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: Rev. Robert Brookins, Holy Trinity Church of God
C. PLEDGE TO THE FLAG
D. ROLL CALL

2. PROCLAMATIONS AND PRESENTATIONS
- Mayoral proclamation recognizing Craig Poole, winner of the DoubleTree by Hilton CEO Light and Warmth Award

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 27, 2017
B. MINUTES: February 13, 2017 Regular Meeting & February 17, 2017 Special Meeting

5. Consent Agenda Legislation
A. Award of Contract - for the purchase of handguns and accessories to Witmer Public Safety Group/Officer Store, Coatsville, PA in the amount of $99,647.79 for the Police Department

B. Resolution – amending Resolution No 76-2016, approving the liquor license transfer for Cubano Reading LLC at 25 N 2nd Street by adding the Liquor License number being transferred from Morgantown, as per the PCLCB's request

6. ADMINISTRATIVE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR
**8. REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS**

**9. ORDINANCES FOR FINAL PASSAGE**

<table>
<thead>
<tr>
<th>Ordinance</th>
<th>Description</th>
<th>Introduced at</th>
</tr>
</thead>
<tbody>
<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</td>
<td><strong>Introduced at the September 26, 2016 regular meeting</strong></td>
<td></td>
</tr>
<tr>
<td>A. Bill 11-2017 – amendments the City Code Chapter 515 Subdivision and Land Development Ordinance (SALDO) submission requirements</td>
<td><strong>Introduced at the February 13 regular meeting</strong></td>
<td></td>
</tr>
<tr>
<td>B. Bill 12-2017 – 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</td>
<td><strong>Introduced at the February 13 regular meeting</strong></td>
<td></td>
</tr>
<tr>
<td>C. Bill 13-2017 – authorizing the transfer of $110,000.00 from Solid Waste &amp; Recycling fund balance to cover 2016 year end invoices from Republic Services contracted trash service</td>
<td><strong>Introduced at the February 13 regular meeting</strong></td>
<td></td>
</tr>
<tr>
<td>D. Bill 14-2017 – 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</td>
<td><strong>Introduced at the February 13 regular meeting</strong></td>
<td></td>
</tr>
<tr>
<td>E. Bill 15-2017 – 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</td>
<td><strong>Introduced at the February 13 regular meeting</strong></td>
<td></td>
</tr>
<tr>
<td>F. Bill 16-2017 – 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 &amp; Associates, Inc., in Ontelaunee Township</td>
<td><strong>Introduced at the February 13 regular meeting</strong></td>
<td></td>
</tr>
<tr>
<td>G. Bill 17-2017 – 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 &amp; Associates, Inc., in Ontelaunee Township</td>
<td><strong>Introduced at the February 13 regular meeting</strong></td>
<td></td>
</tr>
<tr>
<td>H. Bill 18-2017 – amending the 2017 Position Ordinance by eliminating 7 full-time positions and adding 4 part-time positions in the Solid Waste Division</td>
<td><strong>Introduced at the February 13 regular meeting</strong></td>
<td></td>
</tr>
</tbody>
</table>
I. Bill 19-2017 – amending the 2017 Solid Waste Budget by reducing the expenditures by $117,677 due to the new contract with Republic *Introduced at the February 13 regular meeting*

J. Bill 20-2017 – 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 *Introduced at the February 13 regular meeting*

10. INTRODUCTION OF NEW ORDINANCES

Ordinance – amending the City’s Zoning Ordinance, Section 600-800, Districts, Section 600-1203 Conditional Use, Section 600-2100 Telecommunications Towers and Antennas, and Section 600-2206 Telecommunication Definitions *Introduced at the August 8, 2016 regular meeting; Reintroduced Jan 9, 2017*

Ordinance – establishing an Aggregated Pension Trust Fund of all City-Administered Uniformed and Nonuniformed Pension Fund Assets (Excluding Funds Administered by the Pennsylvania Municipal Retirement Board).

11. RESOLUTIONS

**PENDING**

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*

A. Resolution – reappointing Brian Fichthorn to the Main Street Board

B. Resolution – authorizing the receipt of a DCED EIP Grant of $32K for training and technical assistance for the development of a Housing Strategy, with matching City totaling $3,600

12. PUBLIC COMMENT – GENERAL MATTERS

*Please see public speaking rules on second page*

13. COUNCIL BUSINESS/COMMENTS

14. COUNCIL MEETING SCHEDULE

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

*Wednesday, March 1*
Police Termination Hearing – Council Chambers – 5 pm – Executive Session

*Monday, March 6*
Nominations & Appointments Committee – Council Office – 4 pm
Strategic Planning Committee – Council Office – 5 pm

Monday, March 13
Committee of the Whole – Penn Room – 5 pm
Regular Meeting – Council Chambers – 7 pm

15. BAC AND COMMUNITY GROUP MEETING SCHEDULE

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

Tuesday, February 28
Environmental Advisory Council – Public Works – noon
HVAC Board – Bldg/Trades Conference Room – 4 pm
Housing Authority Workshop – WC Building – 4 pm
Housing Authority – WC Building – 5 pm
Planning Commission – Penn Room – 6 pm
Penn’s Common Neighborhood Group – Penn’s Common Neighborhood Group – 7 pm

Wednesday, March 1
Reading Elderly Housing Crime Watch – Front & Washington Sts – 2:30 pm
Plumbing Board – Bldg/Trades Conference Room – 4 pm
District 2 Crime Watch – St Paul’s Lutheran Church – 6:30 pm

Thursday, March 2
Police Civil Service Board – Penn Room – noon

Tuesday, March 7
Charter Board – Penn Room – 7 pm

Wednesday, March 8
Zoning Hearing Board – Council Chambers – 5:30 pm
Human Relations Commission – HRC Office – 6 pm
Center City Community Organization – Holy Cross Church – 6 pm

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

Sunday, March 12
College Heights Community Council – Nativity Lutheran Church – 7 pm

16. ADJOURN
City of Reading City Council  
Regular Meeting  
February 13, 2017

Council President Waltman called the meeting to order.

