

# CITY OF WILLIAMSPORT, PA

## FILE OF CITY COUNCIL

BILL No. \_\_\_\_\_

SESSION OF \_\_\_\_\_

Approved on first reading

Members of City Council:

Approved on final reading

This day.....of.....20.....

This day.....of.....20.....

### AN ORDINANCE

*An Ordinance Approving the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of Williamsport, Pennsylvania*

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Williamsport, Pennsylvania,

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLIAMSPORT, PENNSYLVANIA:

Section I: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Williamsport, Pennsylvania, so as to conform to the classification and numbering system of the Codified Ordinances to wit:

<u>Ordinance No.</u>	<u>Date</u>	<u>Subject</u>	<u>C.O. Section</u>
6125	2-19-2009	Amending the General Fee Schedule to include a fee for returned or dishonored checks, duplicate tax bills and real estate tax certification	117.04
6127	3-5-2009	Establishing the open records policy and designating an open records officer	127.02, 127.041
6128	3-19-2009	Establishing additional policies and procedures relative to neighborhood preservation and the abatement of public nuisances	717A.01 - 717A.10
6131	4-30-2009	Providing for certificates of appropriateness, appeals and enforcement relating to facade, signs and awning design standards for the Central Business District	1379.12

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### AN ORDINANCE

<u>Ordinance No.</u>	<u>Date</u>	<u>Subject</u>	<u>C.O. Section</u>
6132	4-30-2006	Amending the Planning Commission membership, powers and duties and permit application procedures	1301.02, 1301.08
6133	4-30-2009	Amending the design standards to include design standards in the Central Business District	1379.11
6134	4-30-2009	Repealing the Downtown Design Review Committee	198.01 - 198.04
6135	4-30-2009	Amending sign review within the Cental Business District	1346.06
6136	4-30-2009	Amending the procedure for adjustment of standards	1383.12
Res.7707	4-30-2009	Establishing a fee schedule for the Neighborhood Preservation and Nuisance Ordinance	717A.11
6139	5-28-2009	Providing for mutual police assistance and support services between certain municipalities, authorizing and empowering personnel to act in and on behalf of the participating municipalities and providing the terms of such mutual aid and support services	139.03
6141	6-25-2009	Establishing stop signs, parking signs and other changes to the traffic code and amending traffic control maps	5, Appendix A
6143	9-17-2009	Amending the International Property Maintenance Code specifically Section 308, Rubbish and Garbage	1741.02

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### AN ORDINANCE

<u>Ordinance No.</u>	<u>Date</u>	<u>Subject</u>	<u>C.O. Section</u>
6151	11-12-2009	Amending the Local Economic Revitalization Tax Assistance Ordinance	353.03 - 353.07, 353.10 - 353.12
6154	12-10-2009	Repealing the trust created for workers' compensation and occupational disease acts	135.08
6156	12-17-2009	Fixing the tax rate for all City purposes for the year 2010	309.01
6157	12-17-2009	Establishing stop signs, parking signs and other changes to the Traffic Code and amending traffic control maps	5, Appendix A

**Section II:** That a copy of such ordinances or parts of ordinances as edited, arranged and numbered or renumbered as part of the Codified Ordinances is attached to this ordinance in the form of 2009 Replacement Pages to the Codified Ordinances.

**Section III:** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

This ordinance approved/vetoed this \_\_\_\_ day of \_\_\_\_\_, 2010.

**ATTEST:**

\_\_\_\_\_  
J. Marlyne Whaley  
City Council President

\_\_\_\_\_  
Stephanie M. Mitchell

\_\_\_\_\_  
Gabriel J. Campana  
Mayor



## **MEMORANDUM**

**DATE:** February 5, 2010

**TO:** City Council [7]  
Solicitors [2]  
Mayor  
Director of Administration

**FROM:** Stephanie M. Mitchell 

**SUBJECT: An Ordinance Approving the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of Williamsport, Pennsylvania**

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Attached is the ordinance for first reading approving the editing and inclusion of ordinances as codified by Keystate Publishers. This edition updates our codified ordinances through the end of December 2009. Upon passage on final reading, the packets and discs will be distributed to those normally receiving them. In addition, Keystate formatted and is providing a link to the new version for website use.

I reviewed the proof prior to production to ensure all ordinances from last year have been included in the update. In addition, Keystate provided a new Exhibit from the rental inspection ordinance to clean up the typos.

If you have any questions or concerns, please feel free to call at your convenience!

City of Williamsport Codified Ordinances  
2009 Replacement

INSTRUCTIONS FOR FILING<sup>1</sup>

Initials	Page(s)	Add	Replace	Remove
<input type="checkbox"/>	_____ Title Page			
<input type="checkbox"/>	_____ Officials			
	Preliminary Unit			
<input type="checkbox"/>	_____ 6A-6D		X	
<input type="checkbox"/>	_____ 6G, 6H		X	
<input type="checkbox"/>	_____ 6H.1, 6H.2	X		
<input type="checkbox"/>	_____ 26E-26H		X	
<input type="checkbox"/>	_____ 26K-26T		X	
<input type="checkbox"/>	_____ 36A, 36B		X	
<input type="checkbox"/>	_____ 49, 50		X	
	Part 1			
<input type="checkbox"/>	_____ 1, 2		X	
<input type="checkbox"/>	_____ 14E, 14F		X	
<input type="checkbox"/>	_____ 21-24		X	
<input type="checkbox"/>	_____ 24A-24F	X		
<input type="checkbox"/>	_____ 26C, 26D		X	
<input type="checkbox"/>	_____ 26G, 26H		X	
<input type="checkbox"/>	_____ 27, 28		X	
<input type="checkbox"/>	_____ 28.1-28.6	X		
<input type="checkbox"/>	_____ 71, 72		X	
<input type="checkbox"/>	_____ 73, 74			X
	Part 3			
<input type="checkbox"/>	_____ 9, 10		X	
<input type="checkbox"/>	_____ 65-72		X	
	Part 5			
<input type="checkbox"/>	_____ 101, 102		X	
<input type="checkbox"/>	_____ 103, 104	X		

<sup>1</sup>Upon completion of adding, replacing and removing pages in accordance with this instruction sheet, please file this instruction sheet inside the front cover of the Codified Ordinances as evidence that the volume has been updated.

City of Williamsport Codified Ordinances  
 2009 Replacement  
 Page 2

Initials	Page(s)	Add	Replace	Remove
	Part 7		X	
<input type="checkbox"/>	1, 2		X	
<input type="checkbox"/>	8.1-8.6	X		
	Part 13		X	
<input type="checkbox"/>	3-6		X	
<input type="checkbox"/>	6.1, 6.2	X		
<input type="checkbox"/>	70A, 70B <sup>2</sup>	X		
<input type="checkbox"/>	71, unnumbered back-up <sup>3</sup>			X
<input type="checkbox"/>	86U-86Z		X	
<input type="checkbox"/>	101, 102		X	
<input type="checkbox"/>	102A, 102B	X		
<input type="checkbox"/>	108C-108J	X		
<input type="checkbox"/>	112G, 112H		X	
	Part 17			
<input type="checkbox"/>	12O, 12P			X
<input type="checkbox"/>	32E-32H		X	
<input type="checkbox"/>	Exhibit B		X	

<sup>2</sup>Two pages are numbered as p. 71 in the existing Code. The first p. 71 and its unnumbered back-up page in the existing Code have been renumbered pp. 70A and 70B to correct page numbering and are intended to replace the first p. 71.

<sup>3</sup>Please remove p. 71 that is labeled "2007 Replacement."

**Codified Ordinances**

**of the**

**City of**

**Williamsport**

**Pennsylvania**



**Complete to December 31, 2009**

I, Stephanie M. Mitchell, City Clerk of Williamsport, Pennsylvania, hereby certify that the general and permanent ordinances of the City of Williamsport as revised, rearranged, compiled, renumbered as to sections, codified and printed herein in component codes are correct as and constitute the Codified Ordinances of the City of Williamsport, Pennsylvania, 1961, as amended to December 31, 2009.

/s/ Stephanie M. Mitchell  
City Clerk

Codified, edited and published  
by  
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Cleveland, Ohio

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Shippensburg, Pennsylvania

**ROSTER OF CITY OFFICIALS**  
**WILLIAMSPORT, PENNSYLVANIA**

**2009**

**COUNCIL**

J. Marlyne Whaley	Council President
J. Michael Wiley	Council Vice President
William J. Hall	Council
Patrick Marty	Council
Geralyn Fausnaught	Council
Jonathan Williamson	Council
N. Clifford Smith	Council

**OFFICIALS**

Gabriel J. Campana	Mayor
Shirley R. Lord	City Treasurer
Margaret J. Wooding	Controller

**DEPARTMENT ADMINISTRATION**

William E. Nichols, Jr.	Director of Administration
Stephanie M. Mitchell	City Clerk
Joseph Gerardi	Codes Administrator
Florence R. English	Deputy Controller
Nancy M. Westbrooks	Community Development Specialist
	Deputy Treasurer
John J. Grado	Community Development Director
Mary M. Rucinski	Economic and Community Development Assistant Director and Historic Preservation Officer
	Economic and Community Development Assistant Director Federal and State Programs
Stephanie Young	Emergency Management Coordinator
Thomas Swigart	Engineer
John J. Grado	Finance Purchasing Coordinator
C. Dean Heinbach	Fire Chief
	Health Officer
Carl Mazur	Housing Rehab Program Administrator Acting
	Program Administrator
	Housing Rehab Specialist
Christy Haberstroh	Mayor's Administrative Aide
Todd Wright	Parking Authority
Cristin Kiper	Payroll Clerk
Michelle Casale	Personnel Manager
Gregory Foresman	Police Chief

**DEPARTMENT ADMINISTRATION**

YMCA  
Norman M. Lubin  
J. David Smith  
William Wright  
William E. Nichols, Jr.  
David Hines

Recreation Administrator  
Solicitor  
Solicitor (Assistant)  
Streets and Parks/Flood Control Director  
Transportation General Manager  
Zoning Official

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5883	8-8-02	Transfer of 26 <sup>th</sup> (2000) Community Development Block Grant Funds			
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5885	8-22-02	Table F			
5886	9-19-02	Table I			
5887	10-3-02	2002 Transfer Ordinance			

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
5893	11-14-02	29 <sup>th</sup> year (2003) Community Development Budget	5913	2-20-03	Transfer of 28 <sup>th</sup> (2002) Community Development Block Grant Funds
5894	11-14-02	Transfer of 28 <sup>th</sup> (2002) Community Development Block Grant Funds	5914	2-20-03	Transfer of 29 <sup>th</sup> (2003) Community Development Block Grant Funds
5895	11-26-02	Table C	5915	2-20-03	Amendment of 29 <sup>th</sup> (2003) Community Development Block Grant Budget
5896	12-12-02	123.02			
5897	12-12-02	111.03			
5898	12-12-02	131.02			
5899	12-12-02	129.03	5916	3-20-03	Amendment of 27 <sup>th</sup> (2001) Home Budget and Transfer of 27 <sup>th</sup> (2001) Home Funds
5900	12-12-02	2002 Transfer Ordinance			
5901	12-12-02	1701.01 – 1701.04			
5902	12-12-02	1727.04	5917	3-20-03	Amendment of 28 <sup>th</sup> (2002) Home Budget
5903	12-12-02	1707.01 – 1707.04			
5904	12-12-02	1709.01 – 1709.04	5918	3-20-03	Transfer of 28 <sup>th</sup> (2002) Home Funds
5905	12-12-02	Sup. by 5947			
5906	12-12-02	1501.01 – 1501.05	5919	4-17-03	Table D
5907	12-12-02	117.01 – 117.03	5920	5-1-03	5, Appendix A
5908	12-19-02	Adopting various operating budgets	5921	5-29-03	1747.03; 1747.06
			5922	6-26-03	Transfer of 22 <sup>nd</sup> (1996) Community Development Block Grant Funds
5909	12-19-02	309.01			
5910	2-6-03	1311.131; 1333.05; 1341.14			
5911	2-20-03	Transfer of 26 <sup>th</sup> (2000) Community Development Block Grant Funds	5923	6-26-03	Transfer of 23 <sup>rd</sup> (1997) Community Development Block Grant Funds
5912	2-20-03	Transfer of 27 <sup>th</sup> (2001) Community Development Block Grant Funds	5924	6-26-03	Transfer of 24 <sup>th</sup> (1998) Community Development Block Grant Funds

