(2) If a lot is to be served by a mound on-lot septic system that is a raised above the ground level, it shall be located outside of the required front and side yard setbacks, unless the applicant proves to the satisfaction of the Zoning Officer and Sewage Enforcement Officer that such placement is infeasible.

8. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

§ 600-803. R-2 Residential District.

A. Dimensional requirements.

B. Allowed uses.

(1) Permitted-by-right uses.

(a) Gardens, crop farming and forestry.
(b) One-family detached dwelling.
(c) One-family semidetached dwelling.
(d) One-family attached dwelling.
(e) Public parks and nonmotorized recreation trails.

(2) Accessory uses. In compliance with Part 10, unless otherwise noted.

(a) Animal shelters: maximum 25 square feet. No commercial use allowed.
(b) Private garages/carports: maximum 600 square feet. See § 600-1002. [Amended 2-14-2011 by Ord. No. 8-2011]
(c) Greenhouses: maximum 280 square feet. No commercial use allowed. See § 600-1003.
(d) Home occupations: minor. See § 600-1006.
(e) Storage sheds: maximum 280 square feet. See § 600-1003.
(f) Swimming pools, accessory: see also Chapter 180, Construction Codes, and § 600-1001. [Amended 8--26-2013 by Ord. No. 35-2013]
(g) Geothermal heat pumps. [Added 10-26-2015 by Ord. No. 58-2015]
(h) Solar energy systems. [Added 10-26-2015 by Ord. No. 58-2015]

(j) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or within a setback area. See § 600-2106.

(3) Special exception uses. In compliance with § 600-1202.

(a) Adaptive reuse: see § 600-1202A.
(b) Bed-and-breakfast inn.
(c) Cemeteries.
(d) College or university, which may include dormitories, fraternities, sororities and other student and/or staff residential uses, provided each residential use is: owned and/or operated by the college or university; and such residential uses are on lots of 50,000 square feet or greater. See also § 600-817, which includes alternative provisions within the INS Overlay Zone.
(e) Day-care homes as an accessory use: see § 600-1202.
(f) Home occupations, major: see § 600-1006.
(g) Life care retirement facility.
(h) Nursing home.
(i) Personal-care center.
(j) Places of worship.
(k) Municipal buildings.
(l) Public or private schools, not including dormitories.
(m) Swimming pool, as a principal use.
(n) Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter
(4) Conditional uses. In compliance with § 600-1203.
   (a) Group care home.
   (b) Student home, which shall only be allowed in an existing lawful apartment dwelling.
   C. The conversion of an existing one-family detached dwelling, one-family attached dwelling or one-family semidetached dwelling into two or more dwelling units shall be prohibited.
   D. A maximum of 60% of the land area between the front of each residential use and the street right-of-way line shall be used for vehicle parking and driveways. See also § 600-1602 regarding parking locations. [Added 2-14-2011 by Ord. No. 8-2011]
9. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

§ 600-804. R-3 Residential District.
A. Dimensional requirements. 10
B. Allowed uses.
   (1) Permitted-by-right uses.
      (a) Gardens, crop farming and forestry.
      (b) One-family detached dwelling.
      (c) One-family semidetached dwelling.
      (d) One-family attached dwelling (townhouse).
      (e) Low-rise apartments, with a maximum density of 1,500 square feet of lot area per dwelling unit, but not including a "conversion" which is addressed in Subsection B(3) below.
      (f) Public parks and nonmotorized recreation trails.
      (g) Surface parking area as a principal or accessory use, provided it serves a use allowed in the R-3 District and does not serve the general public. See also § 600-1008. Note: in the R-3 District, student homes shall be allowed in any lawful dwelling without needing to meet the additional requirements of § 600-1203.
      (2) Accessory uses. See Part 10 unless otherwise noted.
         (a) Animal shelters: maximum 25 square feet. No commercial use allowed.
         (b) Private garages/carports: maximum 600 square feet. [Amended 2-14-2011 by Ord. No. 8-2011]
         (c) Greenhouses: maximum 280 square feet. No commercial use allowed.
         (d) Home occupations, minor: see § 600-1006.
         (e) Storage sheds: maximum 280 square feet.
         (f) Swimming pools, accessory: see also Chapter 180, Construction Codes. [Amended 8-26-2013 by Ord. No. 35-2013]
         (g) Geothermal heat pumps. [Added 10-26-2015 by Ord. No. 58-2015]
         (h) Solar energy systems. [Added 10-26-2015 by Ord. No. 58-2015]
         (j) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or within a setback area. See § 600-2106.
(3) Conditional uses. In compliance with § 600-1203.
   (a) Conversions: shall also meet Subsection C(4) below.
   (b) Group-care home.
   (c) Public utilities.
(4) Special exception uses. In compliance with § 600-1202.
   (a) Adaptive reuse.
   (b) Bed-and-breakfast inn.
   (c) Cemeteries.
   (d) College or university, which may include dormitories, fraternities, sororities, and other full-time student and/or staff residential uses, provided that each residential use is: owned and/or operated by the college or university; and such residential uses are on a lot of 50,000 square feet or greater. See also § 600-817, which includes alternative provisions within the INS Overlay Zone. 11
   (e) Day-care facilities.
   (f) Home occupations, major: in compliance with § 600-1006.
   (g) Life care retirement facility.
   (h) Mid-rise apartments, with a maximum density of 1,500 square feet of lot area per dwelling unit, which may be decreased to 1,000 square feet if all units (other than a manager) are limited to occupancy by persons age 62 or older and the physically disabled.
   (i) Municipal buildings.
   (j) Nursing homes.
   (k) Personal-care centers.
   (l) Places of worship.
   (m) Public or private schools, not including dormitories swimming pool, as a principal use.
   (n) Parking garage to serve a use allowed in the R-3 District.

(o) Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter

C. Additional requirements in the R-3 District.
   (1) If an existing rear or side alley is available or could be feasibly extended, it shall be used for access to off-street parking spaces and/or garage door(s) for the lot instead of a front yard driveway and/or a front garage door(s).
   (2) This subsection is mainly designed to address situations where use of a rear or side alley is not feasible. If two or more side-by-side off-street parking spaces are located in the front yard of a single-family attached dwelling (townhouse) or if garage door(s) for two or more vehicles face onto the street in the front of the single-family attached dwelling (townhouse), then the minimum building width per dwelling along such street shall be a minimum of 24 feet.
   (3) A maximum of 60% of the land area between the front of each residential use and the street right-of-way line shall be used for vehicle parking and driveways. See also § 600-1602B regarding parking locations. [Amended 2-14-2011 by Ord. No. 8-2011]
   (4) The conversion of an existing one-family detached dwelling, one-family attached dwelling or one-family semidetached dwelling into two or more dwelling units shall be prohibited.

10. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.
11. Editor's Note: For a new or expanded building housing students, a 40 feet minimum building setback shall apply from the lot line of every dwelling that is not owned by the college or university.

§ 600-805. (Reserved)

§ 600-806. R-PO Residential/Professional Office District.

A. Dimensional requirements. 12

B. Allowed uses.

   (1) Permitted-by-right uses.

   (a) Residential uses: the same uses shall be allowed as are allowed in the R-2 District.

   (b) Gardens, crop farming and forestry.

   (c) Offices 13 (such as but not limited to the following: health care professionals, physicians, dentist, oral surgeon, orthodontist, periodontist, osteopath, chiropractor, physical therapist, psychologist, podiatrist, optometrist, lawyer, accountant, real estate broker, financial consultant, mortgage/financial businesses).

   (d) Fire and ambulance station.

   (e) Home occupations, minor, in accordance with § 600-1006.

   (f) Public parks and nonmotorized recreation trails.

   (2) Accessory uses.

   (a) See Part 10 unless otherwise noted.


   (b) The following uses shall be permitted only on properties primarily used for residential purposes:


   (c) Geothermal heat pumps. [Added 10-26-2015 by Ord. No. 58-2015]

   (d) Solar energy systems. [Added 10-26-2015 by Ord. No. 58-2015]


   (3) Special exception uses. Pursuant to § 600-1202.

   (a) Day-care facilities.

   (b) Home occupations, major: see § 600-1006.

   (c) Place of worship.

   (d) Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter.

12. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

13. NOTE: With on-street parking permitted for up to three employees. Should there be four or more employees, the following off-street parking requirement shall apply: one space per each 150 square feet of floor area.

§ 600-807. C-C Commercial Core District.

A. Dimensional requirements. 14

B. Allowed uses.
(1) Permitted-by-right uses: [Amended 8-26-2013 by Ord. No. 35-2013]

High-rise apartments\(^1\)
Movie theaters and performing arts facilities
Low-rise or mid-rise apartments\(^1\)
One-family attached dwellings (townhouses) or one-family semidetached dwellings meet the regulations of the R-3 District gardens, crop farming and forestry

Amusement arcade
Municipal building
Passenger bus or train terminal
Public parking garages and parking lots that are owned/or operated by a City-authorized parking authority or another governmental entity. A new parking garage with a street frontage of more than 100 feet shall include at least one street-level commercial use.

Nonpublic parking garages and parking lots that serve a use located within the C-C District, as opposed to being available to the general public. If such parking involves 10 or more new parking spaces, then special exception approval shall be required. As a criteria of special exception approval, the applicant shall show that the parking: (a) will not cause a loss of a significant historic building; (b) will not create a serious traffic congestion or a traffic hazard for pedestrians; and (c) will include suitable landscaping between the parking and a public sidewalk. See also Subsection C below. A new parking garage with a street frontage of more than 100 feet shall include at least one street-level commercial use.

Bakeries (limited to 2,000 square feet production floor area) and retail sale of baked goods
Bank and other financial institutions, which may include drive-through facilities
Business and printing services
Civic/convention center and sports arena
College or university, other than residential uses
Conversion of existing building space into one or more dwelling units, which shall meet the requirements listed for "conversions" in § 600-1203D, even though the use is not a conditional use. Such conversion shall only be allowed if the lot includes at least one street level principal business establishment.

Creation and retail sales of art and crafts items, which may include multiple vendors
Dry cleaners (limited to 2,000 square feet of service/production area) Fire and ambulance station
Fitness centers/exercise clubs
Funeral homes
Hotels, motels and bed-and-breakfast inns
Offices
Personal services, such as barber or beauty shop (see § 600-1103), tailors, nail salons (see § 600-1103) and certified massage therapy (see § 600-1103), and not including a massage parlor
Photo-finishing services
Radio and television stations
Recreational facilities, public parks and nonmotorized recreation trails
Restaurants (eat-in or takeout) which may include entertainment but shall not include drive-through service. This use shall not allow outdoor sale of ready-to-eat heated food on a regular basis on a lot that is not operated from a building on the lot.
Retail stores
Small appliance sales, repair and service stores
Social clubs and associations (non-PLCB licensed), which shall not be allowed fronting on Penn Street between 2nd Street and 6th Street and which shall not operate between 12:00 midnight and 11:00 a.m. For any use that also meets the definition of a BYOB, Chapter 127, Part 3 (§§ 127-301 to 127-308), and § 127-202 shall also be met.

Trade, vocational and hobby schools, not including residential uses

NOTE:
1 The street-level floor shall include at least one principal business establishment.

(2) Accessory uses. See Part 10 unless otherwise noted.
   (a) Amusement devices: pursuant to § 600-1010 of this chapter.
   (b) Entertainment: pursuant to § 600-1005.
   (c) Home occupations, major or minor: see § 600-1006.
   (d) Storage as an accessory use to a use located within the C-C District.
   (g) Solar energy systems. [Added 10-26-2015 by Ord. No. 58-2015]
   (i) **Telecommunications non-tower antenna if co-located on a municipal facility or tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or within a setback area. See § 600-2106.**

(3) Conditional uses. See § 600-1203.
   (a) Banquet hall.
   (b) Gaming facility.
   (c) Taverns and nightclubs.

(4) Special exception uses. Pursuant to § 600-1202 of this chapter.
   (a) Day-care facilities.
   (b) Dormitory or other residential uses owned or operated by a college or university, other than permitted-by-right dwelling units that are occupied by a "family."
   (c) Place of worship.
   (d) **Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter.**

C. Additional requirements in the C-C District.

(1) Retail uses shall not extend into the public right-of-way, except as may be specifically approved under another City ordinance.

(2) Drive-through services shall only be permitted as accessory to financial institutions. A drive-through facility shall not have an entrance or exit onto Penn Street.

(3) Height requirements.
   (a) Structures may be increased in height up to 175 feet by special exception, provided the applicant provides an analysis to show that the additional height will allow sunlight to reach the street during midday hours, considering any proposed setbacks and an analysis of how the building will be set back from windows of existing adjacent buildings to provide compatibility.

(4) See parking requirements in § 600-1603.

(5) A building shall not have a street-level building wall longer than 50 feet unless such wall is interspersed with a window or door at least every 50 feet, artistic displays, changes in building setback or rooflines of more than three feet variation, and/or architectural features.
(6) (Reserved) \[15\]

(7) A principal or accessory parking lot or parking garage shall not be allowed that is open to the general public, unless the structure is owned and/or operated by the City, Berks County, another governmental entity, or a City-authorized parking authority.

14. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

15. Editor's Note: Former Subsection C(6), regarding wind turbines, was repealed 10-26-2015 by Ord. No. 58-2015.

§ 600-808. C-R Commercial Residential District.

A. Dimensional requirements. \[16\]

B. Allowed uses.

(1) Permitted-by-right uses.

(a) The same residential uses shall be allowed as are allowed in the R-3 District.

(b) High-rise apartments, provided at least one principal business establishment required to be located on the street level.

(c) Bakeries (limited to 2,000 square feet production floor area) and retail sale of baked goods.

(d) Drive-through services shall only be permitted as an accessory to a financial institution or a pharmacy.

(e) College or university, provided that any residential uses shall meet the requirements for that type of residential use.

(f) Conversion of existing building space into one or more dwelling units, which shall meet the requirements listed for "conversions" in § 600-1203D, even though the use is not a conditional use. Such conversion shall only be allowed if the lot includes at least one street-level principal business establishment.

(g) Exercise clubs and fitness centers.

(h) Fire and ambulance station.

(i) Funeral homes.

(j) Gardens, crop farming and forestry.

(k) Movie theaters/performing arts facilities.

(l) Municipal buildings.

(m) Nursing homes or personal-care centers.

(n) Offices, clinics and laboratories.