The invocation was given by Councilor Daubert

All present pledged to the flag.

There was an executive session on litigation 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  
Mayor W. Scott

PROCLAMATIONS AND PRESENTATIONS

A tribute to the life, work and spirit of Albert Boscov took place with Craig Poole, Tom McMahon, Doubletree and Boscov’s Department Store employees, Robert Metzger, and Mike Reinert gave testimonials along with City Council, the Auditor and the Mayor. Jim Boscov, nephew of Mr. Boscov, expressed thanks from the Boscov family for organizing the tribute, as it truly captured the spirit embodied by Mr. Boscov during his life. He stated that he and the family look forward to continuing Mr. Boscov’s legacy. Dave Kline sang “This Little Light of Mine” to close the tribute.

- The City Clerk issued the Oath of Office to Lieutenant Kirk Litzenberger for the Fire Department

- Recognizing Black History Month, accepted by Stacey Taylor, President Reading Branch NAACP
PUBLIC COMMENT
Council President Waltman stated that there are three (3) 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.

Stephanie Arbelaez, no address provided, was not present.

Inona Boroder Piaond, no address provided, was not present.

Noahleen Betts, of Perkiomen Avenue, introduced some of the contestants for the 5th annual Miss Teen Reading pageant. She described the assistance she received from Mr. Boscov and other businesses to make the pageant a reality. She announced that the pageant will be held on Saturday, February 25th from 7-10 pm at the Lincoln Hotel.

APPROVAL OF THE AGENDA & MINUTES
Council President Waltman called Council’s attention to the agenda for this meeting and the minutes from the January 27th Regular Meeting of Council. He announced the need to amend the Resolution section by adding a resolution relating to the UGI gas meters. He stated that there is no legislation on the Consent Agenda.

Councilor Daubert moved, seconded by Councilor Marmarou, to approve the minutes from the January 27th Regular Meeting of Council and the agenda, as amended. The motion was approved unanimously.

Consent Agenda
None.

ADMINISTRATIVE REPORT
The mayor described the lessons he learned by watching documentaries on Black History Month, the story of Rosa Parks, etc. He noted the true strength of those who have waged war to gain equality.

The managing director announced that the street light repairs have been made on South 6th Street, the Schuylkill Avenue Bridge and at the Doubletree Hotel. He stated that the City received a $32K grant to assist with blight and code enforcement. He noted that the 100 and 200 blocks of Reed Street will be closed to traffic for a two (2) month period
to allow the repair of a the First UCC steeple. He reported that the Solicitor has been put on notice to have the ordinance regarding the aggregation of the pension funds ready to be introduced in March. He stated that the City will also be revising the manner in which the City’s pension contributions are made which will eliminate the need for the pension boards to sell stocks to make the required payments to retirees. Currently the City’s payment is made close to the end of the fiscal year; henceforward the pension payments will begin in March and be made on a monthly basis.

AUDITOR’S REPORT
City Auditor Cituk read the report distributed to Council at the meeting, in summary:
- 2012-16 Admissions Tax collection
- 2016 District Court Summary Offense fines collected, with a comparison to that collected in 2015.
- 1997-2016 Franchise Fee collection

Councilor Slifko thanked the managing director for his attempts to improve the management of the City’s funds.

Councilor Goodman-Hinnershitz asked the Auditor for a report on the impact the decriminalization of the parking tickets has had on the City’s revenue.

The mayor expressed the belief that fine collection should not be considered a viable revenue source, as in a perfect world people would not undertake actions that could be fined.

The managing director expressed the belief that the City’s financial status is stable as the close of 2016 should have a surplus of $4M.

REPORT FROM DEPT. DIRECTORS, BOARDS, AUTHORITIES, & COMMISSIONS
None.

ORDINANCES FOR FINAL PASSAGE

<table>
<thead>
<tr>
<th>Pending Legislation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ordinance</strong> – amending the City’s Zoning Ordinance, Section 600-800, Districts, Section 600-1203 Conditional Use, Section 600-2100 Telecommunications Towers and Antennas, and Section 600-2206 Telecommunication Definitions <em>Introduced at the August 8, 2016 regular meeting</em></td>
</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>
</tr>
</tbody>
</table>
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
Councilor Slifko moved, seconded by Councilor Daubert, to enact Bill No. 9-2017.

The managing director explained that this increase in part-time staff will allow increased flexibility in hours that should eliminate overtime.

Bill No. 9-2017 was enacted by the following vote:

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

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
Councilor Marmarou moved, seconded by Councilor Daubert, to enact Bill No. 10-2017.

The managing director explained that this is a housekeeping issue for the 2016 Building Trades budget. He noted that the City utilizes a modified accrual cash system that does not automatically close out at the end of the calendar year.