COMPARATIVE SECTION TABLE

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
5925	6-26-03	Transfer of 25 <sup>th</sup> (1999) Community Development Block Grant Funds	5937	9-4-03	Transfer of 28 <sup>th</sup> (2002) Community Development Block Grant Funds
5926	6-26-03	Transfer of 26 <sup>th</sup> (2000) Community Development Block Grant Funds	5938	9-4-03	Transfer of 29 <sup>th</sup> (2003) Community Development Block Grant Funds
5927	6-26-03	Transfer of 27 <sup>th</sup> (2001) Community Development Block Grant Funds	5939	9-4-03	Amendment of 29 <sup>th</sup> (2003) Community Development Block Grant and Home Budget
5928	6-26-03	Transfer of 28 <sup>th</sup> (2002) Community Development Block Grant Funds	5929	6-26-03	Transfer of 29 <sup>th</sup> (2003) Community Development Block Grant Funds
5929	6-26-03	Transfer of 29 <sup>th</sup> (2003) Community Development Block Grant Funds	5940	10-2-03	151.01; 151.12
5930	6-26-03	Amendment of 29 <sup>th</sup> (2003) Community Development Block Grant and Home Budget	5941	11-13-03	30 <sup>th</sup> year (2004) Community Development Budget
5931	7-24-03	Adopting a six year Capital Projects Budget	5942	12-11-03	5, Appendix A
5932	8-7-03	1705.02; 1705.03	5943	12-18-03	Adopting various operating budgets
5933	8-7-03	5, Appendix A	5944	12-18-03	309.01
5934	8-7-03	117.03(t)	5945	2-19-04	149.09
5935	8-21-03	Amending Ordinance	5946	3-11-04	1311.201, 1311.24, 1311.291, 1311.441, 1311.591, 1311.621, 1311.781, 1311.931, 1311.932, 1317.01, 1317.03, 1332.04, 1332.06, 1332.07, 1332.08, 1332.09, 1332.15, 1332.16, 1332.17, 1332.18, 1332.19, 1332.20
5936	9-4-03	Transfer of 27 <sup>th</sup> (2001) Community Development Block Grant Funds	5947	4-29-04	1741.01 – 1741.04
			5948	4-29-04	1711.01
			5949	4-29-04	117.01, 117.02, 117.03, 117.03(a), 117.03(f)

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
5950	6-10-04	Adopting a six year Capital Projects Budget	5963	7-22-04	Transfer of 24 <sup>th</sup> (1998) Community Development Block Grant Funds
5951	6-10-04	5, Appendix A			
5952	6-24-04	Amending Ordinance	5964	7-22-04	Amendment of 24 <sup>th</sup> (1998) Community Development Block Grant Budget
5953	7-22-04	Amendment of 20 <sup>th</sup> (1994) Home Budget			
5954	7-22-04	Amendment of 21 <sup>st</sup> (1995) Home Budget	5965	9-2-04	121.01, 121.02, 131.01-131.03, 135.01-135.07, 139.01-139.03, 140.01
5955	7-22-04	Amendment of 22 <sup>nd</sup> (1996) Home Budget			
5956	7-22-04	Amendment of 23 <sup>rd</sup> (1997) Home Budget	§1 §2		Rep. by 6154 Rep. by 6127
5957	7-22-04	Amendment of 24 <sup>th</sup> (1998) Home Budget	5966 5967	9-22-04 9-30-04	902.01, 902.03 Transfer of 26 <sup>th</sup> (2000) Community Development Block Grant Funds
5958	7-22-04	Amendment of 25 <sup>th</sup> (1999) Home Budget	5968	9-30-04	Amendment of 30 <sup>th</sup> (2004) Community Development Budget
5959	7-22-04	Transfer of 22 <sup>nd</sup> (1996) Community Development Block Grant Funds	5969	9-30-04	Transfer of 30 <sup>th</sup> (2004) Community Development Budget
5960	7-22-04	Amendment of 22 <sup>nd</sup> (1996) Community Development Block Grant Budget	5970 5971	10-14-04 10-14-04	Table D 5, Appendix A
5961	7-22-04	Transfer of 23 <sup>rd</sup> (1997) Community Development Block Grant Funds	5972	11-9-04	21 <sup>st</sup> (2005) Community Development Budget
5962	7-22-04	Amendment of 23 <sup>rd</sup> (1997) Community Development Block Grant Budget	5973 5974 5975	11-23-04 11-23-04 11-23-04	Table F Lease Rental Debt Lease Rental Debt

COMPARATIVE SECTION TABLE

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
5976A	12-6-04	Table D	5999	7-21-2005	1729.01
5976B	12-23-04	Establishing the real estate tax rate due to the countywide reassessment	6000	7-21-2005	327.01 - 327.22
			6001	9-1-2005	Amending Ordinance
5977	12-23-04	5, Appendix A	6002	9-15-2005	753.01 - 753.10
5978	12-23-04	344.01 – 344.17	6003	9-15-2005	1333.05, 1343.02
5979	12-23-04	353.07, 353.10, 353.12	6004	10-13-2005	Table F
5980	12-23-04	2004 Transfer Ordinance	6005	10-13-2005	195.01 - 195.09
5981	12-23-04	Adopting various operating budgets	6005A		Transfer of 29 <sup>th</sup> Year (2003) CDBG Funds
5982	12-23-04	309.01	6006		Amend 29 <sup>th</sup> Year (2003) CDBG Funds
5983	12-30-04	Lease Rental Debt	6007		Transfer of 30 <sup>th</sup> Year (2004) CDBG Funds
5984	2-3-2005	179.02, 179.08	6008		Amend 30 <sup>th</sup> Year (2004) CDBG Funds
5985	4-14-2005	1121.01 - 1121.09	6009		Transfer of 31 <sup>st</sup> Year (2005) CDBG Funds
5986	4-28-2005	5, Appendix A			
5987	6-9-2005	1391.08, 1395.01, 1395.03, 1395.04, 1395.05, 1397.01 - 1397.07, 1399.02	6010		32 <sup>nd</sup> year CDBG Budget
5988		Six Year Capital Budget	6011		2005 Transfer Ordinance
5989	6-23-2005	902.04	6012	11-22-2005	Table C
5990	6-23-2005	1729.17	6013	12-8-2005	111.01 - 111.04, 125.01 - 125.02, 127.01, 127.03 - 127.05, 129.01 - 129.03, 131.01 - 131.03; Rep. 135.06, 191.01 - 191.03, 193.01 - 193.05
5991		Transfer of 25 <sup>th</sup> Year (1999) CDBG Funds			
5992		Amend 25 <sup>th</sup> Year (1999) CDBG Funds			
5993		Transfer of 26 <sup>th</sup> Year (2000) CDBG Funds			
5994		Amend 26 <sup>th</sup> Year (2000) CDBG Funds	§3		Rep. by 6127
5995		Transfer of 27 <sup>th</sup> Year (2001) CDBG Funds	6014	12-8-2005	331.02, 331.05, 331.09, 331.12
5996		Amend 27 <sup>th</sup> Year (2001) CDBG Funds			Adopting Various Operating Budgets
5997		Transfer of 28 <sup>th</sup> Year (2002) CDBG Funds	6016	12-15-2005	309.01
5998		Amend 28 <sup>th</sup> Year (2002) CDBG Funds	6017		2005 Transfer Ordinance
			6018	1-26-2006	Table I
			6019	1-26-2006	Table I
			6020	1-26-2006	Table I

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
6021	2-23-2006	5, Appendix A	6045	12-14-2006	5, Appendix A
6022	3-9-2006	1745.05	6046	12-21-2006	Adopting Various
6023	4-6-2006	Transfer of 31 <sup>st</sup> Year (2005) CDBG Funds	6047	12-21-2006	Operating Budgets 309.01
6024	4-20-2006	Table D	6048	1-11-2007	1705.01 - 1705.09, 1705.99
6025	5-4-2006	Table D	6049	1-11-2007	Rep. by 6134
6026	5-4-2006	1749.01 - 1749.12	6050	1-25-2007	111.02
6027	6-1-2006	Six-Year Capital Budget	6051	2-8-2007	129.03
6028	6-15-2006	Table I	6052	5-31-2007	Amending Ordinance
6029	6-15-2006	Table I	6053	6-14-2007	149.09
6030	6-15-2006	Table I	6054	6-14-2007	Six-Year Capital Budget
6031	6-15-2006	Transfer of 29 <sup>th</sup> Year (2003) CDBG Funds	6055	6-14-2007	2007 Transfer Ordinance
6032	6-15-2006	Transfer of 32 <sup>nd</sup> Year (2006) CDBG Funds	6056	6-14-2007	Transfer of 29 <sup>th</sup> Year (2003) CDBG Funds
6033	7-27-2006	5, Appendix A	6057	6-14-2007	Transfer of 32 <sup>nd</sup> Year (2006) CDBG Funds
6034	9-7-2006	2006 Transfer Ordinance	6058	6-28-2007	Transfer of 28 <sup>th</sup> Year (2002) CDBG Funds
6035	9-7-2006	Amending Ordinance	6059	6-28-2007	Amend 28 <sup>th</sup> Year (2002) CDBG Funds
6036	9-21-2006	Amend 26 <sup>th</sup> Year (2000) Home Budget	6060	6-28-2007	Transfer of 29 <sup>th</sup> Year (2003) CDBG Funds
6037	9-21-2006	Amend and Close 27 <sup>th</sup> Year (2001) Home Budget	6061	6-28-2007	Amend 29 <sup>th</sup> Year (2003) CDBG Funds
6038	9-21-2006	Amend 28 <sup>th</sup> Year (2002) Home Budget	6062	6-28-2007	Transfer of 30 <sup>th</sup> Year (2004) CDBG Funds
6039	9-21-2006	Amend and Transfer 29 <sup>th</sup> Year (2003) Home Budget	6063	6-28-2007	Amend 31 <sup>st</sup> Year (2005) CDBG Funds
6040	9-21-2006	Amend and Transfer 30 <sup>th</sup> Year (2004) Home Budget	6064	6-28-2007	Transfer of 31 <sup>st</sup> Year (2005) CDBG Funds
6041	9-21-2006	Amend and Transfer 31 <sup>st</sup> Year (2005) Home Budget	6065	6-28-2007	Amend 32 <sup>nd</sup> Year (2006) CDBG Funds
6042	9-21-2006	Amend and Transfer Home Budget	6066	6-28-2007	Transfer 32 <sup>nd</sup> Year (2006) CDBG Funds
6043	10-19-2006	2007 Transfer Ordinance	6067	7-12-2007	2007 Transfer Ordinance
6044	11-16-2006	33 <sup>rd</sup> year CDBG Budget	6068	7-26-2007	5, Appendix A
			6069	8-23-2007	Amend and Transfer 2002 Home Budget

COMPARATIVE SECTION TABLE

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
6070	8-23-2007	Amend and Transfer 2003 Home Budget	6094	12-20-2007	139.03
6071	8-23-2007	Amend and Transfer 2004 Home Budget	6095	12-20-2007	5, Appendix A
6072	8-23-2007	Amend and Transfer 2005 Home Budget	6096	2-7-2008	2008 Transfer Ordinance
6073	8-23-207	Amend 2006 Home Budget	6097	3-6-2008	Table D
6074	8-23-2007	Amend 2007 Home Budget	6098	4-3-2008	Transfer of 30 <sup>th</sup> Year (2004) CDBG Funds
6075	9-6-2007	111.02	6099	4-3-2008	Transfer of 31 <sup>st</sup> Year (2005) CDBG Funds
6076	9-6-2007	1319.11, 1333.05, 1333.06, 1341.17, 1345.01	6100	4-3-2008	Transfer of 32 <sup>nd</sup> Year (2006) CDBG Funds
6077	9-20-2007	353.07, 353.10	6101	4-3-2008	Transfer of 33 <sup>rd</sup> Year (2007) CDBG Funds
6078	10-4-2007	Table D	6102	5-15-2008	Amending Ordinance
6079	10-18-2007	Transfer of 30 <sup>th</sup> Year (2004) CDBG Funds	6103	5-15-2008	Transfer 2006 Home Budget
6080	10-18-2007	Transfer of 31 <sup>st</sup> Year (2005) CDBG Funds	6104	5-15-2008	Amend and Transfer 2007
6081	10-18-2007	Transfer of 33 <sup>rd</sup> Year (2007) CDBG Funds	6105	5-15-2008	Amend and Transfer 2008
6082	11-1-2007	2007 Transfer Ordinance	6106	5-29-2008	1749.04
6083	11-15-2007	Table D	6107	5-29-2008	117.04
6084	11-5-2007	34 <sup>th</sup> year CDBG Budget	6108	6-12-2008	Adopting a six year Capital Projects Budget
6085	11-15-2007	Table C	6109	7-10-2008	5, Appendix A
6086	11-15-2007	Table D	6110	7-24-2008	1151.06
6087	11-29-2007	345.01 - 345.05	6111	7-24-2008	Transfer Ordinance
6088	11-29-2007	117.01 - 117.04	6112	8-21-2008	Transfer of 30 <sup>th</sup> Year (2004) CDBG Funds
6089	12-13-2007	344.01 - 344.16	6113	8-21-2008	Amend 30 <sup>th</sup> Year (2004) CDBG Funds
6090	12-13-2007	Lease Rental Debt	6114	8-21-2008	Transfer of 32 <sup>nd</sup> Year (2006) CDBG Funds
6091	12-20-2007	Adopting Various Operating Budgets	6115	8-21-2008	Amend and Transfer 33 <sup>rd</sup> Year (2007) CDBG Funds
6092	12-20-2007	309.01	6116	9-18-2008	Table D
6093	12-20-2007	755.01 - 755.05	6117	10-2-2008	Transfer Ordinance