(o) Parking garages and lots. See also § 600-1008 for off-premises parking.

(p) Personal services, such as barber or beauty shop (see § 600-1103), tailors, nail salons (see § 600-1103) and certified massage therapy (see § 600-1103), and not including a massage parlor.

(q) Radio and television stations.

(r) Recreational facilities, public parks and nonmotorized recreation trails.

(s) Restaurants (eat-in or takeout) without entertainment and without drive-through service. This use shall not allow outdoor sale of ready-to-eat heated food on a regular basis on a lot that is not operated from a building on the lot.

(t) Retail stores, with drive-through facilities limited to a pharmacy, and with vehicle fuel sales and vehicle sales being prohibited.

(u) Small appliance sales, repair and service shops.

(v) Social clubs and associations (non-PLCB licensed), provided such use shall not be open between 12:00 midnight and 11:00 a.m. For any use that also meets the definition of a
BYOB, Chapter 127, Part 3 (§§ 127-301 to 127-308), and § 127-202 shall also be met, and provided there is a 5,000 square feet minimum lot area. [Amended 2-14-2011 by Ord. No. 8-2011]

(w) Trade, vocational and hobby schools, not including residential uses, and provided there is not exterior use of heavy equipment or heavy machinery in connection therewith.

(2) Accessory uses. See Part 10, unless otherwise noted.
   (a) Amusement devices pursuant to § 600-1010 of this chapter.
   (b) Entertainment pursuant to § 600-1005 of this chapter.
   (c) Home occupations, major or minor, see § 600-1006.
   (e) Solar energy systems. [Added 10-26-2015 by Ord. No. 58-2015]
   (g) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or within a setback area. See § 600-2106.

(3) Conditional uses. All uses listed below shall be pursuant to § 600-1203 of this chapter.
   (a) Banquet hall.
   (b) Boarding houses.
   (c) Group-care facility.
   (d) Public utilities.
   (e) Taverns and nightclubs.
   (f) Temporary shelter.
   (g) Group-care facility.

(4) Special exception uses. All uses listed below shall be pursuant to § 600-1202 of this chapter.
   (a) Adaptive reuse.
   (b) Amusement arcade.
   (c) Day-care facilities.
   (d) Life care retirement facility.
   (e) Primary or secondary school, public or private.
   (f) Hospital.
   (g) Places of worship.
   (h) Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter.

C. Additional requirement in the C-R District.

(1) A drive-through facility shall not have an entrance or exit onto Penn Street.

16. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.

§ 600-809. C-N Commercial Neighborhood District.

A. Dimensional requirements.

B. Allowed uses.

(1) Permitted-by-right uses:
   (a) Residential uses: the same residential uses shall be allowed as are allowed in the R-3 District.
   (b) Bakery.
(c) Banking and financial institutions, which may include drive-through service.
(d) Convenience stores, with fuel sales only allowed as a conditional use.
(e) Day-care home, provided that a maximum of four persons shall be cared for (in addition to sons or daughters of the caregiver) on a residential lot of less than 2,500 square feet. If a day-care home is proposed on a residential lot, it shall also meet the provisions of § 600-1202D(1). [Amended 2-14-2011 by Ord. No. 8-2011]
(f) Drugstores, which may include drive-through service.
(g) Dry cleaners, self-service laundries (limited to 2,000 square feet of service/production area).
(h) Exercise clubs.
(i) Fire and ambulance station.
(j) Funeral home.
(k) Gardens, crop farming and forestry.
(l) Home occupations, major or minor: see § 600-1006.
(m) Municipal buildings.
(n) Offices.
(o) Nursing homes or personal-care centers.
(p) Parking lots other than parking areas that primarily serve tractor-trailer trucks.
(q) Personal services, such as barber or beauty shop (see § 600-1103), tailors, nail salons (see § 600-1103) and certified massage therapy (see § 600-1103), and not including a massage parlor.
(r) Recreation facilities, public parks and nonmotorized recreation trails.
(s) Restaurants (eat-in and takeout), but not including drive-through service, provided that such uses shall not be developed in a building is attached to a principally residential building on another lot that is not in common ownership. This use shall not allow outdoor sale of ready-to-eat food on a regular basis on a lot that is not operated from a building on the lot.
(t) Retail stores without drive-through service, provided that such uses shall not be developed in a building is attached to a principally residential building on another lot that is not in common ownership.
(u) Self-storage facilities.
(v) Small appliance sales, service and repair shops.
(w) Storage or warehousing as a principal or accessory use.
(x) Wholesale sales.
(2) Accessory uses. In compliance with Part 10, unless otherwise noted. [Added 10-26-2015 by Ord. No. 58-2015]18
(a) Geothermal heat pumps.
(b) Solar energy systems.
(c) Water-powered energy systems.
(d) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or within a setback area. See § 600-2106.
(3) Conditional uses: pursuant to § 600-1203.
(a) Banquet hall.
(b) Taverns and nightclubs, provided that such uses shall not be developed in a building that abuts a principally residential lot unless the lots are in common ownership.

(c) Vehicle fuel sales, which shall only be allowed if the applicant proves the use will be designed to avoid conflicts with pedestrian travel and to provide compatibility with adjacent uses, and provided the use is not adjacent to a principally residential lot.

(4) Special exception uses:
   (a) Day-care facilities, other than day-care homes.
   (b) Adaptive reuse in compliance with § 600-1202.
   (c) Amusement arcade.
   (d) Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter.

17. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.
18. Editor's Note: This ordinance also redesignated former Subsection C(2) and (3) as Subsection C(3) and (4), respectively.

§ 600-810. C-H Commercial Highway District.
A. Dimensional requirements. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.
B. Allowed uses.
   (1) Permitted-by-right uses: [Amended 2-14-2011 by Ord. No. 8-2011 Editor's Note: Amended during codification (see Ch. 1, General Provisions, Part 2).]
      Banks and financial institutions, including drive-through
      Beverage distributors, beer and soft drinks
      Car wash
      College or university, not including residential uses, unless such dwellings meet the requirements for a dwelling occupied by a "family"
      Convenience stores, with or without auto fuel sales
      Emergency health-care facility/office
      Exercise clubs
      Fire and ambulance station
      Funeral homes
      Gardens, crop farming and forestry
      Home and garden supply centers
      Laundromats
      Miniature golf course
      Motels and hotels
      Municipal uses
      Nursing homes or personal-care centers
      Offices
      Parking lots and structures
      Passenger terminal facilities
      Personal service businesses
      Radio and television stations
      Recreational facilities, public parks and non-motorized recreation trails
      Residential uses: the same residential uses shall be allowed as are allowed in the R-3 District
Restaurants, including eat-in, takeout, drive-through service. This use shall not allow outdoor sale of ready-to-eat heated food on a regular basis on a lot that is not operated from a building on the lot.

Retail stores which may include drive-through facilities
Social clubs and associations, PLCB and non-PLCB licensed. Such use shall not be open between the hours of 12:00 midnight and 11:00 a.m. For any use that also meets the definition of a BYOB, Chapter 127, Part 3 (§§ 127-301 to 127-308), and § 127-202 shall also be met.

Taxi headquarters
Temporary employment agencies and service
Vehicle sales or rental
Veterinary hospitals
Wholesale sales and services

(2) Accessory uses. See Part 10 unless otherwise noted.
   (a) Amusement devices: pursuant to § 600-1010 of this chapter.
   (b) Drive-through services: pursuant to § 600-1004 of this chapter.
   (c) Entertainment: pursuant to § 600-1005.
   (d) Home occupations, major or minor: see § 600-1006.
   (e) Off-site parking areas: pursuant to § 600-1008.
   (f) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or within a setback area. See § 600-2106.

(3) Conditional uses. In compliance with § 600-1203.
   (a) Banquet hall.
   (b) Bottle clubs.
   (c) Group institution.
   (d) Public utilities.
   (e) Taverns and nightclubs.
   (f) Treatment center.

(4) Special exception uses. In compliance with § 600-1202.
   (a) Adaptive reuse.
   (b) Amusement arcade.
   (c) Auto service stations or auto repair.
   (d) Day-care facilities.
   (e) Manufactured/mobile home park.
   (f) Pawn shop.
   (g) Place of worship.
   (h) Surface parking facility.
   (i) Telecommunications towers and facilities pursuant to Part 21 of this chapter.
   (j) (l) Vehicle fuel sales.
   (k) Telecommunications towers and facilities, including poles that are located within 800 feet of a residential property or within a setback area, subject to Part 21 of this chapter.
§ 600-811. M-C Manufacturing Commercial District.
A. Dimensional requirements. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.
B. Allowed uses.
   (1) Permitted-by-right uses. [Amended 2-14-2011 by Ord. No. 8-2011]
      Manufacture or industrial processing within an enclosed building involving the following: (as listed on the North American Industrial Classification System, as applicable)
      Assembly and packaging
      Electronic and electrical equipment
      Fabricated metals products
      Food and beverage products
      Leather and leather products (not including curing, tanning and finishing of hides)
      Machinery
      Medical and scientific equipment and related products
      Motor freight transportation and warehousing
      Non-PUC telecommunications facilities
      Paper and allied products (other than raw paper pulp)
      Petroleum and coal products, other than asphalt manufacture or petroleum refining
      Pottery and ceramics
      Primary metals industries
      Railroad transportation
      Research and development facilities
      Rubber, synthetic rubber, resins and miscellaneous products
      Sporting goods, toys, jewelry
      Stone, clay and glass products
      Textiles and apparel
      Tobacco products
      Transportation equipment
      Transportation and public utilities
      Wood products and furniture
      Auto repair and car washes, in compliance with § 600-1105
      Banks and financial institutions
      College or university, not including residential uses
      Convenience stores with fuel sales
      Employee agencies and services
      Exercise club
      Fire and ambulance stations
      Flex space buildings that include one or more permitted-by-right business uses
      Gardens, crop farming and forestry
      Lumber and building material supply center, retail or wholesale
      Municipal uses
      Offices and medical laboratories
      Radio and television stations
      Recreation facilities, public parks and non-motorized recreation trails
Restaurants, which may not include drive-through service. This use shall not allow outdoor sale of ready-to-eat heated food on a regular basis on a lot that is not operated from a building on the lot.

Retail and wholesale sales and services
Self-storage facilities
Swimming pool as principal use
Taxi headquarters

*Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter and those that are not within 800 feet of a residential property or located within a setback area. See § 600-2106.*

Facilities may be placed on a leased area.

Trade, vocational and hobby schools, not including residential uses
Vehicle sales or rental
Warehouse, distribution and storage facilities

(2) Accessory uses. See Part 10, unless otherwise noted.

(a) Drive-through services for allowed principal uses: pursuant to § 600-1004 of this chapter.

(b) Entertainment: pursuant to § 600-1005 of this chapter.

(c) Swimming pools, accessory.

(d) Telecommunications *non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter. See § 600-2106.*

(e) Wind turbine as an accessory use in compliance with § 600-1012.

(3) Conditional uses. In compliance with § 600-1203.

(a) Banquet hall.

(b) Public utilities, other than City-owned or City-operated uses and other than utility lines.

(c) Taverns and nightclubs.

(4) Special exception uses. In compliance with § 600-1202.

(a) Day-care facilities.

(b) Kennels.

(c) Manufacture or industrial processing of chemicals and allied products.

(d) Manufacture of plastics and polymers.

(e) *Telecommunications antenna, tower based wireless communications facilities and facilities, including poles that are located within 800 feet of a residential property or located within a setback area, subject to Part 21 of this chapter.*

C. Additional requirements.

(1) A minimum of 10% of the lot shall be devoted to areas landscaped with trees and
shrubs and vegetative ground cover. This area shall not be used for any other purpose.

(2) All activities shall take place indoors; all outdoor storage shall be screened from public streets and adjacent off-street parking areas by fencing, landscaping or other appropriate measures.

(3) Landscaped buffer strips, meeting Part 14 with a minimum of 10 feet wide in M-C Zones and 25 feet wide in H-M Zones, and plant screening shall be provided in every case where an industrial use abuts a principally residential use. In addition, where a residential district is located across a street or alley from a new or expanded industrial use, a ten-foot wide landscaped buffer strip shall be provided alongside such street or alley along such adjacent front, side or rear lot line.

(4) Truck loading and unloading areas shall be provided in an amount sufficient to permit the transfer of goods in other than a public street or front yard setback areas.

(5) Entrance and exit to permitted uses shall be clearly marked.

(6) Any glare, vibration or noise resulting from the use shall not be evident beyond the boundaries of the zoning district.

(7) The operation shall not result in the dissemination of smoke, dust, chemicals or odors into the air to such a degree as to be detrimental to the health, safety and welfare of any adjacent residents.

(8) Wind turbines shall be allowed that are attached to a roof of a building and do not extend a total of more than 25 feet above the roof of the building.

(9) A minimum seventy-five-foot setback shall apply from the average water level of the Schuylkill River for any new or expanded vehicle parking, outdoor storage area or building. This requirement shall not apply for recreational uses open for free for use by the general public.

§ 600-812. H-M Heavy Manufacturing District.
A. Dimensional requirements. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.
B. Allowed uses.

(1) Permitted-by-right uses:
   (a) Manufacturing or industrial processing involving the following: (as listed in the North American Industrial Classification System, where applicable)
       [9] Petroleum and coal products, other than asphalt.
       [10] Primary metals industries.
[16] Transportation equipment.

(b) Banks and financial institutions.
(c) College or university, not including residential uses.
(d) Exercise clubs.
(e) Fire and ambulance station.
(f) Flex space buildings, including two or more permitted business uses.
(g) Gardens, crop farming and forestry.
(h) Landing area for a helicopter, provided it meets requirements of State and Federal Aviation Agencies.
(i) Municipal uses.
(j) Offices.
(k) Radio and television stations.
(l) Recreation facilities, public parks and non-motorized recreation trails.
(m) Research and development facilities.
(n) Self-storage facilities.
(o) Telecommunications facilities other than towers and antennas. Lot size may be reduced to 2,500 square feet when on leased parcel, provided the structure may not be located in setback areas.

(a) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or located within a setback area. See § 600-2106.
(p) Telecommunications towers and antennas pursuant to Part 21 of this chapter. For accessory antenna, see § 600-2106C(3).
(q) Trade, vocational and hobby schools, not including residential uses.
(r) Warehousing, storage, distribution, trucking or intermodal transfer facilities.
(s) Wind turbine as an accessory use in compliance with § 600-1012.