Bill No. 10-2017 was enacted by the following vote:

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

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

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 $117,667 due to the new contract with Republic

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

RESOLUTIONS

PINGING

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

D. Resolution 19-2017 - requesting that the Administration cease to issue any new trades permits to UGI for any proposed gas meter relocation project until further notice and further requests that the Administration only consider approving new trades permits to UGI for projects related to new service requests (switching the property’s heating source to natural gas) or projects directly related to proven emergencies.

Councilor Slifko provided background on the issue regarding UGI and the relocation of indoor gas meters to the outside of properties and the litigation between the City and UGI.

Resolution No. 19-2017 was enacted by the following vote:

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

A. Resolution 16-2017 – reappointing David Moodhart to the Shade Tree Commission

B. Resolution 17-2017 – reappointing Craig Weisman to the HVAC Board

C. Resolution 18-2017 – reappointing Mary Wolfe to the Blighted Property Review Committee


Councilors Goodman-Hinnershitz and Slifko described the skills these three (3) reappointments bring to their boards and they thanked them for their willingness to continue serving in this volunteer capacity.

Resolution Nos. 16-18-2017 was adopted by the following vote:

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

COUNCIL COMMENT

Council President Waltman reviewed the upcoming meeting schedule.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk
City of Reading City Council
Special Meeting
Council Chambers
February 17, 2017

Council President Waltman called the meeting to order.

ATTENDANCE
Council President Waltman
Councilor Goodman-Hinnershitz, District 2
Councilor Marmarou, District 4
Councilor Reed, District 5
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Managing Director G. Steckman

PUBLIC COMMENT
Council President Waltman opened the floor for public comment about the items listed on the Special Meeting agenda. No one stepped forward to comment and the public comment period was closed.

APPROVAL OF THE AGENDA
Council President Waltman called Council's attention to the agenda for this Special Meeting.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to approve the agenda, as amended, for this meeting. The motion was approved unanimously.

RESOLUTIONS
Council President Waltman read the following ordinances into the record:

A. Resolution - requesting that the Administration cease to issue any new trades permits to UGI for any proposed gas meter relocation project located within a historic district or where relocation will be to a location within 15 feet of a street city-wide until further notice and further requests that the Administration only consider approving new trades permits to UGI for projects related to new service requests (switching the property’s heating source to natural gas) or projects directly related to proven emergencies.
Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adopt Resolution No. 20-2017.

Resolution No. 20-2017 was adopted by the following vote:

Yeas: Goodman-Hinnershitz, Marmarou, Reed, Waltman, President - 4
Nays: None – 0

COUNCIL COMMENT
None.

Councilor Slifko arrived.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to adjourn the special meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk
R E S O L U T I O N N O.__________2017

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

Amending Resolution 76-2016, approving the liquor license transfer from Morgantown to 25 North 2nd Street, Suite #3, Reading, for Cubano Reading LLC, aka Alejandro Ramirez, by adding Restaurant Liquor License No. 21250 as required by the PALCB. All other terms and conditions established by Resolution No. 76-2016 remain in full force and effect.

Adopted by Council _____________________, 2017

________________________________________
President of Council

Attest:

________________________________________
Linda A. Kelleher
City Clerk
TO: City Council
FROM: Tammi Reinhart, Purchasing Coordinator
PREPARED BY: Tammi Reinhart, Purchasing Coordinator
MEETING DATE: February 27, 2017
AGENDA MEMO DATE: February 21, 2017
RECOMMENDED ACTION: Awarding of Contract for the purchase of Handguns and Accessories

RECOMMENDATION
The recommendation is to award the contract for the purchase of handguns and accessories to Witmer Public Safety Group/Officer Store, 104 Independence Way, Coatsville, PA 19320 in the amount of $99,647.79.

BUDGETARY IMPACT
The Police Department has confirmed there are sufficient funds to cover the project. The cost of this will be $99,647.79. The account code being used is 01-08-30-4510.

PREVIOUS ACTION
None

SUBSEQUENT ACTION
Formal action by Council is required to award the contract at the February 27, 2017 meeting.

RECOMMENDED BY
Mayor, Managing Director, Police Chief, Acting Director of Administrative Services, Controller and Purchasing Coordinator.

RECOMMENDED MOTION
Approve/Deny the recommendation for the purchase of handguns and accessories to be awarded to Witmer Public Safety Group/Officer Store.
BILL NO. ___2017
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) Non-Tower Based WCF if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 500 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) Tower-based WCF, including poles that are located within 500 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) Non-Tower Based WCF if co-located on a municipal facility or a Tower-based
      WCF that existed prior to the approval of this part and pursuant to Part 21 of this
      chapter that are not located within 500 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) Tower-based WCF, including poles that are located within 500 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. [Added 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.

§ 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) Non-Tower WCF if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 500 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) Tower-based WCF, including poles that are located within 500 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 § 600-1602B 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) Non-Tower if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 500 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) Tower-based WCF, including poles that are located within 500 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:
         [Amended 8-26-2013 by Ord. No. 35-2013]
      (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) **Tower-based WCF, 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) Non-Tower WCF if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 500 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) **Tower-based WCF, including poles that are located within 500 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) Non-Tower WCF if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 500 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) **Tower-based WCF, including poles that are located within 500 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]

(a) Geothermal heat pumps.
(b) Solar energy systems.
(c) Water-powered energy systems.