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>	<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
6118	10-16-2008	1152.01	6141	6-25-2009	5, Appendix A
6119	11-13-2008	35 <sup>th</sup> year CDBG Budget	6142	7-23-2009	Transfer 31 <sup>st</sup> Year (2005) CDBG Funds
6120	11-26-2008	337.01 - 337.09	6143	9-17-2009	1741.02
6121	12-18-2008	Adopting Various Operating Budgets	6144	10-1-2009	Transfer Ordinance
6122	12-18-2008	309.01	6145	10-15-2009	Table D
6123	12-18-2008	5, Appendix A	6146	10-29-2009	Transfer 31 <sup>st</sup> Year (2005) CDBG Funds
6124	12-18-2008	Transfer Ordinance	6147	10-29-2009	Transfer 32 <sup>nd</sup> Year (2006) CDBG Funds
6125	2-19-2009	117.04	6148	10-29-2009	Transfer 33 <sup>rd</sup> Year (2007) CDBG Funds
6126	2-19-2009	Transfer Ordinance	6149	10-29-2009	Amend and Transfer 34 <sup>th</sup> Year (2008) CDBG Funds
6127	3-5-2009	127.02, 127.041	6150	10-29-2009	Transfer 35 <sup>th</sup> Year (2009) CDBG Funds
6128	3-19-2009	717A.01 - 717A.10	6151	11-12-2009	353.03 - 353.07, 353.10 - 353.12
6129	4-2-2009	Table I	6152	11-12-2009	36 <sup>th</sup> year CDBG Budget
6130	4-16-2009	Approving Editing and Inclusion of Certain Ordinances	6153	11-24-2009	Table D
6131	4-30-2009	1379.12	6154	12-10-2009	135.08
6132	4-30-2006	1301.02, 1301.08	6155	12-17-2009	Adopting Various Operating Budgets
6133	4-30-2009	1379.11	6156	12-17-2009	309.01
6134	4-30-2009	198.01 - 198.04	6157	12-17-2009	5, Appendix A
6135	4-30-2009	1346.06			
6136	4-30-2009	1383.12			
6137	4-30-2009	Table I			
6138	4-30-2009	Table I			
Res.7707	4-30-2009	717A.11			
6139	5-28-2009	139.03			
6140	6-11-2009	Six-Year Capital Budget			



TABLE D – VACATION OF STREETS AND ALLEYS

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
5317	6-12-86	Portion of Maynard Alley west of Locust St.
5321	8-14-86	Cherry Alley
5326	9-25-86	Unnamed alley in the 1st Ward beginning at the intersection of the western line of an alley and the northern line of East Third St.
5355	6-25-87	Portion of Scoville Place Alley.
5464	12-19-89	Fonda Alley
5474	4-10-90	Portion of Steel Way south of West Fourth St.
5528	7-25-91	Portion of North St. between Hepburn and William Sts.
5531	7-25-91	Portion of Edwin between Government Place and William St.
5636	11-22-94	Portion of State St. and Duck Alley.
5658	7-6-95	Portion of South St.
5659	7-6-95	Portion of West St.
5665	10-26-95	Portion of Hadley St. and an unnamed street in the Sixth Ward.
5669	12-21-95	Alley in Tenth Ward.
5674	1-18-96	Portion of Fifth St.
5709	1-9-97	Portion of Grove St.
5728	10-30-97	Portion of Prospect Avenue and Prospect Lane in the 7th Ward.
5746	4-30-98	Portion of Hadley Street in the 6th Ward.
5784	9-30-99	Portion of Park Street in the 5th and 6th Wards.
5829	9-28-00	Portion of Catherine St. in the Sixteenth Ward.
5830	9-28-00	Portion of Oak Alley in the Eleventh Ward.
5846	6-7-01	Portion of Hadley Street in the Sixth Ward.
5855	10-11-01	Portion of Carpenter Street in the Fifth Ward.
5888	10-17-02	Portion of Potter Street in the Fifth Ward.
5919	4-17-03	Portion of Blackberry Alley in the First Ward.
5970	10-14-04	Alley east of Arnold Street and north of Glynn Avenue in the 7th Ward.
5976A	12-16-04	Portion of North Road a.k.a. North Reach Road in the 11th Ward.
6024	4-20-06	Portion of Neece Street in the Fourth Ward, west of Hepburn Street, between West Edwin Street and West Fourth Street

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<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
6025	5-4-06	Portion of North Hillcrest Drive and South Hillcrest Drive in the Fifteenth Ward
6078	10-4-07	First alley east of Campbell Street, between Louisa Street and High Street; Green Street between Louisa Street and High Street; First Alley east of Green Street, between Louisa Street and High Street; Spruce Street, between Louisa Street and High Street; first alley east of Spruce Street, between Louisa Street and High Street; first alley east of Walnut Street between Louisa Street and High Street; Maple Street between Rural Avenue and Louisa Street; Maple Street between Louisa Street and High Street; first alley east of Maple Street between Rural Avenue and Louisa Street; first alley north of High Street between Maple Street and Locust Street; first alley east of Maple Street; first alley south of High Street in the 13th Ward
6083	11-15-07	Unnamed alley between Third Avenue and Fourth Avenue and south of Memorial Avenue
6086	11-15-07	Windmere Drive and a portion of West End Trails in the 7th Ward
6097	3-6-08	Louisa Street between Campbell Street and Locust Street
6116	9-18-08	Walnut Street between Louisa Street and Rural Avenue; first alley east of Campbell Street between Louisa Street and High Street
6145	10-15-09	Portion of Jefferson Lane in the Ninth Ward and shown upon an Exhibit plan by the Larson Design Group, file 5758-016
6153	11-24-09	Portion of Church Street, Court Street and Lower Market Street in the Third Ward and in accordance with the Consolidation of Parcels plan for the Church Street Transportation Center dated August 21, 2009 prepared by Vassallo Engineering & Surveying, Inc., identified as Parcel #2 containing 4,865 S.F.

TABLE I - ZONING ORDINANCES (cont'd)

<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
		Street from CS Commercial Zoning District to I Institutional District.
		(c) Portion of the Eighth Ward bounded on the west by Basin Street, on the south by Willow Street, on the east by the eastern boundary line of Lycoming County Tax Parcel No. 62-04-109, and on the north by East Fourth Street from CS Commercial Zoning District to I Institutional District.
6018	1-26-2006	Area within the residential portion of the Twelfth, Thirteenth and Fourteenth Wards, which is bounded on the north by Brandon Avenue, on the east by Cherry Street, on the south by Park Avenue, and on the west by Campbell Street be rezoned from R2 Residential Zoning District and R3 Residential Zoning District to I Institutional Zoning District
6019	1-26-2006	Area located in the Sixth Ward and bounded on the north by West Fourth Street, on the east by Susquehanna Street, on the south by Vine Avenue and on the west by Grier Street be rezoned from CC Commercial Zoning District to I Institutional Zoning District
6020	1-26-2006	Area located in the Sixth Ward and bounded on the west by Grier Street, on the north by Chester Street, on the east by Seventh Avenue and on the south by the existing CC Commercial Zoning District be rezoned from RU Residential Zoning District to R2 Residential Zoning District
6028	6-15-2006	Area located in the Twelfth Ward and bounded on the west by Center Street and Center Street extended, on the north by Park Avenue, on the east by the western lines of Tax Parcel Nos. 72002-428, 72-002-431, 72-002-402 and 72-002-504 and on the south by Little League Boulevard be rezoned from CC Commercial Zoning District and ML Light Manufacturing Zoning District to R3 Residential Zoning District
6029	6-15-2006	Area located in the Seventh Ward within former Lot Nos. 3 and 4 of the approved subdivision plan dated 7-30-2001 of Hill Terrace Estates Associates Record Book 3444, page 260, and now a part of the Pennsy Commons Associates, Pennsy Heights project, be rezoned from ML Light Manufacturing Zoning District to R2 Residential Zoning District

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<u>Ord. No.</u>	<u>Date</u>	<u>Description</u>
6030	6-15-2006	Area located in the Seventh Ward, bounded on the north by West Fourth Street, on the east by Wahoo Drive, on the south by the northern boundary of Tax Parcel Nos. 67-026-101 and 67-026101B and on the west by the western boundary of Tax Parcel No. 67-026-102A be rezoned from CC Commercial Zoning District to MH Heavy Manufacturing Zoning District
6129	4-2-2009	Area located in the Seventh Ward bounded by West Fourth Street on the north at the intersection of Towncrest Road, and along the south and east sides of the area currently zoned "MH." Said area to be rezoned "MH" Industrial District and become part of the same "MH" Industrial District to the east and south.
6137	4-30-2009	Area located in the Second, Eighth, and Ninth Wards bounded on the west by Mulberry Street, on the north by the current southern boundary line of the Institutional zone and R3 residential zone, on the east by Chatham Street bounded by East Third Street to the north and on the south by Interstate 180 the current northern boundary of the open space zone. Said area to be rezoned "CBD" Central Business District and become part of the same CBD Central Business District to the west.
6138	4-30-2009	Area located in the Seventh Ward currently zoned "R2" Residential District to "MH" District. The area is bounded by Foresman Street extended to the east, "ML" District on the north, and "MH" to the west and south. Said area to be rezoned "MH" Industrial District.

CODIFIED ORDINANCES OF WILLIAMSPORT

PART ONE - ADMINISTRATIVE CODE

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TITLE ONE – General Provisions

Art. 101. Codified Ordinances.

TITLE THREE – Legislative

Art. 111. Council.

Art. 113. Ordinances and Resolutions.

Art. 115. Contracts.

Art. 117. General Fee Schedule

TITLE FIVE – Administrative Offices and Agencies

Art. 121. Departments Generally.

Art. 123. Mayor.

Art. 125. City Solicitor.

Art. 127. City Clerk.

Art. 129. City Treasurer.

Art. 131. City Controller.

Art. 135. Department of Administration.

Art. 139. Department of Public Safety.

Art. 140. Department of Community and Economic Development.

TITLE SEVEN – Employees and Benefits

Art. 149. Employment Generally.

Art. 151. Employees' Retirement and Pension System.

Art. 152. Police Benefits. (Repealed)

Art. 153. Police Retirement Fund.

Art. 155. Firemen's Pension Fund.

Art. 157. Civil Service.

TITLE NINE – Authorities, Boards and Commissions

Art. 175. General Provisions

Art. 177. Planning Commission.

Art. 178. Shade Tree Commission.

Art. 179. Board of Health.

Art. 181. Authorities.

Art. 183. Recreation Commission.

Art. 185. Bowman Field Commission.

Art. 187. Brandon Park Commission.

- Art. 189. Way's Garden Commission.
- Art. 191. Urban Homestead Selection Board. (Repealed)
- Art. 193. Homestead Appeal Board. (Repealed)
- Art. 195. Blighted Property Review Committee.
- Art. 197. Veterans Memorial Park Commission.
- Art. 198. Downtown Design Review Committee. (Repealed)

Certificate of nonconformance	\$45.00
Zoning occupancy permit	\$45.00
Certification of zoning and building, each request	\$45.00
Easement	\$75.00
Sketch plan review	\$40.00
Preliminary plan review (land development)	\$150.00
Final plan review	\$125.00, plus \$40.00 per lot
Street vacation	Cost of advertisement

(d) Other permits.

