

Drafted by	City Clerk
Sponsored by/Referred by	City Council
Introduced on	February 23, 2015
Advertised on	March 9 th , March 16 th , 2015

BILL NO. 13 -2015
AN ORDINANCE

**AMENDING THE CITY OF READING CODIFIED ORDINANCES
CHAPTER 27, §27-1204 C PROVIDING FOR CONDITIONAL USE
APPLICATIONS AND PROCEDURES ELIMINATING THE ABILITY OF
THE CITY AND PROPERTY OWNER TO WAIVE A DECISION MADE BY
CITY COUNCIL.**

SECTION 1. Amending the City of Reading Codified Ordinances Chapter 27, Zoning Section §27-1204 C Conditional Use Applications and Procedures as follows and renumbering this section:

§27-1204 Conditional Use Applications and Procedures.

- C. If the Zoning Administrator has determined that the conditional use sought is one which is specifically authorized as a conditional use in the Zoning District wherein the applicant's property is located, one copy of the Application shall be forwarded to the City Planning Commission for its review; one copy shall be retained by the Zoning Administrator and one copy shall be forwarded to the City Clerk for review by City Council or its designated member or independent attorney appointed as a hearing officer pursuant to 53 P.S. § 10913.2.
 - 1. The application shall be reviewed at one (1) or more advertised hearings of City Council or its designated hearing officer with the initial hearing being commenced within sixty (60) days of receipt of the completed application, unless the applicant agrees in writing to an extension of time. Each subsequent hearing shall be held within forty-five (45) days of the prior hearing. The City Council shall either approve or disapprove the application in writing within forty-five (45) days after the date of the final hearing. If a hearing officer is so designated and appointed by City Council the hearing officer shall submit written findings and recommendations to City Council in

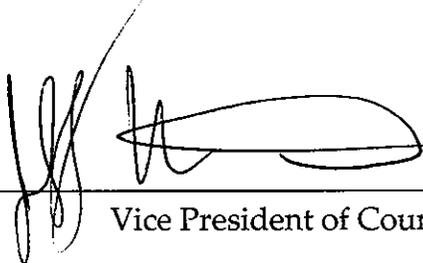
sufficient time to permit a decision by Council or findings, where no decision is called for, within the allotted time for decision as provided herein.

2. Notices of all hearings shall be given in accordance with the requirements of Section 410 A. of this Chapter (§27-410)
3. The hearing shall be conducted by the designated hearing officer or City Council in accordance with the same procedures and safeguards as those specified in Section 410 D. through L of this Chapter (§27-410)
4. The Decision and/or Findings of City Council shall be made in accordance with the same requirements as those set forth for the Zoning Hearing Board in Section 412 of this Chapter (§27-412).
5. Notice of the Decision and/or Findings by the hearing officer or City Council shall be made in accordance with the same requirements as those set forth for the Zoning Hearing Board in Section 413 of this Chapter (§27-413)
6. In the case of a proposed Conditional Use that may be subject to additional regulation and control by State or Federal regulation(s) or statute(s), City Council may defer a final decision for up to 30 additional days or longer upon receipt of written request therefor from the applicant.
- ~~7. In cases where a hearing officer is appointed the applicant, in addition to the City, may, prior to the decision of City Council, waive decision or findings by City Council and accept such decision or findings of the hearing officer as final.~~
8. The granting of permission to conduct a Conditional Use does not exempt the applicant from acquiring all approvals required by the Subdivision and Land Development provisions of the City of Reading Consolidated Code.
9. All appeals from the Decision of City Council shall be made in compliance with the provisions of the Pennsylvania Municipalities Planning Code, as amended.

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

SECTION 3. 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 March 23, 2015

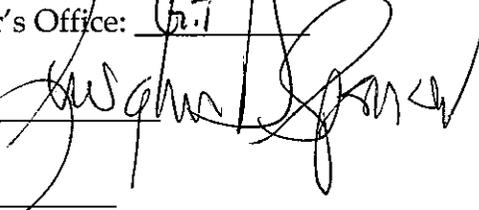


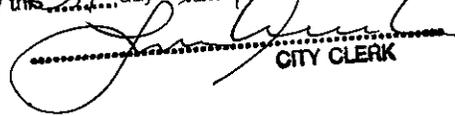
Vice President of Council

Attest:



City Clerk

Submitted to Mayor: 
Date: 3/24/15
Received by the Mayor's Office: G.T.
Date: 3/24/15
Approved by Mayor: 
Date: 3/24/15
Vetoed by Mayor: _____
Date: _____

I, **LUNDA A. KELLEHER**, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 23 day of March A. D. 2015. Witness my hand and seal of the said City this 24 day of March A. D. 2015.

CITY CLERK