(d) if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 500 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) Tower-based WCF, including poles that are located within 500 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) Non-Tower WCF if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 500 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) Vehicle fuel sales.
   (k) Tower-based WCF, including poles that are located within 500 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

**Non-Tower Based WCF if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter and those that are not within 500 feet of a residential property or located within a setback area. See § 600-2106.**

Telecommunications towers and facilities, pursuant to Part 21 of this chapter. 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) **Tower-based WCF and Non-Tower Based WCF facilities, including poles, subject to Part 21 of this chapter that are not located within 500 feet of a residential property or located within a setback area.**

(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) Tower-based WCF and Non-Tower Based WCF facilities, including poles that are located within 500 feet of a residential property or 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.
Primary metals industries.
Railroad transportation.
Rubber, synthetic rubber, resins and miscellaneous products.
Stone, clay and glass products.
Textile and apparel products.
Tobacco products.
Transportation equipment.
Transportation and public utilities.
Wood products and furniture.

(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) Non-Tower Based WCF if co-located on a municipal facility or a Tower-based WCF that existed prior to the approval of this part and pursuant to Part 21 of this chapter that are not located within 500 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) (o) Trade, vocational and hobby schools, not including residential uses.

(+) (p) Warehousing, storage, distribution, trucking or intermodal transfer facilities.

(+) (q) 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) Non-Tower Based WCF and Tower-based WCF, including poles, pursuant to Part 21 of this chapter that are not located within 500 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) Tower-based WCF and Non-Tower Based WCF facilities, including poles that are located within 500 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) Non-Tower Based WCF if co-located on a municipal facility or a Tower-based WCF 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) Non-Tower Based WCF 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 Based 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. **Modification**—The improvement, upgrade or expansion of existing wireless telecommunications facilities or base stations on an existing wireless support structure or the improvement, upgrade or expansion of the wireless telecommunication facilities located within an existing equipment compound, if the improvement, upgrade, expansion or replacement does not substantially change the physical dimensions of the wireless support structure. See 53 P.S. § 11702.2.

7. **Monopole**—a WCF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure and greater than fifteen (15) feet in height, to support communications Antennae and connecting appurtenances.

8. **Non-Tower Based Wireless Communications Facility (Non-Tower Based WCF)**—all non-tower wireless communications facilities, including but not limited to, Antennae and related equipment. Non-Tower Based WCF shall not include support structures for Antennas and related equipment. For purposes of this definition, a “Ft. Worth Pole Attachment” shall be considered a Non-Tower Based WCF.

9. **Replacement**—The replacement of existing wireless telecommunications facilities on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment composed of the same wind loading and structural loading that is substantially similar in size, weight and height.
as the wireless telecommunications facilities initially installed and that does not substantially change the physical dimensions of the existing wireless support structure. See 53 P.S. § 11702.2.

10. **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.

11. **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.

12. **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 Antennas, building-mounted Antennae painted to match the existing structure and facilities constructed to resemble trees, shrubs, flag poles and light poles.

13. **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 or 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.

14. *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. A WCF that requires the replacement of an existing structure (i.e. building, water tower, utility pole, light pole, traffic signal pole, flag pole or other similar structure) to support the weight of a WCF is not considered a new Tower-Based WCF.

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

16. *Wireless*—transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.

17. *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.

18. *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.

19. *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 (ANSFINTIA-222-G 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; provided, however, that a Tower-based WCF which existed prior to the approval of this part and pursuant to Part 21 of this chapter may be extended beyond the height of one hundred and fifty (150) feet if not previously extended and such extension does not amount to a Substantial Change as per the definition of Substantial Change located in the Definitions section. 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 building permit 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 as per the FCC regulations and the zoning application shall be issued within the time period defined within the PZ Municipal Planning Code 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, consistent with law.

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 500 feet of a lot in residential use or a residential 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 or is anticipated to exist within six (6) months from the date of filing 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 considering the entirety of the property shall comply with the requirements for the applicable district. The area for the Tower-Based WCF which may be established by lease or license 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 one (1) 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 Zoning Administrator, in consultation with the Public Works Director.

   b. Any height extensions to an existing Tower-Based WCF that exceed 150 feet and amount to a Substantial Change, as defined herein, 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. Prior to issuance of a building permit, 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. An applicant for Tower-Based WCF where the new Tower is more than 40 feet in height, located outside of the Right-of-Way, shall submit a landscaping and screening design including the following. The plan shall be approved by the Zoning Administrator in consultation with the Public Works Director:
      (i) The applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the WCF support structure shall be preserved to the extent practicable.
      (ii) Ground mounted equipment may be screened from public view using an evergreen screen, artificial screen, or fencing, as directed by

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, in consultation with the Public Works Director. In no case shall ground-mounted equipment, walls, screening or landscaping be located within 12 inches of the face of the curb, or in an area in which there are no curbs, within two (2) feet of the edge of cartway.
   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 that will interfere with communication or reception as per §2102.4 Public Safety Communications as provided herein.

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 $10,000 to assure the removal of the facility upon abandonment or cessation of use for a period of six (6) months. 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.

§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. 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 or is anticipated to exist within six (6) months from the date of filing 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 1000-foot 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 Based 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, in consultation with the Public Works Director.

c. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the City.

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

2. 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 if not previously extended and such extension does not amount to a Substantial Change defined herein.