(2) Accessory uses. See Part 10 unless otherwise noted.

(a) Telecommunications non-tower antenna if co-located on a municipal facility or a tower that existed prior to the approval of this part and pursuant to Part 21 of this chapter. See § 600-2106.

(a) Telecommunications antenna, tower based wireless communications facilities and facilities, including poles, pursuant to Part 21 of this chapter that are not located within 800 feet of a residential property or located within a setback area. See § 600-2106. See § 600-2106.

(3) Conditional uses. See § 600-1203.

(a) Group institution.
(b) Junkyard.
(c) Manufactured home parks.
(d) Massage parlor (not including "massage therapy"), which shall meet the same regulations as a sexually oriented business, in addition to the City of Reading
Code requirements.
(e) Sexually oriented business: pursuant to § 600-1203.
(f) Temporary shelter.
(g) Treatment center.

(4) Special exception uses:
(a) Manufacture of plastics and polymers.
(b) Manufacture and industrial processing of chemicals and allied products.
(c) Manufacture of asphalt.
(d) Solid waste transfer facility.
(e) Such other manufacturing and industrial uses as the applicant proves to the satisfaction of the Zoning Hearing Board will be similar to allowed uses and will not create hazards to public health and safety.

(f) *Telecommunications antenna, tower based wireless communications facilities and facilities, including poles that are located within 800 feet of a residential property or within a setback area pursuant to Part 21 of this chapter.*

C. Additional requirements. Section 600-811C shall also apply to the H-M District.

§ 600-816. MU Municipal District.
A. Dimensional requirements. Editor's Note: See Table of Dimensional Requirements included at the end of this chapter.
B. Allowed uses.

(1) Permitted-by-right uses:
(a) Wastewater treatment operations.
(b) Law enforcement operations.
(c) Firefighting and rescue service operations.
(d) Recycling operations.
(e) Multiple principal uses and occupancies on single parcels within the Municipal Use District are expressly authorized; where common (City) ownership makes subdivision otherwise unnecessary; "area and bulk" standards shall apply to the property as a whole. The adequacy of separations between uses shall be established by agreement between the City's representative and a qualified design professional, and to the satisfaction of the incumbent tenants and their continuing operations. Municipal use parcels are not required to front on a public street, though sufficient (driveway) access must nonetheless be provided.
(f) Governmental offices and public works facilities.
(g) Public recreation facilities.
(h) Non-motorized recreation trails.

(2) Accessory uses. See Part 10 unless otherwise noted.
(a) Telecommunications *non-tower* antenna if co-located on a municipal facility or a tower based wireless communications facilities that existed prior to the approval of this part and pursuant to Part 21 of this chapter. See § 600-2106.

(3) Special Exception uses:
(a) *Telecommunications towers, antennas and facilities, including poles, pursuant to Part 21 of this chapter.*
SECTION III. Amending Chapter 600-2206 Telecommunications Definitions by adding the following:

1. Antenna—any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An Antenna may include an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc) or any other wireless antenna. An antenna shall not include Tower-Based Wireless Communications Facilities defined below.

2. Co-location—the mounting of one or more Non-Tower WCF on an existing Tower-Based WCF, or on any structure that has been approved by the City, to support at least one Non-Tower WCF.

3. Distributed Antenna Systems (DAS)—network of spatially separated Antenna sites or similar structures connected to a common source that provides wireless service within a geographic area or structure.

4. Emergency—a condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause facilities in the Rights-of-Way to be unusable and result in loss of the services provided.

5. FCC—Federal Communications Commission.

6. Monopole—a WCF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications Antennae and connecting appurtenances.

7. Non-Tower Wireless Communications Facility (Non-Tower WCF)—all non-tower wireless communications facilities, including but not limited to, Antennae and related equipment. Non-Tower WCF shall not include support structures for Antennae and related equipment.

8. Persons—individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations and other entities established pursuant to statutes of the Commonwealth of Pennsylvania; provided that Person does not include or apply to the City or to any department or agency of the City.

9. Right-of-Way (ROW)—the surface of and space above and below any real property in the City in which the City or Commonwealth has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all Streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the City or Commonwealth, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for Utility purposes, but excluding lands other than Streets that are owned by the City or
Commonwealth. The phrase “in the Right(s)-of-Way” means in, on, over, along, above and/or under the Right(s)-of-Way.

10. **Stealth Technology**—camouflaging methods applied to wireless communications towers, Antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted Antennae, building-mounted Antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, flag poles and light poles.

11. **Substantially Change or Substantial Change** - A modification to an existing Wireless Communications Facility that changes the physical dimensions of a Tower-Based WCF or base station if it meets any of the following criteria:

   (a) For a Tower-Based WCF outside the public rights-of-way:
      (1) it increases the height of the facility by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna, not to exceed twenty (20) feet, whichever is greater;
      (2) it protrudes from the edge of the Wireless Communications Facility by more than twenty (20) feet, or more than the width of the Tower-Based WCF at the level of the appurtenance, whichever is greater.

   (b) For a Tower-Based WCF in the right-of-way:
      (1) it increases the height of the facility by more than ten percent (10%) or ten (10) feet, whichever is greater;
      (2) it protrudes from the edge of the structure by more than six (6) feet;
      (3) it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four (4) cabinets;
      (4) it entails any excavation of deployment outside the current site of the Tower-Based WCF; or
      (5) it does not comply with conditions associated with prior approval of construction or modification of the Tower-Based WCF unless the non-compliance is due to an increase in height, increase in width, or addition of cabinets.

12. **Tower-Based Wireless Communications Facility (Tower-based WCF)**—any structure that is constructed for the primary purpose of supporting one or more Antennas, including, but not limited to, self-supporting lattice towers, guy towers and monopoles.

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14. **City**—City of Reading, Berks County, PA

15. **Wireless**—transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.
16. **Wireless Communications Facility (WCF)**—the Antennae, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services.

17. **Wireless Communications Facility Applicant (WCF Applicant)**—any person that applies for a wireless communication facility building permit, zoning approval and/or permission to use the public ROW, other City owned land, or property.

18. **Wireless Support Structure**—a freestanding structure, such as a Tower-Based Wireless Communications Facility or any other support structure that could support the placement or installation of a Wireless Communications Facility if approved by the City.

**SECTION IV. Repealing and replacing §600-2100 Telecommunications Towers and Antenna as follows:**

**§600-2101 Purpose and Scope.**

A. The purpose of this Ordinance is to establish uniform standards for the siting, design, permitting, maintenance, and use of wireless communications facilities in City of Reading. While the City recognizes the importance of wireless communications facilities in providing high quality communications service to its residents and businesses, the City also recognizes that it has an obligation to protect public safety and to minimize the adverse visual effects of such facilities through the standards set forth in the following provisions.

**§600-2102. General Requirements for All Tower-Based Wireless Communications Facilities.**

The following regulations shall apply to all Tower-Based Wireless Communications Facilities:

1. **Standard of Care.** Any Tower-Based WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, as well as the accepted and responsible workmanlike industry practices of the National Association of Tower Erectors. Any Tower-Based WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the City.

2. **Wind.** Any Tower-Based WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSFEINTIA-222-E Code, as amended).
3. **Height.** Any Tower-Based WCF shall be designed at the minimum functional height and shall not exceed a maximum total height of one hundred fifty (150) feet, which height shall include all subsequent additions or alterations. All Tower-Based WCF applicants must submit documentation to the City justifying the total height of the structure.

4. **Public Safety Communications.** No Tower-Based WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.

5. **Maintenance.** The following maintenance requirements shall apply:
   
   a. Any Tower-Based WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
   
   b. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the City’s residents.
   
   d. All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.

6. **Radio Frequency Emissions.** No Tower-Based WCF may, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled “Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields”, as amended.

7. **Historic Buildings or Districts.** No Tower-Based WCF may be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places or the official historic structures and/or historic districts list maintained by the City.

8. **Identification.** All Tower-Based WCFs shall post a notice in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency, subject to approval by the City.

9. **Lighting.** Tower-Based WCF shall not be artificially lighted, except as required by law and as may be approved by the City. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.

10. **Noise.** Tower-Based WCFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards under state law and the City Code, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only.

11. **Aviation Safety.** Tower-Based WCFs shall comply with all federal and state laws and regulations concerning aviation safety.
12. **Timing of Approval.** Within thirty (30) calendar days of the date that an application for a Tower-Based WCF is filed with the City, the City shall notify the applicant in writing of any information that may be required to complete such application. All applications for Tower-Based WCFs shall be acted upon within one hundred-fifty (150) days of the receipt of a fully completed application for the approval of such Tower-Based WCF and the City shall advise the applicant in writing of its decision.

13. **Non-Conforming Uses.** Non-conforming Tower-Based WCFs which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location, but must otherwise comply with the terms and conditions of this Ordinance.

14. **Removal.** In the event that use of a Tower-Based WCF is planned to be discontinued, the owner shall provide written notice to the City of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:

   a. All unused or abandoned Tower-Based WCFs and accessory facilities shall be removed within three (3) months of the cessation of operations at the site unless a time extension is approved by the City.

   b. If the WCF and/or accessory facility is not removed within six (6) months of the cessation of operations at a site, or within any longer period approved by the City, the WCF and accessory facilities and equipment may be removed by the City and the cost of removal assessed against the owner of the WCF.

   c. Any unused portions of Tower-Based WCFs, including Antennas, shall be removed within six (6) months of the time of cessation of operations. The City must approve all replacements of portions of a Tower-Based WCF previously removed.

15. **Permit Fees.** The City may assess appropriate and reasonable permit fees directly related to the City’s actual costs in reviewing and processing the application for approval of a Tower-Based WCF, as well as related inspection, monitoring and related costs. The Fee Schedule is located in Chapter 212.

§600-2103 **Tower-Based Facilities Outside the Rights-of-Way**

A. The following regulations shall apply to Tower-Based Wireless Communications Facilities located outside the Rights-of-Way:

1. **Development Regulations:**

   a. **Prohibited in Residential Zones.** No Tower-Based WCF shall be located in a district zoned residential or within 800 feet of a lot in residential use or a residential

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district boundary. Tower-Based WCFs are permitted only by Conditional Use in such districts as specified in §600-800 Districts – sections 810, 811, 812, 816.

b. **Gap in Coverage.** An applicant for a Tower-Based WCF must demonstrate that a significant gap in wireless coverage or capacity exists with respect to all wireless operators in the applicable area and that the type of WCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or non-existence of a gap in wireless coverage shall be a factor in the City’s decision on an application for approval of Tower-Based WCFs.

c. **Sole Use on a Lot.** A Tower-Based WCF is permitted as a sole use on a lot subject to the minimum lot area and yards complying with the requirements for the applicable zoning district in §600-800 and the limits provided in §600-2103.A.1.C.

d. **Combined with Another Use.** A Tower-Based WCF may be permitted on a property with an existing use or on a vacant parcel in combination with another industrial, commercial, institutional or municipal use, subject to the following conditions:

   i. The existing use on the property may be any permitted use in the applicable district as per Section 600-800, and need not be affiliated with the communications facility.
   
   ii. Minimum Lot Area. The minimum lot shall comply with the requirements for the applicable district and shall be the area needed to accommodate the Tower-Based WCF and guy wires, the equipment building, security fence, and buffer planting.
   
   iii. Minimum Setbacks. The Tower-Based WCF and accompanying equipment building shall comply with the requirements for the applicable zoning district, provided that no Tower-Based WCF shall be located within five hundred (500) feet of a lot in residential use or a residential district boundary.

2. **Notice.** Upon approval of an application for a Tower-Based WCF, the applicant shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility if the application will be heard as a Conditional Use or a Variance, not less than thirty (30) days before the hearing or install is to commence. The applicant shall then provide a copy of the notice and a list of the addresses notice was delivered to the City of Reading Zoning Administrator.

3. **Co-Location.** An application for a new Tower-Based WCF shall not be approved unless the City finds that the wireless communications equipment planned for the proposed Tower-Based WCF cannot be accommodated on an existing or approved structure or building. Any application for approval of a Tower-Based WCF shall include a comprehensive inventory of all existing towers and other suitable structures within a two-
mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the City that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.

4. **Design Regulations:**
   
   a. The WCF shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the City.

   b. Any height extensions to an existing Tower-Based WCF that exceed 150 feet shall require prior approval of the City by Special Exception permit or Variance. The City reserves the right to deny such requests based upon aesthetic impact or any other lawful considerations related to the character of the City.

   c. Any proposed Tower-Based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's Antennas and comparable Antennae for future users.

5. **Surrounding Environs:**
   
   a. The WCF applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the WCF structure shall be preserved to the maximum extent possible.

   b. The WCF applicant shall submit a soil report to the City complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA 222-E, as amended, to document and verify the design specifications of the foundation of the Tower-Based WCF, and anchors for guy wires, if used.

6. **Fence/Screen:**
   
   a. A security fence having a maximum height of six (6) feet shall completely surround any Tower-Based WCF, guy wires, or any building housing WCF equipment.

   b. A landscaping plan approved by the Zoning Administrator.

7. **Accessory Equipment:**
   
   a. To the extent permitted by federal and state law, ground-mounted equipment associated to, or connected with, a Tower-Based WCF shall be screened from public view using Stealth Technology approved by the Zoning Administrator.

   b. All utility buildings and accessory structures shall be architecturally designed to blend into the environment in which they are situated and shall meet the minimum setback requirements of the underlying zoning district.
8. **Additional Antennae.** As a condition of approval for all Tower-Based WCFs, the WCF applicant shall provide the City with a written commitment that it will allow other service providers to co-locate Antennae on Tower-Based WCFs where technically and economically feasible. The owner or lessee of a Tower-Based WCF shall not install any additional Antennae without obtaining the prior written approval of the City.

9. **Access Road.** An access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to Tower-Based WCF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion. Where applicable, the WCF owner shall present documentation to the City that the property owner has granted an easement for the proposed facility.

10. **Bond.** Prior to the issuance of a permit, the owner of a Tower-Based WCF outside the ROW shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond or other form of security acceptable to the City Solicitor, in an amount of $100,000 to assure the faithful performance of the terms and conditions of this Ordinance. The bond shall provide that the City may recover from the principal and surety any and all compensatory damages incurred by the City for violations of this Ordinance, after reasonable notice and opportunity to cure. The owner shall file the bond with the City.