Type of Permit	Fee
Occupancy permit	\$60.00
Street tree permit	\$5.00
Mall permit	\$10.00
Sidewalk permit	\$20.00
Driveway permit	\$20.00
Dumpster permit	\$15.00
Tent permit	\$25.00 includes fire inspection
Stage permit	\$25.00 includes set-up and removal
Pyrotechnics permit	\$75.00 includes fire inspection
Bonfire permit	\$75.00 includes fire inspection
Bleacher permit	\$25.00 includes set-up and removal
Event permits	\$5.00 unless event is City co-sponsored
Special event permit	\$10.00 unless event is City co-sponsored

- (1) Event permit: This permit is for an event which does not require any type of City service.
- (2) Special event: This permit is for an event which requires at least one City service.
- (3) Health inspections are considered a City service.

(e) Other licenses.

Type of License	Fee
Restaurant license	\$40.00
Merchandise vendor	\$15.00
Food vendor license	\$30.00
Pole permit (per pole or guidewire)	\$15.00
Street cuts	\$75.00
Curb cuts	\$50.00
Student residence (\$500.00 cap)	\$50.00 plus \$10.00 for each room
Rooming house (\$500.00 cap)	\$50.00 plus \$10.00 for each room
Sobriety house (\$500.00 cap)	\$50.00 plus \$10.00 for each room

- (1) To the extent that a merchandise vendor will be participating in an event that is governed by a separate event permit, the requirement for a separate merchandise vendor permit is waived and the merchandise vendor is deemed governed by the applicable event permit. The provisions of this amendment do not apply to food vendors, and the permit requirement will stay in place even for food vendors who are participating in events governed by an event permit because there are separate health inspections that have to be done with respect to food vendors.

(f) Other fees.

Type	Fee
Replacement license (contractor/plumber)	\$3.00
Replacement building permit	\$3.00
Copies, each copy	\$0.50
Administrative costs	\$5.00 per hour, when applicable
College letter inspection	\$25.00 per each inspection, address
Temporary pool permits	\$3.00
Building Code appeal	\$150.00
ICC Property Maintenance Code appeal	\$75.00
Checks returned or dishonored for payment for any reason (A written notice of this charge shall be conspicuously posted at all City operated locations where payments are made to the City.) [Ord. 6125]	\$35.00
Additional or replacement copies of real estate tax bills [Ord. 6125]	\$5.00
Real estate tax certification [Ord. 6125]	\$5.00 per tax parcel

(Ord. 4593 Sec 3. Approved 8-23-1973; Ord. 5200 Sec 3. Approved 5-26-1983; Ord. 5458 Sec. 1. Approved 12-14-1989; Ord. 5586 Sec 4. Approved 6-10-1993; Ord. 5713 Secs. 1 and 2. Approved 4-3-1997; Ord. 5755 Sec 1. Approved 8-20-1998; Ord. 5808 Sec. 1. Approved 4-6-2000; Ord. 5907 Secs. 4, 5 and 6. Approved 12-12-2002; Ord. 5934. Approved 8-7-2003; Ord. 5949 Sec. 4. Approved 4-29-2004; Ord. 6088 § 4. Approved 11-29-2007; Ord. 6107 § 1. Approved 5-29-2008; Ord. 6125 § I. Approved 2-19-2009)

ARTICLE 127  
City Clerk

127.01	Appointment and term.	127.04	Responsibility for records.
127.02	Open records policy.	127.041	Open records officer.
127.03	Public meetings of Council.	127.05	Attesting/City Seal.

CROSS REFERENCES

- Appointment, duties, qualifications – see 3rd Class Charter Law §410(a) (53 P.S. §41410(a); 3rd Class § 1301, 1302 (53 P.S. §36301, 363.02)  
 As Acting Mayor – see 3rd Class Charter Law §414 (53 P.S. §41414)  
 Keep Council minutes; signature – see 3rd Class Charter law §606, 607(b) (53 P.S. §41606, 41607(b))  
 Records, compilation and codification of ordinances and resolutions – see 3rd Class Charter Law §609 (53 P.S. §41609); 3rd Class §1303 (53 P.S. §36303)  
 Amended budget ordinance to be displayed in Clerk’s office – see 3rd Class § 1810 (53 P.S. §36810)  
 Duties – see ADM. 111.02 Rule 9(e)

127.01 APPOINTMENT AND TERM.

The City Clerk shall be appointed by City Council and shall serve until retirement, resignation or termination by Council. He functions as an employee of City Council and should maintain strict separation from the functions of the Administration.  
 (Ord. 4511 § 204. Approved 2-17-1972; Ord. 6013 §3. Approved 12-8-2005.)

127.02 OPEN RECORDS POLICY

Policy

Effective January 1, 2009, this policy is to provide legal residents of the United States the right to request, inspect and obtain copies of public records per Pennsylvania’s Right-to-Know Law. With respect to the policy, the following requests shall be routed immediately to the City of Williamsport’s Open Record’s Officer:

- (a) A “Right to Know Request” or an “Open Records Request.”
- (b) A request for any document(s) that would not be distributed in the course of normal, everyday operations.
- (c) A request for an item or items that may potentially be of a confidential, proprietary or legal nature.

All right-to-know requests shall be forwarded to the City of Williamsport’s Open Records Officer by 4:30 p.m. on the date the request is received by any department. Any questions

arising from requests for records must be directed immediately to the Open Records Officer.

In the event a provision of this policy conflicts with the Open Records Act or any other State or Federal law, that portion of the provisions of this policy shall not apply.

### General Rule

Unless otherwise provided by law, a public record of the City is accessible for inspection and duplication by a requester in accordance with this policy. A public record will be provided to a requester in the medium requested if the public record exists in that medium; otherwise, it will be provided in the medium in which it exists. Public records will be available for access during regular business hours. Nothing in this policy will provide for access to a record which is not a public record.

The City will make its public records and copies thereof related to City Council Meeting Agendas and City Council Meeting Agenda Items available for inspection in accordance with established guidelines as noted in Article 111.02, Rule 5 of the Codified Ordinances of the City of Williamsport with the exception of those records exempt from such inspection and copying by law and City policy.

### Procedure for Access to Public Records

Requests for access to records may be made verbally or in written form. If the requester wishes to initiate their appeal rights or pursue the relief and remedies provided for in Right to Know Law, the request for access to records must be a written request. The City will honor all written requests on the form provided by the City [Exhibit A] or by the State Office of Open Records [Exhibit B] for access to City public records. Such requests may be submitted in person, by mail, facsimile or email. The request must be addressed to and received by the Open Records Officer and must contain the name and address to which the City shall address its response and a description of the records sought with sufficient specificity to allow the Open Records Officer to determine which records are being requested. A written request shall not include any explanation of the requester's reasons for the request and shall not include any explanation of the requesters intended use of the records.

When responding to a request for access, the City is not required to create a public record which does not currently exist or to compile, maintain, format or organize a public record in a manner in which it does not currently compile, maintain, format or organize the public record.

If a public record is only maintained electronically or in other non-paper media, the City will, upon request, duplicate the public record on paper when responding to a request for access in accordance with this policy.

### Redactions

If the City determines that a public record contains information which is subject to access, as well as information which is not subject to access, the City's response will grant access to the information which is subject to access and deny access to the information which is not subject to access. The City will redact from the public record information which is not subject to access and the response will grant access to the information which is subject to access.

#### Response to Written Requests for Access

Upon receipt of a written request for access to public records, the City will make a good faith effort to determine if the record requested is a public record and will respond as promptly as possible under the circumstances existing at the time of the request, but no later than five business days from the date the written request is received by the City. Upon receipt of a request, the Open Records Officer will:

- (a) Stamp the date of receipt on the written request.
- (b) Compute the day on which the five-day period will expire and make a notation of that date on the written request form.
- (c) Maintain an electronic or paper copy of the written request including all documents submitted with the request until the request has been fulfilled and all potential appeal time frames have expired.
- (d) If an appeal is filed, keep the records until a final determination is issued or the appeal is deemed denied.
- (e) Create a file and keep all of the following:
  - (1) The original request.
  - (2) A copy of the response.
  - (3) A record of written communications with the requester.
  - (4) Appeal made by requester if applicable.
  - (5) Final appeal determination from the State Office of Open Records if applicable.

If the City fails to send the response within five business days of receipt of the written request for access, the written request for access shall be deemed denied. The five-day time clock begins the day following receipt by the City, excluding exceptions as listed below:

- (a) The request for access requires redaction of a public record.
- (b) The request for access requires the retrieval of a record stored in a remote location.

- (c) A timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations.
- (d) A legal review is necessary to determine whether the record is a public record subject to access under this policy.
- (e) The requester has not complied with City policies regarding access to public records.
- (f) The requester refuses to pay applicable fees.

If the request falls under any of the above exceptions, the Open Records Officer will send written notice to the requester within five business days notifying them that the request for access is being reviewed and requires the 30-day extension along with the extension ending date. The response shall include the exception(s) applicable.

#### Denial/Partial Denial

If the City's response is a denial or partial denial of a written request for access, whether in whole or in part, a written response will be issued and will include:

- (a) A description of the record requested.
- (b) The specific reason(s) for the denial, including a citation of supporting legal authority.
- (c) The typed or printed name, title, business address, business telephone number and signature of the Open Records Officer on whose authority the denial is issued.
- (d) Date of the response.
- (e) The procedure to appeal the denial of access.

It is not the intent of this policy to make a document a public record that is not a public record by law.

#### Open Records Office Appeal

Appeals shall be sent to the below addresses:

**[Submit two (2) copies]**  
Office of Open Records  
Commonwealth Keystone Building  
400 North Street 4th Floor  
Harrisburg PA 17120-0225  
Fax 717 425-5343  
Email [openrecords@state.pa.us](mailto:openrecords@state.pa.us)

**[Submit one (1) copy]**  
Open Records Officer  
Office of City Clerk  
245 West Fourth Street  
Williamsport PA 17701  
Fax 570 327-7505  
Email [cityclerk@cityofwilliamsport.org](mailto:cityclerk@cityofwilliamsport.org)

[as a Word or PDF attachment]

[as a Word or PDF attachment]

You must include in your appeal the information as stated below:

- (a) Your full name, address, telephone and fax number.
- (b) A concise statement of relevant facts including:
  - (1) The name, title, address, telephone and fax numbers, if known, of the City and any City official alleged to have denied the requester a right conferred by the RTKL.
  - (2) A description of the records requested.
  - (3) The date of the right-to-know request.
  - (4) The date of any response or date the response was deemed denied.
  - (5) A statement of the grounds upon which the requester asserts that the record is a public record.
  - (6) A statement addressing any grounds stated by the City for delaying or denying the request, including any unusual circumstances or emergency situations that may have contributed to the delay.
  - (7) A copy of any pertinent correspondence or other documents.
  - (8) A statement that all material provided by the City has been submitted with the appeal.

#### Fee Schedule

The following fee schedule is in accordance with the fees as prescribed by the State Office of Open Records. Section 1307 of the Right-To-Know law requires the State Office of Open Records to establish a fee structure for local agencies.

Copies: \$0.25 per copy.	A "photocopy" is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5" x 11" page.
Certification of a Record: \$1.00 per record.	Certification is per record, not per page and does not include notarization fees.
Specialized documents: Actual cost.	Including but not limited to: Blue prints, color copies, GIS data and non-standard sized documents.
Facsimile/Microfiche/Other Media: Actual cost.	Includes fax, microfilm, archived charges, etc.
Redaction Fee:	No redaction fees shall be imposed.

Conversion to Paper: \$0.25 per copy.	If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media unless the requester specifically requests the record to be duplicated in the more expensive medium.
Postage Fees: Actual cost.	Fees for postage will be the actual cost of mailing as requested by the requester.
Prepayment:	Prior to granting a request for access, the City may require a requester to prepay an estimate of the fees authorized if the fees required to fulfill the request are expected to exceed \$100.
Waiver of Fees:	The City may waive the fees for duplication of a public record, including but not limited to when the requester duplicates the public record or it is deemed in the public's best interest to do so.

### Posting

A copy of this policy shall be conspicuously posted at the following City agency locations: City Hall Council Chambers, City Hall First Floor Bulletin Board, the Office of City Clerk and the City Internet Website.

(Ord. 6127 §II. Approved 3-5-2009.)