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.
3. **Additional Antennas.** 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 Antennas without obtaining the prior written approval of the City; provided however, the approval of the City shall not be required for Replacements of equipment.

4. **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.

5. **Compensation for ROW Use.** In addition to the permit fees as described in §600-2102.16 above, every Tower-Based WCF in the City 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 City ROW. Such compensation for City 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.

6. **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 $10,000 to assure the removal of the facility upon abandonment or cessation of use for a period of six (6) months. 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 Based Wireless Communications Facilities

A. The following regulations shall apply to all Non-Tower Based 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 Based 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 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, 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 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 (ANSI-EIA-TIA-222-E Code, as amended).

6. **Public Safety Communications.** No Non-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.

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

8. **Radio Frequency Emissions.** No Non-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.

9. **Removal.** In the event that use of a Non-Tower Based 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 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. 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 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. The City shall approve or deny the zoning application as per the requirements in the Pennsylvania Municipalities Planning Code, 53 P.S. Section 10101 et seq 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 Based 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 Based 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 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, 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 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 (ANSI-EIA-TIA-222-E Code, as amended).

4. **Historic Buildings.** Non-Tower Based 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 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.
   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 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. **Removal.** In the event that use of a Non-Tower Based 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 Based 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 $10,000 for each individual Non-Tower Based WCF, to assure
the removal of the facility upon abandonment or cessation of use for a period of six (6) months. 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 Based WCF, as well as related inspection, monitoring and related costs. The Fee Schedule is located in Chapter 212.

**§600-2106 Non-Tower Based 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 Based 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 Based 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 Based 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 Based 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 Based WCF applicants must submit documentation to the City justifying the total height of the Non-Tower Based 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 Based WCFs and/or accessory equipment for the purpose of upgrading or repairing the WCF is considered a material modification, as defined herein, and shall require the City’s approval.

   b. Any material modification to a wireless telecommunication facility shall require a 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 Based 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 Based Wireless Communications Facilities located in the Rights-of-Way:

   1. Co-location. Non-Tower Based 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 Based WCF in the City 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 City ROW. Such compensation for City 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 Based 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 Based 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 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.

5. **Equipment Location.** Non-Tower Based 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, in consultation with the Public Works Director.

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

   d. Any underground vaults related to Non-Tower Based 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, in consultation with the Public Works Director.
(4) The City may retain the assistance of a consultant and/or expert to assist in the review and evaluation of the application. The fees or costs incurred will be covered by the zoning permit fee.
(5) If additional information is requested by the City or the consultant before the application is deemed complete, the time required 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. Tower-based WCF facilities. Tower-based WCF facilities shall be allowed as provided in the zoning district regulations, provided they meet the standards outlined in Part 21 of this chapter and reasonable conditions set forth by the Zoning Hearing Board consistent with the PA Municipalities Planning Code.

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 ____________, 2017.

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: _________________
BILL NO. _____-2017

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: ___________
§ 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 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. One copy to each member of 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

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 40 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.

§ 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 40 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 twelve (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 twelve (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 County'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. 8

B. Review by City Planning Commission.

(1) Within 20 14 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 14 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.
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.
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 REPULIC 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: _________________
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 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: ________________
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.
by Ord. No. 3-2010]
   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: ______________
BILL NO._______-2017

A N O R D I N A N C E

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.
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.
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
AUTHORIZING AN BUDGET AMENDMENT IN THE AMOUNT OF $117,677 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:
See Attached Schedule

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: ________________
### From:

<table>
<thead>
<tr>
<th>Line item number</th>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>56-07-46-3641</td>
<td>Recycling User Fees</td>
<td>($377,327)</td>
</tr>
<tr>
<td>56-07-46-3679</td>
<td>In-sourced Recycling Revenue</td>
<td>($45,000)</td>
</tr>
</tbody>
</table>

#### Revenues:

- (debit)

#### Expenditures:

- (credit)

<table>
<thead>
<tr>
<th>Line item number</th>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>56-07-46-4000</td>
<td>Salaries</td>
<td>$341,745</td>
</tr>
<tr>
<td>56-07-46-4006</td>
<td>Overtime</td>
<td>$48,500</td>
</tr>
<tr>
<td>56-07-46-4016</td>
<td>Part Time Wages</td>
<td>$30,000</td>
</tr>
<tr>
<td>56-07-46-4200</td>
<td>Advertising</td>
<td>$9,150</td>
</tr>
<tr>
<td>56-07-46-4202</td>
<td>Printing</td>
<td>$10,000</td>
</tr>
<tr>
<td>56-07-46-4307</td>
<td>Conferences &amp; Training</td>
<td>$2,500</td>
</tr>
<tr>
<td>56-07-46-4501</td>
<td>Gasoline</td>
<td>$33,300</td>
</tr>
<tr>
<td>56-07-46-4506</td>
<td>Office Supplies</td>
<td>$1,500</td>
</tr>
<tr>
<td>56-07-46-4509</td>
<td>Postage</td>
<td>$7,000</td>
</tr>
<tr>
<td>56-07-46-4510</td>
<td>General Plant Supplies</td>
<td>$10,000</td>
</tr>
<tr>
<td>56-07-46-4518</td>
<td>Truck Maintenance</td>
<td>$83,300</td>
</tr>
<tr>
<td>56-07-46-4519</td>
<td>Workers' Supplies</td>
<td>$7,500</td>
</tr>
<tr>
<td>56-07-46-4525</td>
<td>Minor Capital Equipment</td>
<td>$7,500</td>
</tr>
<tr>
<td>56-07-46-4738</td>
<td>Depreciation</td>
<td>$37,980</td>
</tr>
<tr>
<td>56-07-46-4736</td>
<td>Reading Beautification</td>
<td>$10,000</td>
</tr>
<tr>
<td>56-07-46-4802</td>
<td>Machinery &amp; Equipment</td>
<td>$43,000</td>
</tr>
<tr>
<td>56-07-46-4803</td>
<td>Vehicles</td>
<td>$42,000</td>
</tr>
<tr>
<td>56-07-46-4900</td>
<td>Fringe Benefits</td>
<td>$157,415</td>
</tr>
<tr>
<td>56-07-46-4901</td>
<td>Pension</td>
<td>$95,390</td>
</tr>
<tr>
<td>56-07-46-4913</td>
<td>Social Security Payroll Tax</td>
<td>$32,250</td>
</tr>
<tr>
<td>56-07-47-4216</td>
<td>Contracted Services</td>
<td>$157,000</td>
</tr>
<tr>
<td>56-07-47-4510</td>
<td>General Plant Supplies</td>
<td>$15,000</td>
</tr>
<tr>
<td>56-07-47-4535</td>
<td>Indirect Costs</td>
<td>$39,515</td>
</tr>
</tbody>
</table>