11. **Inspection.** The City reserves the right to inspect any Tower-Based WCF to ensure compliance with the provisions of this Ordinance and any other provisions found within the City Code or state or federal law. The City and/or its agents shall have the authority to enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

12. **Retention of Experts.** The City may hire any consultant(s) and/or expert(s) necessary to assist the City in reviewing and evaluating the application for approval of the Tower-Based WCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Ordinance. The applicant and/or owner of the WCF shall reimburse the City for all costs of the City’s consultant(s) in providing expert evaluation and consultation in connection with these activities prior to the issuance of any zoning permit.

**§600-2104 Tower-Based Facilities in the Rights-of-Way**

A. The following regulations shall apply to Tower-Based Wireless Communications Facilities located in the Rights-of-Way:

1. **Prohibited in Residential Zones.** Tower-Based WCF may be located within a residential zone or within 500 feet of a lot in residential use or a residential district boundary. Tower-Based WCFs are only permitted by accessory or special exception use in such districts as specified in §600-800 Districts.
2. **Gap in Coverage.** An applicant for a Tower-Based WCF must demonstrate that a significant gap in wireless coverage or capacity exists with respect to all wireless operators in the applicable area and that the type of WCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or non-existence of a gap shall be a factor in the City’s decision on an application for approval of Tower-Based WCFs in the ROW.

3. **Notice.** Upon receipt of an application for a Tower-Based WCF, the applicant shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the property or parcel of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility if the application will be heard as a Special Exception or a Variance.

4. **Co-location.** An application for a new Tower-Based WCF in the ROW shall not be approved unless the City finds that the proposed wireless communications equipment cannot be accommodated on existing infrastructure, such as a utility pole or traffic light pole, or a Wireless Support Structure. Any application for approval of a Tower-Based WCF shall include a comprehensive inventory of all existing towers and other suitable structures within a quarter-mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the City that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.

5. **Time, Place and Manner.** The City shall determine the time, place and manner of construction, maintenance, repair and/or removal of all Tower-Based WCFs in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the City and the requirements of the Public Utility Code.

6. **Equipment Location.** Tower WCFs and Related Equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the City. In addition:
   
   a. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb;
   
   b. To the extent permitted by federal and state law, ground-mounted equipment associated to, or connected with, a Tower-Based WCF **shall be screened from public view using Stealth Technology approved by the Zoning Administrator.**
c. Required electrical meter cabinets shall the screened to blend in with the surrounding area to the satisfaction of the City.

d. Any graffiti or vandalism on or to the tower or on any accessory equipment shall be removed or corrected at the sole expense of the owner within ten (10) business days of notice of the existence of the graffiti.

e. Any underground vaults related to Non-Tower WCFs shall be reviewed and approved by the City.

7. Design Regulations.

   a. The WCF shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the Zoning Administrator or Zoning Hearing Board, as applicable.

   b. Any height extensions to an existing Tower-Based WCF shall require prior approval of the City, and shall not increase the overall height of the Tower-Based WCF to 40 feet or a height within 5 feet of the average height of all utility poles within a 2 block radius of the proposed facility. The City reserves the right to deny such requests based upon (in part) aesthetic or any other lawful considerations related to the character of the City.

   c. Any proposed Tower-Based WCF shall be designed structurally, electrically, and in all respects to accommodate both the WCF applicant's Antennas and comparable Antennae for future users.

8. Additional Antennae. As a condition of approval for all Tower-Based WCFs in the ROW, the WCF applicant shall provide the City with a written commitment that it will allow other service providers to co-locate Antennae on Tower-Based WCFs where technically and economically feasible. To the extent required under federal and state law, the owner of a Tower-Based WCF shall not install any additional Antennae without obtaining the prior written approval of the City.

9. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the City, or such longer period as the City determines is reasonably necessary or such shorter period in the case of an Emergency, an owner of Tower-Based WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the City, consistent with its police powers and applicable Public Utility Commission regulations, shall determine that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

   a. The construction, repair, maintenance or installation of any City or other public improvement in the Right-of-Way;
b. The operations of the City or other governmental entity in the Right-of-Way;

c. Vacation of a street or road or the release of a utility easement; or

d. An Emergency as determined by the City.

10. **Compensation for ROW Use.** In addition to the permit fees as described in §600-2102.16 above, every Tower-Based WCF in the ROW is subject to the City’s right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the City’s actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the City. The Annual ROW management fee for Tower-Based WCFs shall be determined by the City and authorized by ordinance.

11. **Bond.** Prior to the issuance of a permit, the owner of a Tower-Based WCF in the ROW shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond, or other form of security acceptable to the City Solicitor, in an amount of $100,000 to assure the faithful performance of the terms and conditions of this Ordinance. The bond shall provide that the City may recover from the principal and surety any and all compensatory damages incurred by the City for violations of this Ordinance, after reasonable notice and opportunity to cure. The owner shall file a copy of the bond with the City.

§600-2105 General Requirements for All Non-Tower Wireless Communications Facilities

A. The following regulations shall apply to all Non-Tower Wireless Communications Facilities that do not Substantially Change the physical dimensions of the Wireless Support Structure to which they are attached, including applications that fall under the Pennsylvania Wireless Broadband Collocation Act:

1. **Non-Commercial Usage Exemption.** City residents utilizing satellite dishes and antennas for the purpose of maintaining television, phone, radio and/or internet connections at their respective residences shall be exempt from the regulations enumerated in this section of the Zoning Ordinance. Amateur radio operators are exempt from the regulations enumerated in this ordinance.

2. **Permitted in All Zones Subject to Regulations.** Non-Tower WCFs are permitted in all zones subject to the restrictions and conditions prescribed below and subject to the prior written approval of the City.

3. **Notice.** Upon receipt of an application for any Non-Tower-Based WCF, the applicant shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility if the application will be heard as a Special Exception or a Variance.
4. **Standard of Care.** Any Non-Tower WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the City.

5. **Wind.** Any Non-Tower WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI-EIA-TIA-222-E Code, as amended).

6. **Public Safety Communications.** No Non-Tower WCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.

7. **Aviation Safety.** Non-Tower WCFs shall comply with all federal and state laws and regulations concerning aviation safety.

8. **Radio Frequency Emissions.** No Non-Tower WCF may, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled “Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields”, as amended.

9. **Removal.** In the event that use of a Non-Tower WCF is discontinued, the owner shall provide written notice to the City of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:

   a. All abandoned or unused WCFs and accessory facilities shall be removed within three (3) months of the cessation of operations at the site unless a time extension is approved by the City.

   b. If the WCF or accessory facility is not removed within three (3) months of the cessation of operations at a site, or within any longer period approved by the City, the WCF and/or associated facilities and equipment may be removed by the City and the cost of removal assessed against the owner of the WCF.

10. **Timing of Approval for Applications that Fall under the PA Wireless Broadband Collocation Act.** Within thirty (30) calendar days of the date that an application for a Non-Tower WCF is filed with the City, the City shall notify the applicant in writing of any information that may be required to complete such application. Within sixty (60) calendar days of receipt of a complete application, the City shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision.
11. Timing of Approval for Collocation Applications that do not Fall under the Pennsylvania Wireless Broadband Collocation Act. Within thirty (30) calendar days of the date that an application for a Non-Tower WCF is filed with the City, the City shall notify the applicant in writing of any information that may be required to complete such application. Within ninety (90) calendar days of receipt of a complete application, the City shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision.

12. Permit Fees for Applications that Fall under the PA Wireless Broadband Collocation Act. The City may assess appropriate and reasonable permit fees directly related to the City’s actual costs in reviewing and processing the application for approval of a Non-Tower WCF or $1,000, whichever is less.

B. In addition to the regulations enumerated in §600-2105(A), the following shall apply to all Non-Tower Wireless Communications Facilities that Substantially Change the Wireless Support Structure to which they are attached, or otherwise do not fall under the PA Wireless Broadband Collocation Act:

1. Upon receipt of an application for any Non-Tower-Based WCF, the applicant shall mail notice thereof to the owner or owners of every property zoned residential on the same street within 500 linear feet of the parcel or property of the proposed facility and of every property zoned residential not on the same street within 500 feet of the parcel or property of the proposed facility if the application will be heard as a Conditional Use or a Variance.

2. Standard of Care. Any Non-Tower WCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including but not limited to the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any WCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the City.

3. Wind. Any Non-Tower WCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI-EIA-TIA-222-E Code, as amended).

4. Historic Buildings. Non-Tower WCFs may not be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places or the official historic structures and/or historic districts designated by the City.

5. Maintenance. The following maintenance requirements shall apply:
a. The Non-Tower WCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
b. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the City’s residents.
c. All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.

6. **Radio Frequency Emissions.** No Non-Tower WCF may, by itself or in conjunction with other WCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled “Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields”, as amended.

7. **Removal.** In the event that use of a Non-Tower WCF is discontinued, the owner shall provide written notice to the City of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WCFs or portions of WCFs shall be removed as follows:

   a. All abandoned or unused WCFs and accessory facilities shall be removed within three (3) months of the cessation of operations at the site unless a time extension is approved by the City.
   
   If the WCF or accessory facility is not removed within three (3) months of the cessation of operations at a site, or within any longer period approved by the City, the WCF and/or associated facilities and equipment may be removed by the City and the cost of removal assessed against the owner of the WCF.

8. **Bond.** Prior to the issuance of a permit, the owner of each individual Non-Tower WCF shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond, or other form of security acceptable to the City Solicitor, in an amount of $25,000 for each individual Non-Tower WCF, to assure the faithful performance of the terms and conditions of this Ordinance. The bond shall provide that the City may recover from the principal and surety any and all compensatory damages incurred by the City for violations of this Ordinance, after reasonable notice and opportunity to cure. The owner shall file a copy of the bond with the City.

9. **Permit Fees.** The City may assess appropriate and reasonable permit fees directly related to the City’s actual costs in reviewing and processing the application for approval of a Non-Tower WCF, as well as related inspection, monitoring and related costs. The Fee Schedule is located in Chapter 212.

§600-2106 Non-Tower Wireless Facilities Outside the Rights-of-Way

In addition to the applicable regulations enumerated in §600-2105(A) or §600-2105(B), the following regulations shall apply to Non-Tower Wireless Communications Facilities located outside the Rights-of-Way that Substantially Change the Wireless Support Structure to which they are attached, or otherwise do not fall under the Pennsylvania Wireless Broadband Collocation Act:
1. **Development Regulations.** Non-Tower WCFs shall be collocated on existing structures, such as existing buildings, Wireless Support Structures, or Tower-Based WCFs subject to the following conditions:

   a. To the extent permitted by federal and state law, the total height of the support structure and WCF shall not exceed a maximum height of one hundred fifty (150) feet.

   b. If the WCF applicant proposes to locate the Related Equipment in a separate building, the building shall comply with the minimum requirements for the applicable zoning district.

   c. A six (6) foot high security fence shall surround any separate communications equipment building. Vehicular access to the communications equipment building shall not interfere with the parking or vehicular circulations on the site for the principal use.

2. **Design Regulations.**

   a. Non-Tower WCFs shall employ Stealth Technology and be treated to match the supporting structure in order to minimize aesthetic impact. The application of the Stealth Technology chosen by the WCF applicant shall be subject to the approval of the City.

   b. Non-Tower WCFs, which are mounted to a building or similar structure, may not exceed a height of fifteen (15) feet above the roof or parapet, whichever is higher, unless the WCF applicant obtains a Special Exception permit or Variance.

   c. All Non-Tower WCF applicants must submit documentation to the City justifying the total height of the Non-Tower structure. Such documentation shall be analyzed in the context of such justification on an individual basis.

3. **Removal, Replacement, Modification.**

   a. To the extent permitted by applicable state and federal laws, the removal and replacement of Non-Tower WCFs and/or accessory equipment for the purpose of upgrading or repairing the WCF is considered a material modification and shall require filing permit amendment to the original permit or authorization.

4. **Inspection.** The City reserves the right to inspect any WCF outside the public rights-of-way to ensure compliance with the provisions of this Ordinance and any other provisions found within the City Code or state or federal law. The City and/or its agents shall have the authority to enter the property upon which a WCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.
§600-2107 Non-Tower Wireless Facilities in the Rights-of-Way

A. In addition to the applicable regulations enumerated in §600-2105(A) or §600-2105(B), the following additional regulations shall apply to all Non-Tower Wireless Communications Facilities located in the Rights-of-Way:

1. **Co-location.** Non-Tower WCFs in the ROW shall be collocated on structures that already act as Wireless Support Structures. If collocation is not technologically feasible, Non-Tower WCFs shall be located on existing infrastructure, such as existing utility poles or light poles.

2. **Design Requirements:**
   a. To the extent permitted by applicable state and federal laws, WCF installations located above the surface grade in the public ROW including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than six (6) feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.
   b. Antennae and all support equipment shall be treated to match the supporting structure. WCFs and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.

3. **Compensation for ROW Use.** In addition to permit fees as described above, every Non-Tower WCF in the ROW is subject to the City’s right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the City’s actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the City. The owner of each Non-Tower WCF shall pay an annual fee to the City to compensate the City for its costs incurred in connection with the activities described above. The Annual ROW management fee for Non-Tower WCFs shall be determined by the City and authorized by ordinance and shall be based on the City’s actual ROW management costs as applied to such Non-Tower WCF.

4. **Time, Place and Manner.** The City shall determine the time, place and manner of construction, maintenance, repair and/or removal of all Non-Tower WCFs in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the City and the requirements of the Public Utility Code.

5. **Equipment Location.** Non-Tower WCFs and Related Equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to
otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the City. In addition:

a. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb;

b. To the extent permitted by federal and state law, ground-mounted equipment associated to, or connected with, a Tower-Based WCF shall be screened from public view using Stealth Technology approved by the Zoning Administrator.

c. Required electrical meter cabinets shall the screened to blend in with the surrounding area to the satisfaction of the City, as approved by the Zoning Administrator.

d. Any graffiti or vandalism on or to the tower or on any accessory equipment shall be removed or corrected at the sole expense of the owner within ten (10) business days of notice of the existence of the graffiti.

e. Any underground vaults related to Non-Tower WCFs shall be reviewed and approved by the City.

6. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the City, or such longer period as the City determines is reasonably necessary or such shorter period in the case of an Emergency, an owner of a WCF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any WCF when the City, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

a. The construction, repair, maintenance or installation of any City or other public improvement in the Right-of-Way;

b. The operations of the City or other governmental entity in the Right-of-Way;

c. Vacation of a street or road or the release of a utility easement; or

d. An Emergency as determined by the City.

§600-2108 Violations Applicable to All Wireless Facilities

1. Penalties. Any Person violating any provision of this Ordinance shall be subject, upon finding by a magisterial district judge, to a penalty not exceeding five hundred dollars ($500), for each and every offense, together with attorneys’ fees and costs. A separate and distinct violation shall be deemed to be committed each day on which a violation occurs or continues to occur. In addition to an action to enforce any penalty imposed by this Ordinance and any other remedy at law or in equity, the City may apply to a Federal District Court for an
injunction or other appropriate relief at law or in equity to enforce compliance with or restrain violation of any provision of this Ordinance.

2. **Determination of Violation.** In the event a determination is made that a Person has violated any provision of this Ordinance, such Person shall be provided written notice of the determination and the reasons therefore. Except in the case of an Emergency, the Person shall have thirty (30) days to cure the violation. If the nature of the violation is such that it cannot be fully cured within such time period, the City may, in its reasonable judgment, extend the time period to cure, provided the Person has commenced to cure and is diligently pursuing its efforts to cure. If the violation has not been cured within the time allowed, the City may take any and all actions authorized by this Ordinance and/or federal and/or Pennsylvania law and regulations.

**SECTION V. Amending §600-1203 Conditions for Special Exception and Variance by adding Telecommunications Facility, Towers and Antenna as follows:**

§600-1203. Conditions for Special Exceptions and Variance.

N. Telecommunications facility, tower based WCF and antenna that are not defined as exempt under the PA Wireless Broadband Collocation Act (*Note see §600-800, 2100 and 2206*)

1. The applicant shall present a plan showing the following items:
   (a) Locations of all existing uses and proposed telecommunications facilities
   (b) Elevations of any existing uses and proposed telecommunications facilities
   (c) Vehicular access, fencing and any easements for access and utilities
   (d) The locations desired with two (2) alternative locations

2. The telecommunications facility shall comply with all State and Federal laws and regulations concerning aviation safety.

3. The applicant shall provide Stealth Technology to camouflage the proposed facility to make them more visually appealing and blend the proposed facility to render it minimally visible to the casual observer defined, as approved by the Zoning Administrator.

4. The City may retain the assistance of a consultant and/or expert to assist in the review and evaluation of the application. The applicant shall be responsible for all costs charged by the consultant and/or expert in connection with these activities. All associated fees and costs must be paid to the City prior to the issuance of the zoning permit, if the application is approved.

5. If additional information is requested by the City or the consultant/and or expert from the applicant, the time required by the applicant to provide the additional information shall not be counted toward the 150 day review period.

**SECTION VI. Amending Section §600-1202 Special Exceptions:**

§ 600-1202. Conditions for special exception uses.

A. Adaptive reuse.

B. Bed-and-breakfast inn.

C. Cemeteries. Cemeteries shall be allowed as provided in Part 8 and shall meet the following standards:

D. Day-care facilities.

E. Colleges, universities, primary and secondary schools and trade/hobby schools.
F. Amusement arcade.
G. Home occupations, major.
H. Hospitals and centers for the care of children.
I. Kennels.
J. Life-care retirement facility and nursing home.
K. Nursing homes. See "life-care retirement facility and nursing home" in this section.
L. Parks, playgrounds and public buildings. This term includes parks and playgrounds operated by the federal, state or local government or nonprofit organizations as well as public buildings operated by governmental agencies.
M. Pawn shops.
N. Places of worship. The proposed use shall be a bona fide nonprofit religious use.
O. Private surface parking facilities (lot or structure).
P. Swimming pools as a principal use.
Q. Telecommunications towers and facilities. Telecommunications towers and facilities shall be allowed as provided in the zoning district regulations, provided they meet the standards outlined in Part 21 of this chapter in addition to any stipulations set forth by the Zoning Hearing Board or the Zoning Administrator.

SECTION VII. Miscellaneous

1. Police Powers. The City, by granting any permit or taking any other action pursuant to this Chapter, does not waive, reduce, lessen or impair the lawful police powers vested in the City under applicable federal, state and local laws and regulations.

2. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held illegal or invalid by any court of competent jurisdiction, such provision shall be deemed a separate, distinct and independent provision, and such holding shall not render the remainder of this Chapter invalid.

3. Effective Date. This Ordinance shall become effective ten (10) days after enactment by the City Council.

ENACTED AND ORDAINED this ____ day of ________________, 2016.

ATTEST:

________________________________    _______________________________
City Clerk          Council President

________________________________
Submitted to Mayor by: __________________________
Date Submitted: __________________________

Received in Mayor’s Office by: __________________________
Date Received: __________________________

Approved by Mayor: __________________________
Date Approved: __________________________

Vetoed by Mayor: __________________________
Date Vetoed: __________________________
RECOMMENDATION
The Managing Director and Police Chief recommend the increase from 8 to 14 authorized part-time telecommunication staff members.

BACKGROUND
Currently, the city has authorized 8 active part-time telecommunication staff members. In order to maintain an effective telecommunication unit, the authorization to increase to 14 part-time telecommunication staff members is necessary.

BUDGETARY IMPACT
The authorization of 14 active part-time telecommunication staff members will not impact the budget.

PREVIOUS ACTIONS
None

SUBSEQUENT ACTION
Council to take action to approve a resolution for the authorization of 14 active part-time telecommunication staff members.
RECOMMENDED BY
The Managing Director and Police Chief recommend approval.

RECOMMENDED MOTION
Approve/deny the resolution authorizing Council to take action to approve a resolution for the authorization of 14 active part-time telecommunication staff members effective January 23, 2017.

Drafted by   Police Chief
Sponsored by/Referred by   Managing Director
Introduced on   Jan 23, 2017
Advertised on   N/A

BILL NO. _____-2017

AN ORDINANCE
AMENDING THE BILL NO. 52-2016 - THE 2017 POSITION ORDINANCE - TO AUTHORIZE 14 PART-TIME TELECOMMUNICATION STAFF AND INCREASE FROM PREVIOUSLY AUTHORIZED 8 PART-TIME TELECOMMUNICATION STAFF.

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

Section One: The 2017 Position Ordinance is hereby amended by changing the ordinance to authorize 14 part-time telecommunication staff versus the presently authorized 8 part-time telecommunication staff.

Section Two: Persons hired into the aforementioned positions will be paid from the General Fund Temporary Wages budget line item as previously approved by City Council (01-08-29-4016). There is no expected budget impact.

Section Three: This Ordinance shall be effective ten (10) days after adoption pursuant to Sections 219 and 221 of the City of Reading Home Rule Charter.

Adopted _________________________, 2017

_____________________________________
President of Council

Attest:_____________________________________
City Clerk

Sent to Mayor ______
Date: __________
Signed by Mayor ______
Date: __________
Vetoed by Mayor: ______
Date: __________
Over-ridden by Council:
Date: __________
TO: City Council
FROM: Adrian Koerner, Chief Building Code Official
PREPARED BY: Debra Overley, Secretary Building and Trades
MEETING DATE: January 30, 2017
AGENDA MEMO DATE: January 16, 2017
RECOMMENDED ACTION: To approve a transfer of $21,376.00 from the Demolition Account 01-10-38-3204 into Contracted Services Account 01-10-38-4216

RECOMMENDATION:
The Building and Trades Department is asking Council to approve this transfer of $21,376.00 to Contracted Services to allocate funds relating to Demolition Purposes.

BACKGROUND:
The Demolition Account was set up as a Revenue Account vs an Expense Account, therefore, weren’t able to pay expenses from it.

BUDGETARY IMPACT: None

PREVIOUS ACTION: None

SUBSEQUENT ACTION: None

RECOMMENDED BY: Adrian Koerner, Chief Building Code Official

RECOMMENDED MOTION:
Approve a transfer of $21,376.00 from the Demolition Fund Line item 01-10-38-3204 into Contracted Services Line Item 01-10-38-4216.

Drafted by Building Trades
Sponsored by/Referred by Building Trades
Introduced on January 23, 2016
Advertised on N/A

BILL NO. _____2017

AN ORDINANCE

AUTHORIZING AN BUDGET AMENDMENT IN THE AMOUNT OF $21,376.00 FOR BUDGET YEAR 2017
THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

Section One: Council hereby authorizes the amendment of the 2017 Budget as follows:

From 01-10-38-3204 Demolition Account $21,376.00 to 01-10-38-4216 Contracted Services $21,376.00

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

ENACTED _______________, 2016

_____________________________
President of Council

ATTEST:

________________________________
City Clerk

Submitted to Mayor by: ____________________
Date Submitted: ____________________
Received in Mayor’s Office by: ____________________
Date Received: ____________________
Approved by Mayor: ____________________
Date Approved: ____________________
Vetoed by Mayor: ____________________
Date Vetoed: ____________________
AN ORDINANCE

AMENDING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO) REGARDING SUBMISSION AND REVIEW REQUIREMENTS

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

Section One: Amending the Subdivision and Land Development Ordinance (SALDO) regarding submission and review requirements, as attached as Exhibit A.

Section Two: This Ordinance shall be effective ten (10) days after adoption pursuant to Sections 219 and 221 of the City of Reading Home Rule Charter.

Adopted _________________________, 2017

____________________________________
President of Council

Attest:

____________________________________
City Clerk

Sent to Mayor ______
Date: __________
Signed by Mayor ______
Date: __________
Vetoed by Mayor: ______
Date: __________
Over-ridden by Council:
Date: __________
EXHIBIT A
Part 3
Plan Submission Procedures

§ 515-301. Review and approval.
Hereafter, all plans for the subdivision, resubdivision and development of land within the corporate limits of the City of Reading shall be reviewed by the Planning Commission and other City, county and state officials as deemed necessary and shall be approved or disapproved by the Planning Commission in accordance with the procedures specified in this chapter. Any approval not processed as required hereafter shall be null and void unless it occurred prior to the adoption of this chapter.

§ 515-302. Classification of subdivisions.
   A. Whenever any subdivision, resubdivision or development of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner or his authorized agent shall apply for and secure approval of the Planning Commission for such proposed subdivision in accordance with the following procedure, which includes basically two steps for a minor subdivision and three steps for a major subdivision:
      (1) Minor subdivision.
         (a) Sketch plan submission.
         (b) Final subdivision plan submission.
      (2) Major subdivision.
         (a) Sketch plan submission.
         (b) Preliminary plan submission.
         (c) Final subdivision plan submission.
   B. The Planning Division of the Community Development Department, acting on behalf of the Planning Commission, shall review subdivision sketch plans submitted to the Commission and classify each acceptable plan as being either a minor or a major subdivision. If a plan is classified as a minor subdivision, the Planning Commission may, at a regularly scheduled meeting, proceed directly to a review and disposition of the plan in its final form. If a plan is classified as a major subdivision, the Planning Commission may, at successive, regularly scheduled meetings, proceed to a review and disposition of the plan in its preliminary and then its final form. See § 515-202 for the criteria used in designating major and minor subdivisions.
   [Amended 5-29-2001 by Ord. No. 14-2001]

§ 515-303. Submission of sketch plan.
   A. Before preparing the sketch plan for a subdivision, the applicant should discuss with the Planning Division of the Community Development Department the procedure for adoption of a subdivision plan and the requirements for the general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection and similar matters, as well as the availability of existing services. The Planning Division of the Community Development Department shall also advise the applicant, where appropriate, to discuss the proposed subdivision with those officials who shall eventually approve aspects of the subdivision plan coming within their jurisdiction.
B. Following such discussions, subdividers are urged to prepare subdivision sketch plans for review with the Planning Commission or its duly authorized representatives. Such plans, if submitted for review, shall include at least those items listed in Part 4 and shall conform to the other requirements hereafter specified.

C. **Three Twelve (12)** black-on-white or blue-on-white copies of the sketch plan, together with an application for classification of sketch development plan and an electronic copy, shall be submitted to the Secretary of the Planning Commission or the Planning Director.

(1) The Secretary of the Planning Commission or the Planning Director may refer sketch plans to the following:

(a) One copy to the Director of Public Works. **[Amended 5-29-2001 by Ord. No. 14-2001]**

(b) One copy to the Planning Commission.

(c) One copy to the Zoning Administrator.

(d) **One copy to each member of the City Planning Commission**

(2) Such sketch plans shall be considered as submitted for informal discussion between the subdivider and the Planning Commission or its duly authorized representatives.

D. Submission of a subdivision sketch plan shall not constitute official submission of a plan to the Planning Commission.

E. Based on the information shown on such sketch plan, the Planning Commission or its duly authorized representatives shall, as promptly as possible, advise the subdivider of the extent to which the proposed subdivision conforms to the applicable requirements of this chapter, classify the subdivision in accordance with this section, and discuss plan modifications which are deemed advisable or necessary to secure conformance with this chapter.

§ 515-304. Submission of preliminary plan for major subdivision only.

A. The initial plan of a proposed major subdivision officially submitted to the Planning Commission shall, if it meets all applicable requirements, be considered a preliminary plan.

B. Where a preliminary plan shows the proposed subdivision of only a part of the subdivider's total property, a sketch may be required showing the prospective street system in the remainder of the property so that the street system in the submitted portion may be considered in relation to future connections with the unsubmitted portion.

C. Preliminary plans and all necessary supporting data, **in hard copy and in electronic form**, shall be submitted at least 10-14 working days in advance of the meeting at which Planning Commission consideration is requested.

D. Official submission of a preliminary plan to the City shall include:

(1) Submission of a completed application for review of the preliminary subdivision plan.

(2) Submission of **seven 12** black-on-white or blue-on-white prints on paper of the preliminary plan and an electronic copy, which shall fully comply with § 515-402 and Part 5. In addition, one additional print of the preliminary plan shall be submitted in each of the following circumstances:

(a) Whenever the property being subdivided abuts a state legislative route.

(b) Whenever on-site sanitary sewage disposal facilities are proposed for use on the property being subdivided.