### 127.03 PUBLIC MEETINGS OF COUNCIL.

- (a) The City Clerk shall advertise all City Council meetings and City Council committee meetings as directed by the President or Chair. He will also correlate the agenda and any information packets submitted by Administration. Deadlines and guidelines are located in the Council Administrative Code and are also available in the City Clerk's office.
- (b) The City Clerk shall be present at all public City Council and Police Pension Board meetings. He will be available to attend City Council committee meetings as requested by the Chair.
- (c) The City Clerk will maintain recorded or transcribed minutes of all City Council and City Council committee meetings. Meeting minutes shall be transcribed and distributed to the committee members for Council acceptance on the first Friday packet delivery following the meeting or as soon afterwards as possible.

(Ord. 6013§3. Approved 12-8-2005.)

### 127.04 RESPONSIBILITY FOR RECORDS.

The City Clerk shall be responsible for the retention and preservation of all resolutions and ordinances that are passed by City Council. He will keep files on all agenda items of the City Council meetings along with the Council's meeting minutes.

(Ord. 6013 §3. Approved 12-8-2005.)

## 127.041 OPEN RECORDS OFFICER

The City Clerk is designated as the Open Records Officer (Res. 7642 dtd. 12/18/08) for the City of Williamsport with the contact information as below:

Open Records Officer  
Office of City Clerk  
245 West Fourth Street  
Williamsport PA 17701  
Phone 570 327-7504  
Fax 570 327-7505  
Email [cityclerk@cityofwilliamsport.org](mailto:cityclerk@cityofwilliamsport.org)

In the absence of the Open Records Officer, the City Solicitor shall handle questions and requests pertaining to the same.

(Ord. 6127 §IV. Approved 3-5-2009.)

## 127.05 ATTESTING/CITY SEAL.

The City Clerk shall be responsible for attesting to all ordinances, contracts and agreements along with the signing of all resolutions. He will execute all documents as passed by City Council. Passed ordinances, executed agreements and contracts attested to shall be sealed by the City Clerk.

(Ord. 6013 §3. Approved 12-8-2005.)







**Exhibit B**

**pennsylvania**

OFFICE OF OPEN RECORDS

**STANDARD RIGHT-TO-KNOW REQUEST FORM**

**DATE REQUESTED:**

**REQUEST SUBMITTED BY:**      E-MAIL      U.S. MAIL      FAX      IN-PERSON

**NAME OF REQUESTOR :** \_\_\_\_\_

**STREET ADDRESS :** \_\_\_\_\_

**CITY/STATE/COUNTY (Required):** \_\_\_\_\_

**TELEPHONE (Optional):** \_\_\_\_\_

**RECORDS REQUESTED:**

*\*Provide as much specific detail as possible so the agency can identify the information.*

**DO YOU WANT COPIES? YES or NO**

**DO YOU WANT TO INSPECT THE RECORDS? YES or NO**

**DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO**

**RIGHT TO KNOW OFFICER:**

**DATE RECEIVED BY THE AGENCY:**

**AGENCY FIVE (5)-DAY RESPONSE DUE:**

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.)  
Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*

ARTICLE 135  
Department of Administration

135.01	Duties and responsibilities.	135.06	Reserved
135.02	Budget.	135.07	Pennsylvania Local Government Investment Trust.
135.021	Budget form and transfers.	135.08	Trust created for Workers' Compensation and Occupational Disease Acts. (Repealed)
135.03	Appropriations.		
135.04	Contracts.		
135.05	Temporary investment of City Funds.		

CROSS REFERENCES

Rules and regulations – see ADM. 113.02

Creation – see ADM. 121.01

Department heads; appointment and duties – see ADM. 121.02

135.01      DUTIES AND RESPONSIBILITIES.

The Director of Administration shall perform the fiscal and administrative service function for the City, in connection with the management of the Department of Finance and Human Resources. The areas of responsibility of this Department will include the supervision of established standard personnel policies and practices, assisting the Mayor in the preparation of the budget, administering a purchasing system for all aspects of City government, maintaining and supervising the City tax program, and addressing such other matters as may be assigned. The specific areas of City government which will operate under the responsibility of the Director of Administration are as follows:

- (a) Department of Finance and Human Resources.
- (b) Bureau of Transportation (River Valley Transportation Services):
  - (i) City Bus (River Valley Transit).
  - (ii) Contract and Public Services.
    - (i) Public Works.
    - (ii) Recreation.
    - (iii) Parking Authority.

(iv) Hiawatha.

(Ord. 5086 §4. Approved 11-25-80, Ord. 5965 §1. Approved 9-2-04.)

135.02 BUDGET.

Pursuant to Section 417 and Section 418 of the Optional Third Class City Charter Law, Act of July 15, 1957, P.L. 901, the City budget shall consist of the following:

General Fund Operating Budget.

Capital Budget.

- (a) On or before May 1 of each year, the Mayor shall submit a proposed six-year capital improvement program to the City Planning Commission for its study and recommendations. On or before June 1 of each year, after receipt of the report of the Planning Commission, the Mayor shall submit the program to Council for its approval, incorporating any of the recommendations of the Planning Commission which the Mayor deems advisable. The program submitted may be modified by the affirmative vote of five members of Council. Passage of the six-year capital improvement program by Council shall be subject to annual revision by Council.
- (b) The Director of Administration shall supervise the administration of each annual budget. Immediately after the budget has been enacted and after consultation with the heads of the departments, the Director of Administration shall establish a system of appropriations to each department. At the beginning of each allotment period, the amount specified shall become available to each department for obligations due that period.

Such allotments for any department may be modified, upon request of the head of the department, by the Director or by direction of the Mayor. The Director of Administration shall file with the City Controller, a copy of each allotment and modification thereof. An encumbrance system of accounts to control all expenditures within the limits of budget appropriations and to control such allotments shall be maintained by the City Controller. If at any time during the budget year the Director shall ascertain the probability of a cash deficit, he shall reconsider the work programs and allotments of the several offices, departments and agencies. Upon such reconsideration and with the approval of the Mayor, the Director shall revise the allotments so as to forestall, so far as possible, the making of commitments and expenditures in excess of the revenue to be realized during the fiscal year.

(Ord. 4511 §601. Approved 2-17-72. Ord. 5965 §1. Approved 9-2-04.)

- (1) The conditions of the agreement are set forth in the Declaration referred to in subsection (a) hereof;
- (2) The City's participation in the Trust shall be terminable at any time by ordinance;
- (3) The Declaration of Trust and the purchase of its shares are for the purpose of investing the City's funds in obligations which are otherwise legal investments as part of a pooled arrangement with other governmental units, thereby achieving economic and other advantages of pooled investments;
- (4) It is not necessary to finance the agreement authorized herein from Municipal funds except through the purchase of shares in the Trust;
- (5) The Trust shall be managed by a Board of Trustees as set forth in the Declaration of Trust and the By-Laws provided for therein; and
- (6) Shares may be purchased and redeemed from time to time as the City may determine to be necessary or appropriate to meet its cash investment requirements.

(Ord. 5104 §1-4. Approved 5-14-81. Ord. 5965 §1. Approved 9-2-04.)

135.08 TRUST CREATED FOR WORKERS' COMPENSATION AND OCCUPATIONAL DISEASE ACTS.

(EDITOR'S NOTE: Former 135.08 was repealed by Ordinance 6154, §I, approved 12-10-2009.)



ARTICLE 139  
Department of Public Safety

- 139.01 Duties and responsibilities.  
139.02 Contracts for police services. (Repealed)  
139.03 Police Mutual Aid Agreements.

CROSS REFERENCES

Rules and regulations – see ADM. 113.02  
Creation – see ADM. 121.01  
Department heads; appointment and duties – see ADM. 121.02

139.01 DUTIES AND RESPONSIBILITIES.

The Department of Public Safety shall carry out the police, fire, and emergency management services required for the protection of persons and property in the City as provided for by Council. The areas of responsibility of this Department shall be:

- (a) Bureau of Police.
- (b) Bureau of Fire and Codes.
- (c) Emergency Management (EMA).

(Ord. 4511 §314. Approved 2-17-1972; Ord. 5965, §1. Approved 9-2-2004.)

139.02 CONTRACTS FOR POLICE SERVICES.

(EDITOR'S NOTE: Former Section 139.02 was repealed by Ordinance 5162, §1, approved May 20, 1982.)

139.03 POLICE MUTUAL AID AGREEMENTS.

- (a) The provisions of the mutual aid agreements with respect to providing mutual aid assistance by and among the participation municipalities are hereby amended as set forth in the Memorandum of Understanding attached hereto as Exhibit A.
- (b) The participating municipalities are as follows: City of Williamsport, Borough of Duboistown, Borough of Hughesville, Borough of Jersey Shore, Borough of Montgomery, Borough of Muncy, Borough of South Williamsport, Township of Old Lycoming, Township of Porter, Township of Muncy and Borough of Montoursville.

(Ord. 4760 § 1-4. Approved 7-30-76. Ord. 5965, §1. Approved 9-2-04; Ord. 6094. Approved 12-20-2007; Ord. 6139 §§I, II. Approved 5-28-2009.)



**EXHIBIT A****MEMORANDUM OF UNDERSTANDING**

This Agreement establishes the services that shall be provided between the Police Department/Bureau of said municipalities as detailed in the following articles. The intent of this agreement is to improve public safety without increasing costs or decreasing any services to the municipalities participating in this agreement.

**Article I. Administrative**

1. It is understood and agreed that the compliance with the terms of this Agreement shall be voluntary for the municipalities furnishing aid.
2. Each municipality shall maintain its own Police Force and shall provide all required equipment
3. Each municipality shall pay its own expenses for the upkeep of its Police Force.
4. Each municipality shall be responsible for any claims or lawsuits that results from its own alleged improper action. The municipalities agree to defend, indemnify, save, and hold harmless each other from claims arising out of the actions of their respective Department/Bureau, pursuant to this Agreement.
5. Each municipality shall retain its own boundaries.
6. No charges or expenses shall be assessed for the Police aid furnished by one municipality to another municipality.
7. Each Police Officer shall remain, at all times, the employee of the municipality, which hired him or her.
8. The municipality originally hiring a Police Officer shall be, at all times responsible for paying the wages of the Officer, and carry workers' compensation and for all matters pertaining to the employment of the Police Officer.
9. All Police Officers employed by the said municipalities will be under the administrative control of the municipality who originally hired them and the operational control of their respective Chief of Police.
10. All police reports prepared will be prepared on the report forms of the Department/Bureau preparing the reports. Copies of the reports arising from police action taken in another municipality will be

- forwarded to the agency having jurisdiction as soon as possible or immediately upon the request of the Chief of Police or his designee.
11. All issues of concern will be directed to each respective Chief of Police for resolution.

#### **Article II. (Authorization)**

1. It is understood that this Memorandum of Understanding authorizes members of the participating municipalities' police departments to have the same arrest and investigation powers and to enforce all State and Federal Laws and Local Ordinances in each others jurisdictions.
2. Each Municipality hereby authorizes the Police Officers from their municipality to exercise law enforcement power within the territorial limits of the other municipality when acting pursuant to the terms of this agreement.
3. Each Police Department is authorized to handle calls, or automatically respond, to high-risk situations such as domestic violence calls, bank alarms, hold up alarms, burglar alarms, or "Officer needs assistance" calls.
4. The on-duty Police Officer in the municipality to which aid and assistance is rendered shall be in charge of the incident.
5. The service that shall be provided shall be the services normally provided by Police in each municipality.

#### **Article III. (Police Services)**

1. Each Police Department shall supply Police Services to the other departments during all shifts, as needed. In the event of an emergency or unavailability of police services in the requested agency's jurisdiction and the requested agency is unable to respond, the next closest available agency shall be requested to respond as needed.
  2. This shall include services for mutual aid to the on-duty Police Unit(s).
  3. Support patrols shall be by request, as needed at the discretion of the on-duty officer or as directed by the Chief of Police.
  4. Handle calls for participating Police service when the other unit(s) is/are unavailable to respond due to other calls, emergencies or other law enforcement related activities.
-

- 5. The services provided by each police department shall include services normally provided by Police, including, but not limited to, patrol, investigation, and support duties. In depth or major criminal investigation incidents shall be the responsibility of the primary agency having jurisdiction. The primary agency shall call in the appropriate resources from their department as soon as practical to conduct the investigation. The primary agency shall release assisting agency units as soon as possible under the circumstances.
- 6. Provide law enforcement assistance at special events as permitted by scheduling. The Chief of Police in each municipality shall agree upon type and amount of services to be provided.