### To:

<table>
<thead>
<tr>
<th>Line item number</th>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>56-07-46-3021</td>
<td>Penalty &amp; Interest</td>
<td>$55,000</td>
</tr>
<tr>
<td>56-07-46-3214</td>
<td>Reimbursement of Collection Expense</td>
<td>$45,000</td>
</tr>
<tr>
<td>56-07-46-3555</td>
<td>State Recycling Incentive Revenue</td>
<td>$116,445</td>
</tr>
<tr>
<td>56-07-47-3231</td>
<td>Trash Removal Revenue</td>
<td>$88,205</td>
</tr>
</tbody>
</table>

#### Revenues:

- (credit)

#### Expenditures:

- (debit)

<table>
<thead>
<tr>
<th>Line item number</th>
<th>Name</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>56-07-46-4216</td>
<td>Contracted Services</td>
<td>$900,000</td>
</tr>
<tr>
<td>56-07-47-4000</td>
<td>Salaries</td>
<td>$70,640</td>
</tr>
<tr>
<td>56-07-47-4006</td>
<td>Overtime</td>
<td>$2,500</td>
</tr>
<tr>
<td>56-07-47-4016</td>
<td>Part Time Wages</td>
<td>$45,000</td>
</tr>
<tr>
<td>56-07-47-4216</td>
<td>Advertising – Education</td>
<td>$8,850</td>
</tr>
<tr>
<td>56-07-47-4536</td>
<td>Tipping Fees</td>
<td>$95,000</td>
</tr>
<tr>
<td>56-07-47-4501</td>
<td>Reading Beautification</td>
<td>$10,000</td>
</tr>
<tr>
<td>56-07-47-4900</td>
<td>Fringe Benefits</td>
<td>$35,395</td>
</tr>
<tr>
<td>56-07-47-4901</td>
<td>Pension</td>
<td>$17,360</td>
</tr>
<tr>
<td>56-07-47-4913</td>
<td>Social Security Payroll Tax</td>
<td>$14,975</td>
</tr>
<tr>
<td>Fund #</td>
<td>Dept #</td>
<td>Div#</td>
</tr>
<tr>
<td>--------</td>
<td>--------</td>
<td>------</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>00</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>46</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>47</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>47</td>
</tr>
<tr>
<td>56</td>
<td>07</td>
<td>47</td>
</tr>
</tbody>
</table>

### Solid Waste Fund

| 56 |           |       |           |                                      | 6,199,302.00   | (117,677.00)   | 6,081,625.00  |
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: _________________
BILL NO. _________ 2017

AN ORDINANCE

AMENDING THE CITY OF READING CODE, SECTION 212-136, 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

_________________________________
Council President

Attest:

_________________________________
City Clerk

Submitted to the Mayor: _________
Date: _________
Approved by the Mayor: _________
Date: _________
Vetoed by the Mayor: _________
Date: _________
APPENDIX A

§ 212-136. Curbside waste collection [Amended by Ord. No. 21-2014]

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
<th>Ordinance No.</th>
<th>Code Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined billing rate for municipal trash and recycling service</td>
<td>$345.00, $294.00</td>
<td>72-2015</td>
<td>§496-208</td>
</tr>
<tr>
<td>Billing rate for recycling service only</td>
<td>$95.04, $74.04</td>
<td>72-2015</td>
<td>§496-208</td>
</tr>
</tbody>
</table>
AN ORDINANCE ESTABLISHING AN AGGREGATED PENSION TRUST FUND OF ALL CITY-ADMINISTERED UNIFORMED AND NONUNIFORMED PENSION FUND ASSETS (EXCLUDING FUNDS ADMINISTERED BY THE PENNSYLVANIA MUNICIPAL RETIREMENT BOARD).

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

SECTION 1. An Aggregated Pension Trust Fund is hereby established as set forth in Exhibit A, as attached hereto and made a part hereof.