(c) Whenever a proposed subdivision is located in or adjacent to more than one municipality.
(3) Submission, if on-site sewage disposal and/or soil percolation tests are required, of three fully completed copies of the subdivision sewage disposal report **in hard and electronic form.**

(4) Submission of one copy of all other required information and plans **in hard and electronic form.**

E. The Planning Director or his representative shall collect a filing fee at the time of submission of the preliminary plan in accordance with the requirements of § 515-703 of this chapter.

F. If the preliminary plan submission complies with § 515-402 and all other applicable provisions of this chapter, the Planning Director shall acknowledge such compliance and shall certify the intention of the Planning Commission to review the preliminary plan by issuance to the subdivider of a preliminary subdivision plan receipt. The issuance of such receipt shall constitute official submission of the preliminary plan to the City.

G. Distribution of preliminary plan. The Planning Director or his representative shall refer the preliminary plan to the following:

1. Two copies of the preliminary plan and one copy of the City’s **County’s** application for review of the preliminary subdivision plan to the County Planning Commission with an accompanying letter requesting the County Planning Commission to review the plan as a preliminary submission for a major subdivision.

2. **Two copies One copy to each member of** to the City Planning Commission, including one copy of the application form and other required reports.

3. One copy to the Director of Public Works. [Amended 5-29-2001 by Ord. No. 14-2001]

4. One copy to the Zoning Administrator.

5. One copy to the Berks County Soil and Water Conservation District when, in the opinion of the Planning Commission, erosion and sediment controls may be needed.

6. One copy to the Pennsylvania Department of Environmental Protection. [Amended 5-29-2001 by Ord. No. 14-2001]

7. One copy to the Sewage Enforcement Officer whenever on-site sewage disposal facilities are proposed for use on the property being subdivided or developed.  

6. Editor's Note: Amended during codification (see Ch. 1, General Provisions, Part 2).


A. Review by Director of Public Works. The Director of Public Works shall review the preliminary plan to determine its conformance to the chapter. The Director of Public Works shall recommend changes, alterations or modifications, as he may deem necessary. The report of the Director of Public Works shall be in writing and shall be submitted to the Planning Commission prior to the regularly scheduled meeting at which the preliminary plan is to be considered by the Planning Commission. The report shall include an estimate of the cost of construction of all improvements as required by this chapter. [Amended 5-29-2001 by Ord. No. 14-2001]

B. Review by Zoning Officer. The Zoning Administrator shall review the preliminary plan to determine its conformance to Chapter 600, Zoning. The Zoning Administrator shall check all data as required to be shown under § 515-403 to determine if information is in accordance with the latest amendments to Chapter 600, Zoning. The report from the Zoning Administrator as to the accuracy of the information shown shall be submitted to the Planning Commission prior to the regularly scheduled meeting at which the preliminary plan is to be considered by the Planning Commission.
C. Review by County Planning Commission. No official action shall be taken by the City Planning Commission with respect to a preliminary plan for a major subdivision until the City has received the written report of the County Planning Commission; provided, however, that, if the County Planning Commission fails to report thereon within 30 days after issuing a preliminary subdivision plan receipt, then the City Planning Commission may act without having received and considered such report. If the preliminary plan submission complies with § 3.2 of the County Regulations, the County Planning Commission shall acknowledge such compliance and shall certify its intention to review the preliminary plan by issuance to the subdivider and to the City Planning Commission Secretary or the Community Development Director of a preliminary subdivision plan receipt. [Amended 5-29-2001 by Ord. No. 14-2001]

D. Review by City Planning Commission. When a preliminary plan has been officially submitted, such plan shall be placed on the agenda of the Planning Commission for review, provided that such official submission has occurred no less than 14 working days prior to such regular meeting.

E. As a part of its review, the City Planning Commission or its representatives may discuss the preliminary plan and supplementary data with the subdivider, with appropriate officials of the City, and with appropriate county and state agencies.

F. Prior to the meeting at which the preliminary plan is to be considered, the owner of the property or his agent shall be notified that the preliminary plan has been submitted and will be considered by the Commission at its meeting of a specified date and be invited to be represented at that meeting.

G. At a public meeting, the City Planning Commission or its annually appointed nominees shall review the preliminary plans and the written reports and recommendations thereon of the County Planning Commission, if same have been received, the Director of Public Works, the City Zoning Administrator, the Berks County Soil and Water Conservation District, the Department of Environmental Protection, and of any other officials of the City, county and state to determine the preliminary plan's conformance to the standards contained in this chapter. The City Planning Commission may require or recommend such changes and modifications as it deems necessary or advisable in the public interest. [Amended 5-29-2001 by Ord. No. 14-2001]

H. The action of the City Planning Commission, either approving or disapproving the preliminary plan, shall be noted, with the date of such action and the signature of the Commission on two sets of plans. The findings and reasons upon which the action is based, including the provisions of the statute or ordinance relied upon, shall also be stated in the minutes and in writing.

I. Within 90 working days after the meeting at which the preliminary plan is reviewed, the Secretary of the City Planning Commission or the Community Development Department Director shall send written notice of the findings, action taken, and reason thereof. When the application is not approved in terms as filed, the decision shall specify the defects found in the application, describing the requirements which have not been met, and shall in each case cite the provisions of the statute or ordinance relied upon. Copies of the written notice shall be sent to the following: [Amended 5-29-2001 by Ord. No. 14-2001]

(1) Zoning Administrator.
(2) Director of Public Works.
(3) The engineer, surveyor or land planner of the subdivider or his agent.
(4) The subdivider or his agent.

7. Editor's Note: Amended during codification (see Ch. 1, General Provisions, Part 2).
§ 515-306. Approval of preliminary plan.
A. One signed copy of the plan indicating the modifications necessary for final approval shall be maintained by the City in the records of the Planning Division of the Community Development Department, and one signed copy shall be sent to the subdivider or his agent. [Amended 5-29-2001 by Ord. No. 14-2001]
B. Approval of the preliminary plan, subject to conditions, revisions and modifications as stipulated by the City Planning Commission, shall constitute conditional Commission approval as to the character and intensity of development, the arrangement and approximate dimension of streets, lots and other planned features, but shall not authorize the sale or transfer of lots. Approval of the preliminary plan shall not constitute acceptance of a subdivision for recording.

A. Within 12 months after approval of the sketch plan for a minor subdivision or of the preliminary plan for a major subdivision, a final plan and all necessary supplementary data shall be officially submitted for final review directly to the Director of Community Development or his designee by the subdivider or his representative authorized in writing to submit the plan. An extension of time may be granted by the City Planning Commission and the County Planning Commission upon written request by the subdivider or his representative. Final plans submitted after this expiration of time for which no time extension has been granted may be considered as a new preliminary plan. [Amended 5-29-2001 by Ord. No. 14-2001]
B. The final plan for a minor or major subdivision shall conform in all important respects to the sketch plan or the preliminary plan as previously reviewed and approved by the City Planning Commission or its appointee. The City Planning Commission or its duly appointed representative may, however, accept a final plan so modified as to reflect any substantial changes which have occurred on the site of the proposed subdivision, or its surroundings, since the time of sketch plan review for a minor subdivision or preliminary plan review for a major subdivision.
C. The City Planning Commission may permit submission of the final plan in sections, each covering a reasonable portion of the entire proposed subdivision as shown on the previously reviewed sketch plan or preliminary plan.
D. Final plans and all necessary supporting data shall be submitted in hard and electronic form at least 14 working days in advance of the meeting at which the City Planning Commission approval is requested.
E. Official submission of a final plan to the City shall include:
   (1) Submission of a completed application for review of final subdivision plan.
   (2) For a major subdivision, submission of seven (12) black-on-white or blue-on-white paper prints in hard and electronic form, one linen and one Mylar copy of the final plan which is in full compliance with § 515-403.
   (3) For minor subdivision, submission of nine (12) black-on-white or blue-on-white paper prints in hard and electronic form, one linen and one Mylar copy of the final plan which is in full compliance with § 515-403.
   (4) Submission of one copy of all other required information and plans.
F. If the final plan submission complies with § 515-403 and all other applicable provisions of this chapter, the Director of Community Development or his duly authorized representative shall acknowledge such compliance and shall certify the intention of the City Planning Commission to review the final plan by issuance to the subdivider of a final subdivision plan receipt. The issuance of such receipt shall constitute official submission of the final plan to the City. [Amended 5-29-2001 by Ord. No. 14-2001]
G. Distribution of final plan, major subdivision. The Director of Community Development or his representative shall refer the final plan for a major subdivision to the following: [Amended 5-29-2001 by Ord. No. 14-2001]

(1) Five Black-on-white or blue-on-white paper copies, one linen and one Mylar copy of the plan and one copy of the City's final application form and other required documents to each member of the City Planning Commission.

(2) One copy to the Director of Public Works.

(3) One copy to the Zoning Administrator.

H. Distribution of final plan, minor subdivision. The Community Development Director or his representative shall refer the final plan for a minor subdivision to the following: [Amended 5-29-2001 by Ord. No. 14-2001]

(1) Two paper copies of the final plan and one copy of the City's application for review of the final plan to the County Planning Commission with an accompanying letter requesting the County Planning Commission to review the plan as a final submission for a minor subdivision.

(2) Five Black-on-white or blue-on-white paper copies, one linen and one Mylar copy of the plan and one copy of the City's final application form and other required documents to each member of the City Planning Commission.

(3) One copy to the Director of Public Works.

(4) One copy to the Zoning Administrator.

§ 515-308. Review of final plan.
[Amended 5-29-2001 by Ord. No. 14-2001]

A. Review by County Planning Commission. If the final plan submission for a minor subdivision complies with § 3.3 of the County Regulations and § 515-403 of this chapter, the County Planning Commission shall acknowledge such compliance and shall certify its intention to review the final plan by issuance to the subdivider of a final subdivision plan receipt. Copies of this receipt shall also be mailed to the Director of Community Development and the Secretary of the City Planning Commission. No official action shall be taken by the City Planning Commission or its nominee with respect to a final plan for a minor subdivision until the City has received the written report of the County Planning Commission; provided, however, that, if the County Planning Commission fails to report thereon within 30 days after issuing a final subdivision plan receipt, then the City Planning Commission or its nominee may act without having received and considered such report.

B. Review by City Planning Commission.

(1) Within 20 working days after official submission of a final plan for a major or minor subdivision, the staff of the City Planning Commission, including the Director of Community Development, shall review the plan for its conformance with this section and § 515-403.

(2) The Director of Community Development shall place the plan on the agenda of the City Planning Commission for review at its next scheduled meeting, providing that the official submission has occurred no less than six working days prior to such scheduled meeting.

(3) During review of the final plan, the City Planning Commission may also consider the written reports of the Director of Public Works, City Zoning Administrator, and other appropriate City, county and state agencies.

(4) The City Planning Commission or its nominees shall review the final plan at a scheduled public meeting. The findings, reasons upon which the action is based and, if the application is
not approved, the provisions of the statute or ordinance relied upon, shall be stated in the minutes and in writing.

(5) Within 90 working days after the final plan is officially reviewed, the Secretary of the Planning Commission or Director of Community Development or his designee shall send written notice of the findings, action taken and reason thereof and shall, when the application is not approved, specify the defects found in the application and describe the requirements which have not been met, and shall, in each case, cite the provisions of the statute or ordinance relied upon. The following persons shall receive such notice:

(a) County Planning Commission.
(b) Director of Public Works.
(c) The engineer, surveyor or land planner of the subdivider or his agent.
(d) The subdivider or his agent.

(6) If the final plan is approved, the action of the City Planning Commission or its nominee shall be noted, together with the date and signature of the Planning Commission, on eight sets of the final plan, including the linen and Mylar copies. If the final plan is disapproved or is recommended for disapproval, reasons for such action shall be explicitly stated and, if deemed necessary, any modifications required by the City Planning Commission as prerequisites to approval of the final plan shall be noted on the final plan, which shall be distributed as follows:

(a) One copy to the Director of Public Works.
(b) Three copies to the County Planning Commission for County endorsement.
(c) One copy to the engineer, surveyor or land planner of the subdivider or his agent.
(d) One copy to be filed in the Registry Office of the City.
(e) A Mylar reproduction to be filed with the Planning Commission or Director of Community Development.
(f) One copy to be filed with the City Zoning Administrator.

8. Editor's Note: Amended during codification (see Ch. 1, General Provisions, Part 2).

[Amended 5-29-2001 by Ord. No. 14-2001]
A. Before the City Planning Commission approves any final plan and as a prerequisite for approval, the subdivider shall deliver to the City Planning Commission or Director of Community Development, who will forward to the Administrative Services Director, a performance guarantee in the amount of 110% of the cost of all public improvements required by this chapter, as estimated by the Director of Public Works, in a form and with a surety approved by the City Solicitor or such other collateral as the Planning Commission, with the approval of City Council, shall deem sufficient under the circumstances, guaranteeing the construction and installation of all such public improvements within a stated period, which shall not be longer than one year from the date of final subdivision approval. Upon written application signed by both the obligor and surety of performance guarantee, in a form approved by the City Solicitor or Council, the City Planning Commission may, at its discretion, extend such period by not more than three additional years or, when the improvements have been partially completed, reduce proportionately the amount of the performance guarantee by formal resolution.

B. Before the City Planning Commission approves any final plan and as a prerequisite for approval, the subdivider shall also deliver to the Planning Commission a maintenance guarantee in an amount of not less than 5% of the Director of Public Works' estimate of the cost of all improvements required by this chapter, guaranteeing that the subdivider shall maintain all such
improvements in good condition for a period of one year after the completion of construction and installation of all such improvements.

§ 515-310. Recording of final plan.
A. Within 90 days after endorsement of the final plan by the City and the County Planning Commissions, the subdivider shall file the record plan with the County Recorder of Deeds. If the subdivider fails to record the final plan within such period, the action of the Planning Commission shall be null and void unless an extension of time is granted in writing by the City Planning Commission upon the written request of the subdivider. No subdivision plan may be legally recorded unless it bears the City Planning Commission's approval and seal and the County Planning Commission's stamp of review. In the event any such unapproved plan is recorded it shall be considered invalid, and the Commission shall institute proceedings to have the plan stricken from the records of the Recorder of Deeds, Berks County.
B. Recording the final plan after approval of the Commission shall have the effect of an irrevocable offer to dedicate all streets and other public ways shown thereon to the public use and to dedicate or reserve all park reservations and school sites and other public areas to public use, unless reserved by the subdivider as hereinafter provided. The approval of the Commission shall not impose any duty upon the City concerning maintenance or improvement of any such dedicated streets, parks, areas or portions of same until the proper authorities of the City shall have actual appropriation of the same by entry, use or improvement. However, the subdivider may place a notation on the final plan to the effect that there is no offer of dedication of certain designated streets or other public areas to the public use, in which event the title to such ways and other lands shall remain with the owner, and the county and local authorities shall assume no responsibility for improvement or maintenance thereof, which fact shall also be noted on the final plan.