**Article IV. (Termination)**

- 1. The parties agree that any municipality may withdraw from or amend this Memorandum of Understanding for Shared Police Services agreement at any time by giving written notice to the other parties of their intent to dissolve the agreement. This notice shall be given at least (30) days in advance of such termination. Termination by any of the parties of this Memorandum of Understanding shall not effect the other parties being bound by this Agreement.
- 2. This Memorandum of Understanding shall become effective May 28, 2009 after adoption of a proper ordinance by each of the governing bodies hereto.
- 3. This Memorandum of Understanding shall remain in effect until such time as all of the parties remaining elect to terminate this agreement.

**IN WITNESS WHEREOF**, and intending to be legally bound hereby, and in accordance with the proper action of each of the governing bodies of the respective municipalities, the parties hereto have caused agreement to be executed by their proper officials and their municipal seals affixed this 28<sup>th</sup> day of May, 2009.

ATTEST:

CITY OF WILLIAMSPORT

By: Gary J. Cannon  
Mayor

Stephanie M. Murdoch  
City Clerk

By: Margaret J. Gudrunig  
City Controller

ATTEST:

Robert Pundio  
Secretary

ATTEST:

Debra Meyer  
Secretary

ATTEST:

John G. Jr.  
Secretary

ATTEST:

John Lynch  
Secretary

ATTEST:

Clare Ann Sharp  
Secretary

ATTEST:

Mary Lynne Rager  
Secretary

ATTEST:

Dore L. Bink  
Secretary

ATTEST:

Wanda Baxter  
Secretary

BOROUGH OF DUBOISTOWN

By: Lois A. [Signature]  
Mayor

BOROUGH OF HUGHESVILLE

By: Ernest H. [Signature]  
Mayor

BOROUGH OF JERSEY SHORE

By: [Signature]  
Mayor

BOROUGH OF MONTGOMERY

By: [Signature]  
Mayor

BOROUGH OF MONTOURSVILLE

By: [Signature]  
Mayor

BOROUGH OF MUNCY

By: Anthony J. Russo  
Mayor

BOROUGH OF SOUTH WILLIAMSPORT

By: William H. [Signature]  
Mayor

TOWNSHIP OF MUNCY

By: Paul O. Wentzler  
Supervisor

\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

*Luigi D. Maggillo*  
Secretary

TOWNSHIP OF OLD LYCOMING

By: *John W. Eck*  
Supervisor

\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

*James D. Kern*  
Secretary

TOWNSHIP OF PORTER

By: *Paul H. West*  
Supervisor

*John P. Ingraham*  
\_\_\_\_\_

\_\_\_\_\_



ARTICLE 198  
Downtown Design Review Committee

(EDITOR'S NOTE: Former Sections 198.01 through 198.04 were repealed by Ordinance 6134, §I, approved 4-30-2009.)



ARTICLE 309  
Property and Residence Tax

EDITOR'S NOTE: Under the provisions of Section 2531 of the Third Class City Code, as amended (53 P.S. Sec. 37531), Council annually enacts a property and residence tax.

309.01	Property tax.	309.04	Library maintenance rate and payment. (Repealed)
309.02	Residence tax. (Repealed)	309.05	Educational tax. (Not included)
309.025	Occupation tax. (Repealed)		
309.03	Penalty.		

CROSS REFERENCES

Power to levy – see 3rd Class Sec. 2531 (53 P.S. Sec. 37531)  
Per capita tax in addition to residence tax – see LIC. & TAX. 339.03

309.01      PROPERTY TAX.

A real property tax is hereby levied on all persons and property within the said City subject to taxation for general City purposes for the fiscal year, as follows: Tax rate for the year 2010 for general City purposes, the sum of 10.18 mills (10.18/1000) on each \$1 of assessed valuation.

Purpose	Mills on each dollar of assessed valuation	Cents on each \$100 of assessed valuation
Total – all purpose	10.18	\$1.018

(Ord. 5800, §I. Approved 12-16-99; Ord. 5865, §1. Approved 12-29-01; Ord. 5909, §1. Approved 12-19-02; Ord. 5944, §1. Approved 12-18-03; Ord. 5982, §1. Approved 12-2304; Ord. 6016, §I. Approved 12-15-2005; Ord. 6047, § I. Approved 12-21-2006; Ord. 6092 § I. Approved 12-20-2007; Ord. 6122 § I. Approved 12-18-2008; Ord. 6156 §I. Approved 12-17-2009.)

309.02      RESIDENCE TAX.

(EDITOR'S NOTE: This section was repealed by Ordinance 5739, approved December 26, 1997.)

309.025      OCCUPATION TAX.

(EDITOR'S NOTE: This section was repealed by Ordinance 5739, approved December 26, 1997.)

## 309.03 PENALTY.

Whoever fails, neglects or refuses to pay the real property tax within four months of the date of the tax notice shall be charged a penalty of 10% which penalty shall be added to the taxes and collected by the Tax Collector.

(Ord. 5800 §III. Approved 12-16-1999; Ord. No. 6092 §III. Approved 12-20-2007; Ord. 6122 § III. Approved 12-18-2008.)

## 309.04 LIBRARY MAINTENANCE RATE AND PAYMENT.

(EDITOR'S NOTE: This section was repealed by Ordinance 5092, approved December 22, 1980.)

## 309.05 EDUCATION TAX.

(EDITOR'S NOTE: This section is invalid and no longer included.)

TITLE SEVEN - Property Tax Abatement  
Art. 353. Industrial and Commercial.

ARTICLE 353  
Industrial and Commercial

353.01	Definitions	353.07	Termination
353.02	Exempt Amount	353.08	Rules and Regulations
353.03	Exemption Schedule	353.09	Severability
353.04	Retained Exemption	353.10	Contingency
353.05	Notice to Taxpayers	353.11	Appeal Procedure
353.06	Procedure for Obtaining Exemption	353.12	Effective Date

CROSS REFERENCE

Local Economic Revitalization Tax Assistance Law - see 72 P.S. §4722 et seq.

353.01      DEFINITIONS.

As used in this Article, the following words and phrases shall have the meaning set forth below:

- (a) "Deteriorated property (commercial)" means any industrial, commercial or other business related property owned by an individual, association or corporation, and located in an enterprise zone, as provided by resolution of Council, or any such property which has been the subject of an order by a government agency requiring the unit to be vacated, condemned or demolished by reason of noncompliance with laws, ordinances or regulations.
- (1) Deteriorated property (commercial) does not include the residential uses listed in Section 1333.05(a)(1) through (a)(4) and (a)(6) (Table of Use Regulations) of the Codified Ordinances.
  - (2) Deteriorated property (commercial) does not include the residential use portion of a building used for both residential and nonresidential purposes.
  - (3) Any property excluded in whole or in part from eligibility pursuant to subsections (a)(1) or (a)(2) is eligible for an exemption if the applicant's building plans are required to be approved by the Commonwealth of Pennsylvania Department of Labor and Industry and such approval is obtained and the applicant is subject to either the business privilege tax or the mercantile license tax for the property.
- (b) "Improvement" means repair, construction or reconstruction including alterations and additions having the effect of rehabilitating a deteriorated property so that it becomes habitable or attains higher standards of safety, health, economic use or amenity or is brought into compliance with laws, ordinances or regulations governing

such standards. Ordinary upkeep and maintenance shall not be deemed an improvement.

- (c) "Local taxing authority" means the City of Williamsport, the Williamsport Area School District, the County of Lycoming or any other governmental entity having the authority to levy real property taxes within the City of Williamsport.

(Ord. 5742 Sec. 1. Approved 2-19-98)

### 353.02 EXEMPT AMOUNT.

- (a) The amount to be exempted shall be limited to that portion of the additional assessment attributable to the actual cost of improvements to a property defined as a "deteriorated property" under Section 353.01, and for which an exemption has been requested.
- (b) The exemption shall be limited to that improvement for which an exemption has been requested in the manner set forth below and for which a separate assessment has been requested and made by the Lycoming County Board of Assessment Appeals. No tax exemption shall be granted if the property as completed does not comply with the minimum standards of the Housing and Building Codes of the City of Williamsport.
- (c) In any case after the effective date of this Section, where deteriorated property (commercial) is damaged, destroyed or demolished by any cause or for any reason, and the assessed valuation of the property affected has been reduced as a result of such damage, destruction or demolition, the exemption from real property taxation authorized by this Article shall be limited to that portion of new assessment attributable to the actual cost of improvements that is in excess of the original assessment that existed prior to damage, destruction or demolition of the property.

(Ord. 5742 Sec. 2. Approved 2-19-98)

### 353.03 EXEMPTION SCHEDULE.

- (a) The Schedule of real estate taxes to be exempted shall be in accordance with the below portion of improvements to be exempted each year:

<u>Length</u>	<u>Portion (%)</u>
First Year	100%
Second Year	90%
Third Year	80%
Fourth Year	70%
Fifth Year	60%
Sixth Year	50%
Seventh Year	40%
Eighth Year	30%
Ninth Year	20%
Tenth Year	10%

- (b) The exemption for taxes granted under this Article shall be upon the property and shall not terminate upon the sale or exchange of the property.

(Ord. 5742 Sec. 3. Approved 2-19-98; Ord. 5779 Sec. 1. Approved 5-13-99; Ord. 5854 §1. Approved 9-13-01; Ord. 6151 §1. Approved 11-12-2009.)

#### 353.04 RETAINED EXEMPTION.

The passage of this Article shall not serve to affect in any way the ten year, five year or three year exemption schedule as such schedule applies to those properties approved for inclusion under the Property Tax Abatement Industrial and Commercial ordinances enacted prior to January 1, 1998. With respect to properties included in this program prior to January 1, 1998, the appropriate ten year, five year or three year schedule shall apply.

- (a) Ten Year Schedule. (Adopted 1980)

<u>Length (Year)</u>	<u>Portion (%)</u>
First	100
Second	90
Third	80
Fourth	70
Fifth	60
Sixth	50
Seventh	40
Eighth	30
Ninth	20
Tenth	10

After the tenth year the exemption shall terminate.

- (b) Five Year Schedule. (Adopted 1984)

<u>Length (Year)</u>	<u>Portion (%)</u>
First	100
Second	100
Third	100
Fourth	50
Fifth	50

After the fifth year the exemption shall terminate.

- (c) Three Year Schedule. (Adopted 1987 and 1990)

<u>Length (Year)</u>	<u>Portion (%)</u>
First	100
Second	100
Third	100

After the third year the exemption shall terminate.

- (d) Three Year Schedule. (Adopted 1998)

<u>Length (Year)</u>	<u>Portion (%)</u>
First	100
Second	50
Third	50

After the third year the exemption shall terminate.

[Ord. 5779]

- (e) Five Year Schedule. (Adopted 1999)

<u>Length (Year)</u>	<u>Portion (%)</u>
First	100%
Second	100%
Third	100%
Fourth	100%
Fifth	100%

After the fifth year the exemption shall terminate.

[Ord. 5854]

- (e) Three Year Schedule. (Adopted 2001, 2004, 2007)

<u>Length (Year)</u>	<u>Portion (%)</u>
First	100%
Second	75%
Third	50%

After the Third year, the exemption shall terminate.

[Ord. 6151]

(Ord. 5742 Sec. 4. Approved 2-19-98; Ord. 5779 Sec. 2. Approved 5-13-99; Ord. 5854 §2. Approved 9-13-01; Ord. 6151 §1. Approved 11-12-2009.)

### 353.05 NOTICE TO TAXPAYERS.

- (a) There shall be placed of the form application for building, zoning and alteration permits, or by separate document, the following:

#### NOTICE TO TAXPAYERS

Under the provisions of City Ordinance No. \_\_\_ you may be entitled to a property tax exemption on your contemplated alteration or new construction. An application for exemption may be secured from the Bureau of Code Enforcement and must be filed with the City within 90 days of receiving the occupancy permit. You may also apply for pre-approval prior to the issuance of a building permit.