SECTION 2. All other items, parts, sections, etc. of the Code of Ordinances of the City of Reading, Berks County, Pennsylvania, which are contrary to the provision above in Section 1 are hereby repealed; otherwise, all other items, parts, sections, etc. of said Code shall remain in effect unchanged and likewise are ratified.

SECTION 3. This Ordinance shall be effective ten (10) days after Council adoption and approval by the Mayor or upon Council passage over a Mayoral veto as set forth in the Home Rule Charter Sections 219 & 221.

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: __________

EXHIBIT A

CODE OF THE CITY OF READING

Chapter 62 PENSIONS, PART 5 Aggregated Pension Trust Fund.
Section 62-501. Establishment; funds transferred.

A. There is established an aggregated pension trust fund consisting of all City-administered uniformed and nonuniformed pension fund assets, but shall specifically exclude and funds administered by the Pennsylvania Municipal Retirement Board, in the manner and under the conditions and subject to the provisions of the Municipal Pension Plan Funding Standard and Recovery Act, Act 1984-205, and subject to future amendments, such pension trust fund to be subject to all the definitions as set forth in the aforesaid Act of Assembly.

B. Transfer of funds. All pension fund assets now in the custody of the City-administered uniform and nonuniformed pension funds (Officers and Employees, Firemen’s & Police) shall on May 1, 2017 be transferred to the Aggregated Pension Trust Fund hereby created, together with all financial records pertaining thereto.

Section 62-502. Board of Trustees.

A. There is established a board to be known as the Aggregated Pension Trust Board of Trustees, composed of officials and persons as follows with the powers and duties herein provided.

B. Members of the Board of Trustees shall serve without compensation but shall be reimbursed for necessary expenses.

C. No person shall suffer loss of salary or wages by reason of service on the Board.

Section 62-503. Composition of Board of Trustees.

The Board of Trustees shall be composed of the following:

A. Mayor, or his/her designee;

B. Director of Administrative Services, or his/her designee;

C. Chief of Police, or his/her designee from the Police Department;

D. Chief of Fire & Rescue Services, or his/her designee from the Fire & Rescue Services Department;

E. City Council member;

F. Managing Director;

G. City Controller; and

H. One member each, elected from the active membership of each pension plan included in the Aggregated Pension Trust Fund, or an alternate, also to be elected by the individual.

Section 62-504. Officers of the Board.

At the first meeting annually of the full Board of Trustees, the Board shall elect a President and a Vice President from among its members. The Director of Administrative Services shall serve as the Secretary/Treasurer of the Board of Trustees.
Section 62-505. Board members from active membership of existing pension plans.

An active member from each of the pension plans included in the Aggregated Pension Trust Fund shall be qualified and elected for the terms as follows:

A. Qualifications. The employee member shall be actively contributing to the applicable pension fund.

B. Terms.

(1) The employee members on the Board of Trustees shall serve a three-year term beginning on May 1, except for the first term of this Board. The first terms of the of the employee members shall be as follows:

(a) Member representing Fire & Rescue Services Pension Fund membership, date of election to May 1, 2018;

(b) Member representing Police Relief and Pension Association membership, date of election to May 1, 2019; and

(c) Member representing Employees’ Retirement and Pension System membership, date of election to May 1, 2020.

(2) Board memberships shall be held until the successors are elected and enter upon their duties.

C. Elections. Employee members on the Board of Trustees shall be nominated by the boards of the pension plans included in the aggregation. The nominees receiving the highest number of votes shall be elected as the Board members.

D. Election of initial Board members. Within 14 days following the effective date of this Part, the board of each of the pension plans included in the aggregation shall conduct a meeting at a time and place specified by the present governing bodies of such pension plans for the purpose of receiving nominations and election for employee memberships on the Board.

E. Vacancy. Any employee membership on the Board which becomes vacant for any reason shall be filled for the unexpired term by an election to be conducted promptly by the Board consistent with the provisions for regular elections herein stated.

Section 62-506. Legal title to assets.

Legal title to assets in the Aggregated Pension Trust Fund shall be in the Board of Trustees, subject to the rights of any person having a beneficial interest in a particular pension plan which is associated with the pension trust fund.

Section 62-507. Investment of assets.

A. The standard of prudence to be applied by the Board of Trustees in the investment of the aggregated pension funds shall be the “prudent investor rule,” which states, “Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation,
but for investment, considering the probable safety of their capital as well as the probable income to be derived." The prudent investor rule shall be applied in the context of managing the overall portfolio. The Board acting in accordance with written procedures and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviation from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

B. The assets of the Aggregated Pension Trust Fund shall be invested in investment securities and/or other instruments which are authorized investments pursuant to any applicable law for any of the associated pension plans.

C. The Board shall routinely monitor the contents of the portfolio, the available markets and the relative values of competing instruments, and shall adjust the portfolio accordingly.

D. Investments shall be diversified to preclude large losses from a single position.

E. The Board may employ a professional money manager or portfolio manager or other consultants or professionals as deemed necessary to aid in the investment and/or administration of pension fund assets. Any procurement of professional services shall be as required by Act 44.

F. Investment earnings shall be allocated to each associated pension plan in proportion to the most recently determined participation value.

Section 62-508. Actuarial valuation, auditing and basis of accounting of pension funds assets.

A. The Board of Trustees shall annually appoint an actuary or firm of actuaries to complete such reports and provide such advice as are necessary for the proper administration of the Aggregated Pension Trust Fund.