§ 515-311. Release from improvement guarantee.
A. When the subdivider or developer has completed all of the necessary and appropriate improvements, he shall notify the City Planning Commission, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Director of Public Works. The Planning Commission or its representative shall, within 10 days after receipt of such notice, direct and authorize the Director of Public Works to inspect all of the aforesaid improvements. The Director of Public Works shall, thereupon, file a report, in writing, with the City Planning Commission and shall promptly mail a copy of the same to the developer by certified or registered mail. The report shall be made and mailed 30 days after receipt by the Director of Public Works of the aforesaid authorization from the City Planning Commission; the report shall be detailed and shall indicate approval or rejection of such improvements, either in whole or in part, and if such improvements or any portion thereof shall not be approved or shall be rejected by the Director of Public Works, such report shall contain a statement of the reasons for such nonapproval or rejection. [Amended 5-29-2001 by Ord. No. 14-2001]
B. The City Planning Commission or its representative shall notify the developer, in writing, by certified or registered mail, of the action of the Planning Commission with relation thereto.
C. If any portion of the improvements shall not be approved or shall be rejected by the City Planning Commission, the developer shall proceed to complete the same and, upon completion, the same procedure of notification as outlined herein shall be followed.
D. In the event that any improvements which may be required have not been installed as provided in this chapter or in accord with the approved final plan, the Planning Commission or its representative is hereby granted the power to enforce any corporate bond or other security by appropriate legal and equitable remedies. If proceeds of such bond or other security are insufficient to pay the cost of installing or making repairs or corrections to all the improvements covered by such security, Council may, at its option, install part of such improvements in all or part of the subdivision or land development and may institute appropriate legal or equitable action to recover the moneys necessary to complete the remainder of the improvements. All of the proceeds, whether resulting from the security or from any legal or equitable action brought against the developer, or both, shall be used solely for the installation of the improvements covered by such security and not for any other City purpose.
AGENDA MEMO

Public Works – Wastewater Treatment Plant

TO: City Council
FROM: Glenn Steckman, Managing Director
       Josephina Encarnacion, Acting Duty Admin Director Ralph Johnson, Public Works Director
PREPARED BY: Amy Morriss WWTP Manager
MEETING DATE: February 13, 2017
AGENDA MEMO DATE: February 8, 2017 (Revised)
RECOMMENDED ACTION: Council approval of appropriation transfers

RECOMMENDATION:
A recommendation for Councils approval of a transfer within the 2016 Department of Public Works, Division of Utilities Wastewater budget Fund: 54-07-44. A total of $53,000 from Fees, 54-07-44-4235 to the following code: 54-07-44-4513 Chemical Supplies. Shortage results from system failure of Air quality system resulting in overuse of chemicals to maintain compliance with air quality permit limits.

BUDGETARY IMPACT:
The amount being transferred has been previously accounted for in the 2016 operational budget of the Wastewater Treatment Plant.
From: $53,000.00 Fees, 54-07-44-4235
To: $53,000.00 Chemical Supplies 54-07-44-4513

SUBSEQUENT ACTION:
Approval by Council for the budget amendment.

RECOMMENDED BY:
The Managing Director, Acting Director of Administrative Services, and Director of Public Works.

RECOMMENDED MOTION:
Approve the amendment to the approved 2016 budget as presented.
AN ORDINANCE

AUTHORIZING AN APPROPRIATIONS TRANSFER WITHIN FUND 54 DIVISION 44 - 2016 WASTEWATER TREATMENT PLANT OPERATIONS BUDGET IN THE AMOUNT OF $53,000.00 TO BE TRANSFERRED FROM FEE’s TO CHEMICAL SUPPLIES.

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

Section One: Council hereby authorizes the transfer of cash reserves within Fund 54 Division 44 – 2016 Wastewater Treatment Plant operations budget for the amount of $53,000.00 from Fees (54-07-44-4235-000) to the following account code: $53,000.00 Chemical Supplies (54-07-44-4513-000).

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

ENACTED _______________, 2017

_____________________________
President of Council

ATTEST:
_____________________________
City Clerk
Submitted to Mayor by: _________________
Date Submitted: _________________
Received in Mayor’s Office by: _________________
Date Received: _________________
Approved by Mayor: _________________
Date Approved: _________________
Vetoed by Mayor: _________________
Date Vetoed: _________________
TO: City Council
FROM: Glenn Steckman, Managing Director
Josephina Encarnacion, Acting Admin. Services Director, Ralph Johnson, Public Works Director

PREPARED BY: Ralph Johnson, Public Works Director
Madelin Collins, Municipal Aide

MEETING DATE: February 13, 2017
AGENDA MEMO DATE: February 8, 2017
RECOMMENDED ACTION: Council approval of an $110,000.00 transfer from Solid Waste & Recycling fund balance to cover 2016 year end invoices from Republic Services contracted trash service.

RECOMMENDATION: Administration recommends Council approval of the transfer of cash reserves in the Solid Waste & Recycling fund and amending the 2016 Solid Waste operating budget to allocate funds to cover the last invoices of 2016 from Republic Services solid waste contracted service.

BACKGROUND: The costs of the additional units that were added to the Solid Waste trash removal service has increased creating a deficit on the Contracted Services line item. In order to cover the rest of the 2016 invoices including Additional Units invoices we will need to relocate funds into the Contracted Services account. However, due to changes in internal procedures, it now mandates that these expenditures be reflected in the Solid Waste operating budget in order to prepare purchase orders for payment of these costs.

BUDGETARY IMPACT: The net effect would be to reduce the budgeted 2016 Solid Waste & Recycling Fund retained earnings balance by $110,000.00.

SUBSEQUENT ACTION:
The budget amendment must be approved by Council.

**RECOMMENDED BY:**
The Managing Director, Acting Director of Administrative Services, and Director of Public Works.

**RECOMMENDED MOTION:**
Approve/Deny the amendments to the approved 2016 budget as presented.

Drafted by Public Works
Sponsored by/Referred by Public Works
Introduced on Feb 13, 2017
Advertised on N/A

BILL NO. ____2017
AN ORDINANCE

AUTHORIZING AN APPROPRIATIONS TRANSFER WITHIN THE SOLID WASTE/RECYCLING FUND IN THE AMOUNT OF $110,000.00 FOR THE YEAR END OF 2016 REPUBLIC SERVICES INVOICES WHO SERVICES THE CITY’S RESIDENTIAL WASTE CONTRACT.

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

Section One: Council hereby authorizes the transfer of cash reserves in the Solid Waste/Recycling Enterprise Fund in the amount of $110,000.00 from Fund Balance (57-07-00-2990-000) to Contracted Services (56-07-47-4216-000) to service the year end invoices of 2016 for Republic Services.

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

ENACTED _______________, 2017

________________________________
President of Council

ATTEST:

________________________________
City Clerk

Submitted to Mayor by: ________________
AGENDA MEMO

Public Works – Wastewater Treatment Plant

TO: City Council
FROM: Glenn Steckman, Managing Director
       Josephina Encarnacion, Acting Duty Admin Director Ralph Johnson, Public Works Director
PREPARED BY: Amy Morriss WWTP Manager
MEETING DATE: February 13, 2017
AGENDA MEMO DATE: February 1, 2017
RECOMMENDED ACTION: Council approval of appropriation transfers

RECOMMENDATION:
A recommendation for Councils approval of a transfer within the 2016 Department of Public Works, Division of Utilities Wastewater budget Fund: 54-07-44. A total of $45,000 from Fees, 54-07-44-4235 to the following code: 54-07-44-4513 Chemical Supplies. Shortage results from system failure of Air quality system resulting in overuse of chemicals to maintain compliance with air quality permit limits.

BUDGETARY IMPACT:
The amount being transferred has been previously accounted for in the 2016 operational budget of the Wastewater Treatment Plant.
From: $45,000.00 Fees, 54-07-44-4235
To: $45,000.00 Chemical Supplies 54-07-44-4513

SUBSEQUENT ACTION:
Approval by Council for the budget amendment.

RECOMMENDED BY:
The Managing Director, Acting Director of Administrative Services, and Director of Public Works.

RECOMMENDED MOTION:
Approve the amendment to the approved 2016 budget as presented.
BILL NO. ____2017

AN ORDINANCE

AUTHORIZING AN APPROPRIATIONS TRANSFER WITHIN FUND 54 DIVISION 44 - 2016
WASTEWATER TREATMENT PLANT OPERATIONS BUDGET IN THE AMOUNT OF $45,000.00 TO
BE TRANSFERRED FROM FEE’s TO CHEMICAL SUPPLIES.

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

Section One: Council hereby authorizes the transfer of cash reserves within Fund 54 Division 44 – 2016 Wastewater Treatment Plant operations budget for the amount of $45,000.00 from Fees (54-07-44-4235-000) to the following account code: $45,000.00 Chemical Supplies (54-07-44-4513-000).

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

ENACTED _____________, 2017

________________________________
President of Council

ATTEST:

________________________________
City Clerk

Submitted to Mayor by: _________________
Date Submitted: _________________
Received in Mayor’s Office by: _________________
Date Received: _________________
Approved by Mayor: _________________
Date Approved: _________________
Vetoed by Mayor: _________________
Date Vetoed: _________________
AN ORDINANCE AMENDING THE READING CITY CODE CHAPTER 77 POLICE, PART 1 PROMOTIONS BY INCREASING THE ELIGIBILITY REQUIREMENTS FOR THE SERGEANT AND LIEUTENANT POSITIONS

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

SECTION ONE. Amending the Reading City Code Chapter 77 Police, Part 1 Promotions by increasing the eligibility requirements for the Sergeant and Lieutenant positions as follows:

§ 77-102. Sergeant.
A. An applicant desiring to take the test for the position of sergeant in the Reading Department of Police must be a sworn member of the Reading Department of Police with three five years experience, who shall have attained the required three five years experience prior to the closing date fixed by the Civil Service Board. [Amended 11-28-2011 by Ord. No. 63-2011]
B. Where more than one member of the Department is qualified by virtue of this section to submit application to take the test for the position of sergeant, the Civil Service Board shall select the type of testing, set the weights of all parts of the testing process and conduct an examination process. The respective final scores of the candidates for the position of sergeant shall include points acquired for years of experience, as provided for in § 77-106 hereof, and points acquired for college credits as provided for in § 77-110, hereof, shall be added to the composite score to determine the final score.
C. Where more than one member qualifies for an appointment to the position of sergeant as a result of the sergeants’ examination, the Civil Service Board shall enter the names of such persons on a list of eligibles in the order of their respective total scores, the highest coming first. The Mayor shall choose from the three names at the top of the list for appointment to the rank of sergeant. Whenever any name is removed from the list, in accordance with this Part, all names on the list lower than that removed shall be moved up in position on the list accordingly.

§ 77-103. Lieutenant.
A. An applicant desiring to take the test for the position of lieutenant shall be a sergeant who has held that position for at least one three years prior to the closing date.
fixed by the Civil Service Board for the receipt of applications or one who held the position of detective on June 11, 1978, and who obtained such rank pursuant to Ord. No. 31-1968, as amended. [Amended 11-28-2011 by Ord. No. 63-2011]

B. Where more than three members of the Department are qualified by virtue of this section to submit an application to take the test for the position of lieutenant, the Civil Service Board shall select the type of testing, set the weights of all parts of the testing process and conduct an examination process. In determining the respective final scores of the candidates for the position of lieutenant, points acquired for years of experience as provided for in § 77-106 hereof, and points acquired for college credits as provided in § 77-110 hereof, shall be added to the composite scores to determine the final score.

C. Where more than three members qualify for an appointment to the position of lieutenant as a result of the examination, the Civil Service Board shall enter the names of such persons on a list of eligibles in the order of their respective total scores, the highest coming first. The Mayor shall choose from the three names at the top of the list for appointment to the rank of lieutenant. Whenever any name is removed from the list, in accordance with this Part, all names on the list lower than that removed shall be moved up in position on the list accordingly.

SECTION TWO. Any and all ordinances which are contrary to Section One above is/are repealed.

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 ________________, 2017

____________________________________
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: ______________
AUTHORIZING THE MAYOR TO EXECUTE A STORMWATER EASEMENT AGREEMENT – RAIN GARDEN, BETWEEN THE CITY OF READING AND SCHUYLKILL VALLEY SCHOOL DISTRICT (BOTH SITUATE IN BERKS COUNTY, PENNSYLVANIA) THEREBY CONVEYING UNTO SCHUYLKILL VALLEY SCHOOL DISTRICT A NON-EXCLUSIVE, PERPETUAL EASEMENT AND RIGHT-OF-WAY UPON THAT PORTION OF PREMISES SHOWN AND DESIGNATED AS THE EASEMENT AREA AS DESCRIBED IN LEGAL DESCRIPTION OF DRAINAGE EASEMENT #2 OVER PARCEL 68-5401-00-60-9178, STADIUM IMPROVEMENTS FOR SCHUYLKILL VALLEY SCHOOL DISTRICT, DATED NOVEMBER 8, 2016, BEING PROJECT #2016043, PREPARED BY WILKINSON & ASSOCIATES, INC., AND SITUATE IN ONTELAUNEE TOWNSHIP, BERKS COUNTY, PENNSYLVANIA.

WHEREAS, the City of Reading is the legal owner of real property situate along Ontelaunee Drive (S.R. 4029), Ontelaunee Township, Berks County, Pennsylvania, with Parcel No. 68-5401-00-60-9178, and more particularly described in a certain deed appearing in the Office of the Recorder of Deeds in and for Berks County, Pennsylvania, in Record Book Vol. _____, at Page _____; and

WHEREAS, the City of Reading is willing to grant to Schuylkill Valley School District a perpetual easement in connection with said parcel and a certain construction project.