- (b)
  - (1) Within 30 days after the building, zoning or alteration permit is secured for which an exemption will be requested, the taxpayer shall notify the Bureau of Code Enforcement of the City of Williamsport or any successor agency thereto that the taxpayer will be requesting an exemption provided in this Article within 90 days of receiving the occupancy permit.
  - (2) The taxpayer shall also have the right to apply for an exemption prior to the issuance of an occupancy permit. Any such pre-approval shall be limited to the building permit issued pursuant to said application, provided this Article has not been amended, repealed or terminated during the period between pre-approval and issuance of the occupancy permit.
- (c) Within 90 days after receipt of the occupancy permit, the taxpayer shall make formal application for an exemption to the Bureau of Code Enforcement of the City of Williamsport or any successor agency thereto. This formal application shall be considered an initial request under §4727(b) of LERTA.
- (d) Request for the exemption shall be in writing, certified in full as prescribed by the City, setting forth the following information:
  - (1) The date the alteration permit was issued for such improvements.
  - (2) The location of the property to be improved.
  - (3) The nature of the property to be improved.
  - (4) The type of improvements.
  - (5) The summary of the plan of the improvement.
  - (6) The cost of the improvement.
  - (7) Whether property has been condemned by any governmental body for non-compliance to laws or ordinances.
  - (8) That the property had been inspected and verified by the Bureau of Code Enforcement of the City of Williamsport.
  - (9) Any or all such additional information as the City of Williamsport may require.
- (e) A copy of the request for exemption shall be forwarded to the Director of Finance, City Treasurer, Secretary/Business Manager of the Williamsport Area School District and Lycoming County Commissioners, each of whom shall have 10 days to review the formal application for exemption and to provide objections in writing to the request to Director of Economic and Community Development of the City.

(f) The Director of Economics and Community Development, after 10 days and within 30 days of receipt of the request for exemption, shall make a determination in writing of whether the taxpayer is eligible in whole or in part for an exemption. A copy of this determination shall be forwarded to the taxpayer, each of the local taxing authorities and the Lycoming County Board of Assessment.

(g) The taxpayer or any local taxing authority may appeal the determination of eligibility to the LERTA Appeal Board

(Ord. 5742 Sec. 5. Approved 2-19-1998; Ord. 6151 §1. Approved 11-12-2009.)

#### 353.06 PROCEDURE FOR OBTAINING EXEMPTION.

(a) In addition to the entities notified in Section 353.05(a) and (d), a copy of the formal application for exemption shall be forwarded by the City to the Lycoming County Board of Assessment Appeals.

(b) Within 30 days of receipt of a determination by the Director of Community and Economic Development that the taxpayer is eligible in whole or in part for an exemption, the Lycoming County Board of Assessment shall assess the improvements separately for the purpose of calculating the amount of assessment eligible for tax exemption in accordance with the limits established in this Article.

(c) The Board shall notify the City, County, Williamsport Area School District and the taxpayer of the reassessment and amounts to the assessment eligible for exemption. The Treasurer is authorized to make refunds, if applicable, 30 days after the Board has notified the Treasurer of its separate assessment upon which an exemption is granted and no appeals have been timely filed.

(d) The Taxpayer or any local taxing authority may appeal the reassessment amount eligible for the exemption to the LERTA Appeal Board.

(Ord. 5742 Sec. 6. Approved 2-19-1998; Ord. 6151 §1. Approved 11-12-2009.)

#### 353.07 TERMINATION.

Unless otherwise repealed by Council, this Article shall terminate on December 31, 2011. No later than October 1, annually the Mayor shall submit a written report to Council which shall inform the Council as to how this Article has been administered, the effects of this Article on the community and include any suggestions or recommendations for this Article's reenactment, modification or repeal. Nothing contained herein shall act to prohibit Council from enacting a similar ordinance after December 31, 2011. Any property tax exemptions granted under the provisions of this Article shall be permitted to continue according to the exemption schedule found in Article 353.03 even if this Article expires or is repealed.

(Ord. 5742 Sec. 7. Approved 2-19-1998; Ord. 5779 Sec. 3. Approved 5-13-1999; Ord. 5854 § 3. Approved 9-13-2001; Ord. 5979 § 1. Approved 12-23-2004; Ord. 6077 § 1. Approved 9-20-2007; Ord. 6151 §1. Approved 11-12-2009.)

**353.08 RULES AND REGULATIONS.**

The Director of the Department of Community and Economic Development is hereby authorized and empowered to prepare, promulgate and enforce rules and regulations made pursuant to the provisions of this article, unless modified, revoked or repealed by Council. A copy of said rules and regulations shall be filed with City Council, the School District and County Commissioners at least 20 days prior to their becoming effective.

(Ord. 5742 Sec. 8. Approved 2-19-1998)

**353.09 SEVERABILITY.**

The provisions of this article are severable and if any of its Sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provisions shall not affect or impair any of the remaining sections, clauses or sentences. It is hereby declared to be the intent of Council that this article would have been adopted if such illegal, invalid or unconstitutional section, clause or sentence had not been included.

(Ord. 5742 Sec. 9. Approved 2-19-1998)

**353.10 CONTINGENCY.**

Notwithstanding any other provisions of this Article, this Article shall remain full force and effect conditioned upon the School District of the City of Williamsport and the County of Lycoming enacting similar ordinances or resolutions with identical deteriorated areas as those designated by the Council of the City of Williamsport no later than December 31, 2009. Should the School District of the City of Williamsport and/or the County of Lycoming fail to enact such legislation by December 31, 2009, this Article shall be considered to have been repealed on December 31, 2009.

(Ord. 5742 Sec. 10. Approved 2-19-1998; Ord. 5779 Sec. 4. Approved 5-13-1999; Ord. 5854 § 4. Approved 9-13-2001; Ord. 5979 § 2. Approved 12-23-2004; Ord. 6077 § 2. Approved 9-20-2007; Ord. 6151 §1. Approved 11-12-2009.)

**353.11 APPEAL PROCEDURE.**

- (a) Any party may appeal the determination issued pursuant to Sections 353.05 or 353.06 within 30 days of the date of such determination to the LERTA Appeal Board.
- (b) The Board shall consist of the three members of the Tax Review Committee which is comprised of one member of Council, one member of the Board of School Directors of Williamsport Area School District and one member of the Board of Commissioners of Lycoming County.
- (c) All appeals to the Board shall be filed with the Director of Economic and Community Development.
- (d) The Director shall notify the members of the Board, the City Treasurer, Director of Finance, Secretary/Business Manager of the Williamsport Area School District,

Lycoming County Commissioners and the taxpayer (if it is not the appealing party) of the pending appeal.

- (e) The Director of Economic and Community Development shall notify all parties of the date, time and place of the appeal hearing at least 10 days prior to the date of the hearing. [Ord. 6151]

(Ord. 5742 Sec. 11. Approved 2-19-1998; Ord. 6151 §1. Approved 11-12-2009.)

353.12 EFFECTIVE DATE.

This Article shall become effective 20 days after final enactment and remain in effect thereafter from year to year, unless repealed, until December 31, 2011, and shall apply to all applications for the exemption sought for buildings or alterations for which an occupancy permit has been obtained in the prior 90 days.

(Ord. 5742 Sec. 12. Approved 2-19-1998; Ord. 5854 Sec. 5. Approved 9-13-2001; Ord. 5979 § 3. Approved 12-23-2004; Ord. 6151 §1. Approved 11-12-2009.)

<b>Ord. No.</b>	<b>Date</b>	<b>Street Area Affected</b>
		(4) No Parking Signs: Seventh Street, south side, between Penn Street and Franklin Street
	1-4-2008	(5) No Parking Here to Corner Signs: Dove Street, northwest corner, at McMinn Avenue
	1-31-2008	(6) No Parking Here to Corner Signs: Franklin Street, southeast corner, at St. Boniface Street
	2-6-2008	(7) No Parking Signs: Market Street, east side, from 845 feet to 1,040 feet north of Hepburn Street
	2-19-2008	(8) No Parking Signs: Flexer Court, east side, between Blaine Street and Apple Street
	3-12-2008	(9) Stop Signs Blaine Street, eastbound, at Dewey Avenue
		<b>Devices Removed</b>
	2-6-2008	(1) No Parking Here to Corner Signs: Market Street, southeast corner, at Eldred Street
6123		<b>Devices Installed</b>
	3-28-2008	(1) No Parking Here to Corner Signs: Academy Street, southwest corner, at East Third Street
	4-10-2008	(2) No Parking Signs: Franklin Street, west side, from 16 feet to 90 feet north of Washington Boulevard
	6-26-2008	(3) Closed to Vehicular Traffic Signs: East Edwin Street between Market Street and State Street
	6-26-2008	(4) Closed to Vehicular Traffic Signs: State Street between East Fourth Street and East Edwin Street, except for driveway access

<b>Ord. No.</b>	<b>Date</b>	<b>Street Area Affected</b>
	8-5-2008	(5) Fifteen-Minute Parking Signs: Brandon Avenue, south side, from 29 feet to 149 feet east of Walnut Street
	8-12-2008	(6) Install Stop Signs: Cherry Street, northbound and southbound, at Oakland Avenue
	9-4-2008	(7) No Parking Here to Corner Signs: Sheridan Street, north side, 190 feet west of Mary Alley
		<b>Devices Removed</b>
	8-28-2008	(1) Memorial Avenue, eastbound and westbound, at Third Avenue
6141		<b>Devices Installed</b>
	10-3-2008	(1) Stop Sign: Herdic Street, southbound, at Park Avenue
	10-20-2008	(2) No Parking Anytime Signs: Second Street, north side, from 4 feet to 157 feet east of Park Street
	10-20-2008	(3) One-Way Signs: Eighth Avenue, one way northbound, between Chester Street and Memorial Avenue
	10-20-2008	(4) One-Way Signs: Lose Park Way, one way southbound, between Chester Street and Memorial Avenue
	10-20-2008	(5) Stop Sign: Eighth Avenue, northbound, at Memorial Avenue
	10-20-2008	(6) Stop Sign: Lose Park Way, southbound, at Chester Street
	12-4-2008	(7) Two-hour Parking Sign: William Street, west side, 55 feet north of West Third Street
	12-10-2008	(8) No Parking Here to Corner Sign: Brandon Avenue, north side, from 45 feet to 394 feet east of Campbell Street

<b>Ord. No.</b>	<b>Date</b>	<b>Street Area Affected</b>
	3-23-2009	(9) No Parking Signs: West Third Street side, from 14 feet to 110 feet east of Park Street
		<b>Devices Removed</b>
	10-1-2008	(1) Stop Signs: Church Street, east and westbound, at East Street
	2-5-2009	(2) Two-hour Parking Signs: West Third Street, south side, between West Street and Government Place
6157		<b>Devices Installed</b>
	6-5-2009	(1) One-Way Sign: Flexer Court, one way south between Apple Street and Blaine Street
	7-2-2009	(2) No Parking Sign: Memorial Avenue, south side, between Third and Fourth Avenues
	7-22-2009	(3) Stop Sign: Watson Street, northbound, at Harding Avenue
	8-3-2009	(4) Four-Way Stop Sign: Sheridan and Almond Streets



CODIFIED ORDINANCES OF WILLIAMSPORT

PART SEVEN - GENERAL OFFENSES CODE

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- Art. 701. Animals.
- Art. 705. Disorderly Conduct and Breach of the Peace.
- Art. 709. Disturbing the Peace.
- Art. 713. Loitering.
- Art. 717. Nuisances.
- Art. 717A. Neighborhood Preservation and Nuisance Assessment.
- Art. 720. Brandon Park Conduct.
- Art. 721. Park and Playground Curfew.
- Art. 725. Safety.
- Art. 733. Snow and Ice Removal.
- Art. 737. Streets and Sidewalks.
- Art. 741. Weapons.
- Art. 745. Center City Mall.
- Art. 747. Alcoholic Beverages.
- Art. 749. Bottle Clubs.
- Art. 751. Spray Paint and Indelible Markers.
- Art. 753. Curfew.
- Art. 755. Feeding of Deer.

ARTICLE 717A  
Neighborhood Preservation and Nuisance Assessment

717A.01	Title and purpose	717A.07	Repeat offenders
717A.02	Introduction	717A.08	Enforcement authority
717A.03	Presumption of ownership	717A.09	Lack of knowledge not a defense
717A.04	Public nuisance defined	717A.10	Interdepartmental/interagency cooperation
717A.05	Conviction not required	717A.11	Fee schedule
717A.06	Registration of rental units, licenses, fees, proof of insurance and designated agents		

717A.01 TITLE AND PURPOSE.

This Article shall be known and may be cited as the “City of Williamsport Neighborhood Preservation and Nuisance Assessment Ordinance.” It is the intent of the City of Williamsport to promote the health, safety and welfare of the citizens of the City of Williamsport. This responsibility includes protecting neighborhoods from blight and deteriorating conditions that have a negative impact on property values and encourage disorder, disease, and health and safety risks. This is achieved through ordinances and by establishing a policy to guide enforcement of the ordinances contained within the Codified Ordinances of the City of Williamsport, Pennsylvania. It is the further intent of the City to assess against property owners who continually cost the taxpayers undue funds with respect to the enforcement of other ordinances to pay those costs to the City in the interests of fairness.