B. An actuarial valuation of assets shall be annually prepared pursuant to the provisions of the Municipal Pension Plan Funding Standard and Recovery Act, Act 1984-205, as amended, and any applicable rules and regulations issued by the Public Employee Retirement Study Commission.

C. An actuarial valuation of the plan shall be prepared pursuant to the provisions of the Municipal Pension Plan Funding and Standard Recovery Act and any applicable rules and regulations issued by the Public Employee Retirement Study Commission.

D. An annual audit shall be made by a certified public accountant or firm of certified public accountants appointed by Board of Trustees. For accounting purposes, the audit shall include a calculation of the value of participation by each plan.

E. The accrual basis of accounting shall be used in conformance with generally accepted accounting principles for the Aggregated Pension Trust Fund.

F. Value of participation by each plan to the Aggregated Pension Trust Fund shall be calculated annually in accordance with the requirement of the Municipal Pension Plan Funding Standard and Recovery Act, Act 1984-205, Section 607 (b)(1).

Section 62-509. Transfer of responsibility for investment, accounting, auditing and administration to the Board of Trustees.
A. The existing managing boards of the pension funds aggregated hereunder, following the effective date of this Part, continue to have the responsibility for determining the eligibility for pension of any applicant under their respective pension plan and for certifying of such determinations of eligibility to the Board of Trustees created hereunder; such Boards, however, shall, after May 1, 2017, no longer have any authority, right or responsibility for the investment, accounting, auditing or administration of any of the funds aggregated hereunder.

B. The Aggregated Pension Fund Board of Trustees shall not permit any pension payment to any potential retiree without having first secured from the appropriate pension board a certification as to the retiree’s eligibility for pension and calculation as to pensionable amount. Such documentation shall be delivered to the Secretary of the aggregated board, accompanied by minutes of the appropriate pension board, as to the board’s vote regarding each individual pension.

C. The Aggregated Pension Fund Board of Trustees shall, no later than March 1 of each year, present to City Council:

(1) A report on the performance of the investments and of the investment manager(s) for the prior calendar year; and

(2) A report summarizing by pension fund the name of each new pensioner, the date on which retirement benefits began and the date on which the appropriate board certified the pensioner’s eligibility for pension.

D. The Aggregated Pension Fund Board of Trustees shall submit to City Council with the administration’s annual submission of the Budget a Board-approved operating budget for the forthcoming calendar year.
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

Drafted by          CD
Sponsored by/Referred by Mayor/Man Dir
Introduced on       N/A
Advertised on       N/A
RESOLUTION NO.__________________

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

That Brian Fichthorn is reappointed to the Main Street Board with a term ending December 31, 2019.

Adopted by Council ______________________, 2017

______________________________
President of Council

Attest:

______________________________
Linda A. Kelleher
City Clerk
TO: City Council
FROM: Tami Davies-Coleman, CD Manager
DATE: February 21, 2017
SUBJECT: Early Intervention Program Grant Approval

REQUESTED ACTION: APPROVAL OF EARLY INTERVENTION PLAN (EIP) GRANT THROUGH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT (DCED) OF THE COMMONWEALTH OF PENNSYLVANIA

RECOMMENDATION: It is recommended that City Council pass the attached resolution authorizing a grant through DCED for the amount of $32,000.00 for assistance and technical support in the development and creation of a Housing Strategy for the City of Reading.

BACKGROUND: The Early Intervention Program would assist the City of Reading with the development of a Housing Strategy. Because the City was declared an Act 47 Distressed Municipality in 2007 and has been working with DCED to successfully exit Commonwealth oversight by December 2019. Actions need to be taken to help create positive conditions for growth in the real estate tax and earned income tax. One reason for the decline in the assessed value of land and property in the City is the amount of blighted and vacant properties. The City needs to develop a Housing Strategy to address this increase in blighted properties. The intent is to hire a consultant to work with Community Development staff to develop the Housing Strategy.

BUDGETARY IMPACT: The total project cost is estimated at $36,000.00. The city is requesting 90 percent DCED funding at $32,400.00 with a 10 percent City match of $3,600.00.

PREVIOUS ACTION: None.

SUBSEQUENT ACTION: The public notice advertising the proposed amendment and reservation of funds was published in the Reading Eagle/Times on Wednesday, March 19, 1997. Public comment was invited up to Monday, March 31, 1997. No public comment was received.
RECOMMENDED BY: Mayor, Managing Director, and Community Development Director.

RECOMMENDED MOTION: Approve/deny the Council resolution approving the Early Intervention Program grant through DCED for the amount of $32,000.00.
City of Reading
Resolution No. ______________2017

WHEREAS THE CITY OF READING will be undertaking a project under the Early Intervention Program Blight Training and Technical Assistance Project, and

WHEREAS THE CITY OF READING wishes to participate in said project, and

WHEREAS THE Pennsylvania Department of Community and Economic Development makes available grants-in-aid to such projects through the Early Intervention Program,

NOW THEREFORE, BE IT RESOLVED that the CITY COUNCIL of the CITY OF READING hereby authorizes the CITY OF READING to make application for such a grant on our behalf.

AND BE IT FURTHER RESOLVED that the CITY COUNCIL of the CITY OF READING hereby allocates local resources in the amount of $3,600.00 to said project.

Adopted on ____________ 2017

_________________________________________
President of Council

Attest

_________________________________________
City Clerk