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Mayor is authorized to execute a Stormwater Easement Agreement – Rain Garden (attached as Exhibit “A”) to convey unto Schuylkill Valley School District a non-exclusive, perpetual easement and right-of-way upon that portion of premises shown and designated as the Easement Area in said Agreement, situate in Ontelaunee Township, Berks County, Pennsylvania.

SECTION 2. The Mayor is authorized to execute any Agreement of Release if required in connection with the conveyance of above referenced easement.

SECTION 3. This Ordinance shall be effective ten (10) days after passage.
BILL NO._______-2017

A N O R D I N A N C E

AUTHORIZING THE MAYOR TO EXECUTE A STORMWATER EASEMENT AGREEMENT BETWEEN THE CITY OF READING AND SCHUYLKILL VALLEY SCHOOL DISTRICT (BOTH SITUATE IN BERKS COUNTY, PENNSYLVANIA) THEREBY CONVEYING UNTO SCHUYLKILL VALLEY SCHOOL DISTRICT A NON-EXCLUSIVE, PERPETUAL EASEMENT AND RIGHT-OF-WAY UPON THAT PORTION OF PREMISES SHOWN AND DESIGNATED AS THE EASEMENT AREA AS DESCRIBED IN LEGAL DESCRIPTION OF DRAINAGE EASEMENT #1 OVER PARCEL 68-5401-00-60-9178, STADIUM IMPROVEMENTS FOR SCHUYLKILL VALLEY SCHOOL DISTRICT, DATED NOVEMBER 8, 2016, BEING PROJECT #2016043, PREPARED BY WILKINSON & ASSOCIATES, INC., AND SITUATE IN ONTELAUNEE TOWNSHIP, BERKS COUNTY, PENNSYLVANIA.

WHEREAS, the City of Reading is the legal owner of real property situate along Ontelaunee Drive (S.R. 4029), Ontelaunee Township, Berks County, Pennsylvania, with Parcel No. 68-5401-00-60-9178, and more particularly described in a certain deed appearing in the Office of the Recorder of Deeds in and for Berks County, Pennsylvania, in Record Book Vol. _____, at Page _____; and

WHEREAS, the City of Reading is willing to grant to Schuylkill Valley School District a perpetual easement in connection with said parcel and a certain construction project.

NOW, THEREFORE THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The Mayor is authorized to execute a Stormwater Easement Agreement (attached as Exhibit “A”) to convey unto Schuylkill Valley School District a non-exclusive, perpetual easement and right-of-way upon that portion of premises shown and designated as the Easement Area in said Agreement, situate in Ontelaunee Township, Berks County, Pennsylvania.
SECTION 2. The Mayor is authorized to execute any Agreement of Release if required in connection with the conveyance of above referenced easement.

SECTION 3. This Ordinance shall be effective ten (10) days after passage.

Enacted_______________________________, 2017

_______________________________________
President of Council

Attest:

______________________________
City Clerk
(LAW DEPT.)

Submitted to Mayor by: ________________
Date Submitted: ________________
Received in Mayor’s Office by: ________________
Date Received: ________________
Approved by Mayor: ________________
Date Approved: ________________
Vetoed by Mayor: ________________
Date Vetoed: ________________
TO: City Council
FROM: Glenn Steckman, Managing Director
       Josephina Encarnacion, Acting Admin. Services Director
       Ralph Johnson, Public Works Director
       Don Pottiger, Controller

PREPARED BY: Don Pottiger, Controller

MEETING DATE: February 13, 2017
AGENDA MEMO DATE: January 20, 2017
RECOMMENDED ACTION: To amend the 2017 Position Listing of the Solid Waste Fund (Fund 56).

RECOMMENDATION:
It is recommended that City Council adopt the revised Fiscal Year 2017 Position Listing to reflect the appropriate changes to the Solid Waste Fund budget as a result of the new trash and recycling contract with Republic Services and the resulting expenditure changes resulting from the contract.

BACKGROUND:
The contract for trash and recycling was previously approved by Council. As a result of this contract, necessary changes to budgeted positions were needed. Please see the attached spreadsheet which reflects all of these changes.

BUDGETARY IMPACT:
The reduction in expenditures related to salaries is noted in the accompanying Agenda Memo which amends the 2017 budget of the Solid Waste Fund.
PREVIOUS ACTION: None

SUBSEQUENT ACTION: None

RECOMMENDED BY:
The Managing Director, Acting Director of Administrative Services, and Director of Public Works.

RECOMMENDED MOTION:
Approve/Deny the amendments to the 2017 Position Listing of the Solid Waste Fund (Fund 56).
AN ORDINANCE

AMENDING 2017 POSITION ORDINANCE OF SOLID WASTE FUND 56 TO REFLECT CHANGES AS A RESULT OF CONTRACT FOR COLLECTION OF TRASH AND RECYCLING OPERATIONS.

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

Section One: Council hereby amends the 2017 Position Ordinance of Solid Waste Fund 56.

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

ENACTED ______________, 2017

________________________________
President of Council

ATTEST:

________________________________
City Clerk

Submitted to Mayor by: _________________
Date Submitted: _________________
Received in Mayor’s Office by: _________________
Date Received: _________________
Approved by Mayor: _________________
Date Approved: _________________
Vetoed by Mayor: _________________
Date Vetoed: _________________
City of Reading
Listing of Positions (Combined Solid Waste Fund)
For the 2017 Operating Budget

<table>
<thead>
<tr>
<th>Position Title</th>
<th>2017 Adopted Budget Number of Employees</th>
<th>2017 Amended Budget Number of Employees</th>
<th>Amended Division</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Status</td>
<td>Full-Time</td>
<td>Part-Time</td>
</tr>
<tr>
<td>Division Manager</td>
<td>Full-Time</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Clean City Coordinator</td>
<td>Full-Time</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Foreman</td>
<td>Full-Time</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Municipal Aide II</td>
<td>Full-Time</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>Equipment Operator II</td>
<td>Full-Time</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>Maintenance Worker II</td>
<td>Full-Time</td>
<td>5</td>
<td>-</td>
</tr>
<tr>
<td>Education Coordinator</td>
<td>Part-Time</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Graffiti Abatement</td>
<td>Part-Time</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>Staff</td>
<td>Part-Time</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td></td>
<td>15</td>
<td>3</td>
</tr>
</tbody>
</table>
TO: City Council
FROM: Glenn Steckman, Managing Director
       Josephina Encarnacion, Acting Admin. Services Director
       Ralph Johnson, Public Works Director
       Don Pottiger, Controller

PREPARED BY: Don Pottiger, Controller

MEETING DATE: February 13, 2017
AGENDA MEMO DATE: February 8, 2017
RECOMMENDED ACTION: To amend the 2017 Operating Budget of the Solid Waste Fund (Fund 56).

RECOMMENDATION:
It is recommended that City Council to adopt the amended Fiscal Year 2017 Operating Budget to reflect the appropriate changes to the Solid Waste Fund budget as a result of the new trash and recycling contract with Republic Services and the resulting expenditure changes resulting from the contract.

BACKGROUND:
The contract for trash and recycling was previously approved by Council. As a result of this contract, necessary changes to budgeted expenditure line items were needed. Please see the attached spreadsheet which reflects all of these changes.

BUDGETARY IMPACT:
Please refer to the attached spreadsheet for details.
PREVIOUS ACTION: None

SUBSEQUENT ACTION: None

RECOMMENDED BY:
The Managing Director, Acting Director of Administrative Services, and Director of Public Works.

RECOMMENDED MOTION:
Approve/Deny the amendments to the 2017 Operating Budget of the Solid Waste Fund (Fund 56).
BILL NO. ____2017

AN ORDINANCE

AMENDING 2017 OPERATING BUDGET OF SOLID WASTE FUND 56 TO REFLECT CHANGES AS A RESULT OF CONTRACT FOR COLLECTION OF TRASH AND RECYCLING OPERATIONS.

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

Section One: Council hereby amends the 2017 Operating Budget of Solid Waste Fund 56.

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

ENACTED ____________, 2017

President of Council

ATTEST:

______________________________
City Clerk

Submitted to Mayor by: ____________________
Date Submitted: ____________________
Received in Mayor’s Office by: ____________________
Date Received: ____________________
Approved by Mayor: ____________________
Date Approved: ____________________
Vetoed by Mayor: ____________________
Date Vetoed: ____________________
### CITY OF READING, PA
#### BUDGET REQUEST SUMMARY
#### 2017

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Dept #</th>
<th>Div#</th>
<th>Account #</th>
<th>Account Name</th>
<th>2017 Adopted Budget</th>
<th>2017 Proposed Changes</th>
<th>2017 Revised Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>56</td>
<td>07</td>
<td>00</td>
<td>3009</td>
<td>Discount and Allowances</td>
<td>$ -</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3021</td>
<td>Penalty &amp; Interest</td>
<td>$ -</td>
<td>$ 55,000.00</td>
<td>$ 55,000.00</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3214</td>
<td>Reimbursement - Collection Expense</td>
<td>$ -</td>
<td>$ 45,000.00</td>
<td>$ 45,000.00</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3555</td>
<td>State Recycling Incentive Revenue</td>
<td>$ -</td>
<td>$ 116,445.00</td>
<td>$ 116,445.00</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3641</td>
<td>User Fees - Recycling</td>
<td>$ 2,191,763.00</td>
<td>($377,329.00)</td>
<td>$ 1,814,434.00</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3724</td>
<td>Co-Mingled</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3745</td>
<td>Miscellaneous</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3646</td>
<td>Recycling Collection - Reading School District</td>
<td>$ 50,000.00</td>
<td>-</td>
<td>$ 50,000.00</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3679</td>
<td>In-Sourced Recycling Revenue</td>
<td>$ 50,000.00</td>
<td>$ (45,000.00)</td>
<td>$ 5,000.00</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
<td>3724</td>
<td>Reading School District Marketing</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>47</td>
<td>3009</td>
<td>Discount and Allowances</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>47</td>
<td>3021</td>
<td>Penalty &amp; Interest</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>47</td>
<td>3251</td>
<td>Trash Removal Revenue</td>
<td>$ 3,907,599.00</td>
<td>$ 88,205.00</td>
<td>$ 3,995,744.00</td>
</tr>
</tbody>
</table>

#### 56 Solid Waste Fund

| 56 Solid Waste Fund | $6,199,302.00 | $(117,677.00) | $6,081,625.00 |
BILL NO. _____-2017
AN ORDINANCE
AMENDING THE CITY OF READING CODE, SECTION 212-136,
2017 CURBSIDE COLLECTION FEES

The Council of the City of Reading hereby ordains as follows:
Section One: Section 212, Fees, of the Code of the City of Reading is amended in accordance with Appendix A contained herein.
Section Two: This Ordinance shall become effective March 1, 2017.

Enacted _____________, 2017

__________________________________
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: __________
APPENDIX A


<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
<th>Ordinance No.</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curbside waste collection with municipal trash service</td>
<td>$315.00</td>
<td>21-2014</td>
<td>§ 496-208</td>
</tr>
<tr>
<td></td>
<td>$294.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Curbside waste collection without municipal trash service</td>
<td>$95.04</td>
<td>21-2014</td>
<td>§ 496-208</td>
</tr>
<tr>
<td></td>
<td>$74.04</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Penalty: Any unpaid curbside waste collection fee not paid by December 31 of the year it was due shall incur a 10% penalty, and may be subject to additional collection costs and fees.
TO:          CITY COUNCIL
FROM:        ALEX PALACIOS, COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR
MEETING DATE: NOVEMBER 28, 2016
AGENDA MEMO DATE: NOVEMBER 10, 2016
REQUESTED ACTION: TO RESCIND THE AWARD OF THE CITY’S MICRO-LOAN PROGRAM TO THE COMMUNITY FIRST FUND

BACKGROUND:  On May 23, 2016 City Council passed a resolution authorizing the transfer of the Commonwealth of Pennsylvania’s funded Micro-Loan Program to the Community First Fund. The administration has decided to rescind the offer. The loan program will be directly administered by the City.

BUDGETARY IMPACT:  None.

PREVIOUS ACTION:  None.

SUBSEQUENT ACTION:  None.

RECOMMENDED BY:  The Managing Director and the Mayor.

RECOMMENDED MOTION: To approve/deny a Council Resolution authorizing the Mayor to rescind the offer to transfer the City’s former Micro-Loan Program to the Community First Fund.

Attachment

Cc:  Mayor Scott
     Glenn Steckman
     Charles Younger
RESOLUTION NO. ____________2016

RESOLUTION OF THE COUNCIL OF THE CITY OF READING AUTHORIZING THE MAYOR TO RESCIND THE OFFER OF ENTERING INTO AN AGREEMENT TO TRANSFER THE CITY’S MICRO-LOAN PROGRAM TO THE COMMUNITY FIRST FUND

WHEREAS, in the past the City of Reading received Commonwealth of Pennsylvania funding and created an Enterprise Zone Revolving Loan Program known as EZFRED;

WHEREAS, the City of Reading utilizing the loan repayment funds created a Micro-Loan Program which was previously administered by a consultant that is no longer under contract with the City of Reading;

WHEREAS, on May 23, 2016 City Council passed a resolution authorizing the transfer of the Micro-Loan Program to the Community First Fund;

WHEREAS, the Mayor has decided to rescind the offer to transfer the loan program to the Community First Fund;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF READING THAT:

The Mayor, on behalf of the City of Reading, is authorized and directed to rescind the offer to transfer the Micro-Loan Program to the Community First Fund. The loan program will be directly administered by the City.

ADOPTED BY COUNCIL ________________________, 2016

______________________________________________
PRESIDENT OF COUNCIL

ATTEST:

________________________________________
CITY CLERK
RESOLUTION NO.________________

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

That David Moodhart is reappointed to the Shade Tree Commission with a term ending August 31, 2021.

Adopted by Council ______________________, 2017

_______________________________________
President of Council

Attest:

_______________________________________
Linda A. Kelleher
City Clerk
R E S O L U T I O N N O.________________________

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

That Craig Weisman is reappointed to the HVAC Board with a term ending December 31, 2022.

Adopted by Council ______________________, 2017

________________________________________
President of Council

Attest:

________________________________________
Linda A. Kelleher
City Clerk
RESOLUTION NO.______________

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

That Mary Wolfe is reappointed to the Blighted Property Review Committee with a term ending February 13, 2021.

Adopted by Council ______________________, 2017

________________________________________
President of Council

Attest:

________________________________________
Linda A. Kelleher
City Clerk