(Ord. 6128 §1. Approved 3-19-2009)

717A.02 INTRODUCTION.

The City finds that public nuisances exist in the City of Williamsport in the operation of certain buildings, structures and dwellings, and in the use and occupation of certain properties whose owners or responsible parties are in repeated violation of state and local laws or ordinances. Such nuisances substantially and seriously interfere with the interest of the public in enhancing the quality of life in the City, in fostering and facilitating commerce, in maintaining and improving property values, and in preserving and protecting the public health, safety, and welfare. Such properties create undue expense and burden on the resources of the City with respect to codes enforcement. The City further finds that repeated activities and violations are detrimental to the health, safety, and welfare of the people of the City of Williamsport, its visitors, and businesses thereof. The City further finds that it is an unfair burden to the taxpayers generally, that the costs of repeated violations of ordinances with respect to property are caused by a limited number of property owners, and it is the intent to shift the burden of enforcement costs, to the extent reflected in this Article, to those offending property owners.

(Ord. 6128 §2. Approved 3-19-2009)

717A.03 PRESUMPTION OF OWNERSHIP.

The owner of the property affected by the orders hereunder shall be presumed to be the person in whose name the real estate is recorded in the Office of the Recorder of Deeds in and for Lycoming County, Pennsylvania.

(Ord. 6128 §3. Approved 3-19-2009)

#### 717A.04 PUBLIC NUISANCE DEFINED.

For purposes of this Section, a “public nuisance” shall be deemed to exist whenever individual(s), through violations of any of the following provisions from separate incidents at the same building, structure, dwelling or place. For the purpose of this Article, an “incident” will be defined as a violation of law, ordinance, or International Property Maintenance Code.

- (a) The following violations shall be deemed a nuisance upon the third incident within a 12-month period during the ownership by one person, co-partnership,

- (1) Article 701 – Animals.
- (2) Articles 1703 through 1741 – Building Construction (International Property Maintenance Code)
- (3) Article 733.01 – Snow/Ice Removal
- (4) Article 1151 – Solid Waste Management

- (b) Upon a determination that a public nuisance exists, the following shall occur:

The owners and/or tenants shall be assessed the costs of code enforcement visits and/or services if officers respond to the same property upon the third incident in a 12-month period. The costs of these code enforcement visits and services will be pursued through this Article in the context of a civil remedy.

- (c) The costs incurred shall include the salaries of responding officers, prorated costs of equipment, the cost of repairing damage to City equipment and property, and the cost of medical treatment for officers if they are injured.

- (d) A fee schedule reflecting the imposition of costs under this Article will be adopted by a resolution approved by City Council and incorporated into this Article. The fee schedule is subject to change by resolution approved by City Council annually or otherwise, as the underlying costs change.

(Ord. 6128 §4. Approved 3-19-2009)

#### 717A.05 CONVICTION NOT REQUIRED.

For purposes of this Section, a conviction for any of the previously listed offenses in a court of competent jurisdiction shall not be required to establish that a specified violation of this Article has occurred at a building, structure, dwelling or place. Instead, the City of Williamsport shall be required to prove a specified violation. However, a conviction in any court of competent jurisdiction shall constitute conclusive proof of such violation of law. Conviction of an attempt to commit a violation of any of the specified provisions shall be equivalent to a conviction for the violation of the specified provision.

(Ord. 6128 §5. Approved 3-19-2009)

717A.06 REGISTRATION OF RENTAL UNITS, LICENSES, FEES, PROOF OF INSURANCE AND DESIGNATED AGENTS

For the purposes of this Section reference is made to the Codified Ordinances of Williamsport Articles 310 and 1749.

(Ord. 6128 §6. Approved 3-19-2009)

717A.07 REPEAT OFFENDERS.

- (a) Purpose. The repeat offender component of this Article is designed to provide relief, via an expedited enforcement process, for neighborhoods experiencing problems with residents or property owners who repeatedly violate City ordinances and State laws, and who have demonstrated an inability or unwillingness to remain law abiding and/or a good neighbor by orderly obeying law and ordinances as well as maintaining their respective properties.
- (b) Definition. A repeat offender is a property where there is a history of violations involving the same person(s), owner(s), tenant(s) and/or responsible agent, within the last 12 months where:
- (1) A written notice has been issued.
  - (2) Civil proceedings or a Criminal Citations were filed/initiated.
  - (3) Is continuously in violation of City ordinances, International Property Maintenance Code for three months or more.

The 12-month period will commence on the latest date that any notice or violation has expired; or a civil action or criminal action has concluded.

- (c) Notification. Persons who have been designated or identified as repeat offenders will proceed through a legal process. The discovery of a repeat offense will be cause to issue a written notice with a citation for offenses that warrant abatement and the pursuant of civil remedies as set forth in this Article.

(Ord. 6128 §7. Approved 3-19-2009)

717A.08 ENFORCEMENT AUTHORITY.

The City of Williamsport or authorized designee, pursuant to this Article, upon a determination that a public nuisance, as defined herein, does exist at a property, shall be authorized:

- (a) To order immediate abatement of a hazard without notice.
- (b) To charge the owners and/or tenants the assessed costs of code enforcement visits and/or services for the City response to the same property upon the third incident in a 12-month period.

- (c) To charge the costs incurred including the salaries of responding City-authorized representatives prorated costs of equipment, the cost of repairing damage to City equipment and property, and the cost of medical treatment for staff if they are injured responding to the same property upon the third incident in a 12-month period.
- (d) To order the securing of any building, structure, dwelling erection, place in or part of in order to abate the nuisance. If there is legal cause the premises will be secured by the authorized public agency or by contract or arrangement by private persons and the costs thereof shall be charged against the real estate upon which the structure is located outlined by law and/or City ordinances.

In addition, if after due cause and after full and diligent disclosure to the person, owner and/or tenant, the City of Williamsport or authorized designee may close and secure a property/unit if:

- (a) The property, common area, or the premises are condemned by the City of Williamsport, authorized designee or City Engineer as structurally unsafe or unfit for human habitat.

(Ord. 6128 §8. Approved 3-19-2009)

#### 717A.09 LACK OF KNOWLEDGE NOT A DEFENSE.

The lack of knowledge of participation in or responsibility for a public nuisance on the part of the owners, lessors, lessees, mortgagees and all those persons in possession or having charge of the property as agent or otherwise, or having any interest in the property, real or personal, used in conducting or maintaining the public nuisance, shall not be a defense by such owners, lessors and lessees, mortgagees, and such other persons.

(Ord. 6128 §9. Approved 3-19-2009)

#### 717A.10 INTERDEPARTMENTAL/INTERAGENCY COOPERATION.

##### Purpose.

- (a) The City of Williamsport will cooperate with other departments/agencies when appropriate, to further the mutual goals of nuisance abatement and public safety for the benefit of the City.
- (b) Upon request the City of Williamsport or authorized designee and any other department of the City will assist and cooperate with other departments/agencies in the performance of duties related to the enforcement of City ordinances.

(Ord. 6128 §10. Approved 3-19-2009)

#### 717A.11 FEE SCHEDULE.

The following fee schedule for hourly rates is adopted for costs associated with the Neighborhood Preservation and Nuisance Assessment Ordinance [this Article]:

- (a) Bureau of Codes.

Building Official	\$47.01
Codes Enforcement Officer IV	\$27.08
Codes Enforcement Officer III	\$26.05
Codes Enforcement Officer II	\$23.77
Codes Enforcement Officer I	\$22.20
Zoning Official	\$27.37
Office Manager	\$23.41
Codes Clerk	\$15.82

(b) Bureau of Fire.

Fire Chief	\$38.86
Assistant Fire Chief	\$36.80
Platoon Chief	\$35.08
Engineer	\$31.80
Fireman	\$17.91

(c) Bureau of Police.

Police Chief	\$45.19
Captain	\$43.27
Lieutenant	\$41.91
Sergeant	\$40.59
Corporal	\$39.32
Police Officer	\$38.10

(d) Street and Parks Department.

General Manager	\$47.95
Assistant General Manager	\$42.73
Forester	\$25.74
Laborer	\$24.60

(Res. 7707. Approved 4-30-2009)



CODIFIED ORDINANCES OF WILLIAMSPORT  
PART THIRTEEN - PLANNING AND ZONING CODE

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TITLE ONE - Planning

- Art. 1301. Planning Commission.  
Art. 1303. Additions; Acceptance of Streets.

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ARTICLE 1301  
Planning Commission

- |         |  |         |  |
|---------|--|---------|--|
| 1301.01 | Creation.  | 1301.06 | Removal.                                 |
| 1301.02 | Membership.  | 1301.07 | Conduct of business.                     |
| 1301.03 | Terms of members.  | 1301.08 | Powers and duties.                       |
| 1301.04 | Vacancy.   | 1301.09 | Administrative and technical assistance. |
| 1301.05 | Continuance of members appointed prior to January 1, 1969. |         |  |

CROSS REFERENCES

- Planning Commission - see Act 247 §202 et seq. (53 P. S. §10202 et seq.)  
Zoning Ordinances - see Act 247 §601 et seq. (53 P.S. §10601 et seq.)  
Zoning Hearing Board - see Act 247 §901 et seq. (53 P.S. §10901 et seq.); P. & Z. Art. 1319  
Commission to review special exception permits - see P. & Z. 1319.14(b)  
Commission to review conditional use permits - see P. & Z. 1320.01  
Commission may originate zoning changes - see P. & Z. 1321.02 (b)  
Commission to approve subdivisions - see P. & Z. 1375.01

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1301.01 CREATION.

The Williamsport Planning Commission is hereby created.  
(Ord. 4512 §101. Approved 2-17-72.)

## 1301.02 MEMBERSHIP.

The Planning Commission shall have nine members appointed by the Mayor with the advice and consent of Council, who shall serve without compensation, but may be reimbursed for necessary and reasonable expenses. All members shall be residents of the City. Six shall be citizen members and three may be officers and employees of the City. It shall be a goal of the membership of the Commission and the Mayor during the decision making process of the appointments that at least one of the six citizen members should have an architectural design background or expertise and at least one of the six citizen members should have a background or expertise in real estate. (Ord. 4512 §201. Approved 2-17-72; Ord. 6132 §II. Approved 4-30-2009.)

## 1301.03 TERMS OF MEMBERS.

The term of each member of the Planning Commission shall be four years, or until his successor is appointed and qualified, except that the terms of the members first appointed pursuant to the Pennsylvania Municipalities Planning Code known as Act 247 (53 P. S. §10101 et seq.) shall be so fixed that no more than three shall be reappointed or replaced during any future calendar year. (Ord. 4512 §202. Approved 2-17-72.)

## 1301.04 VACANCY.

The chairman of the Planning Commission shall promptly notify the Mayor concerning vacancies in the Commission, and such vacancy shall be filled by the Mayor with the advice and consent of Council. (Ord. 4512 §203. Approved 2-17-72.)

## 1301.05 CONTINUANCE OF MEMBERS APPOINTED PRIOR TO JANUARY 1, 1969.

All members of the former Planning Commission appointed prior to January 1, 1969, the effective date of the Pennsylvania Municipalities Planning Code, shall continue to serve until their terms expire or until a vacancy occurs in their position. (Ord. 4512 §204. Approved 2-17-72.)

## 1301.06 REMOVAL.

Any member of the Planning Commission once qualified and appointed may be removed from office for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of Council, taken after the member has received 15 days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing. Any appointment to fill a vacancy created by removal shall be only for the unexpired term. (Ord. 4512 §205. Approved 2-17-72.)

## 1301.07 CONDUCT OF BUSINESS.

The Planning Commission shall elect its own Chairman and Vice Chairman and create and fill such other offices as it may determine. Officers shall serve annual terms and may succeed themselves. The Commission may make or alter by-laws and rules and regulations to govern its

procedures consistent with the City ordinances and the laws of the Commonwealth. The Commission shall keep a full record of its business and shall annually by March 1 of each year make a written report of its activities to Council. Interim reports may be made as often as may be necessary or as requested by Council.  
(Ord. 4512 §301. Approved 2-17-72.)

#### 1301.08 POWERS AND DUTIES.

The Planning Commission shall:

- (a) Prepare and present for consideration to Council, and, after resolution, maintain for Council an official map, and make recommendations to Council on the proposed changes to such map as set forth in the Pennsylvania Municipalities Planning Code.
- (b) Prepare and present to Council a zoning ordinance, as such ordinance may be needed, and make recommendations to Council of proposed amendments to it as set forth in the Pennsylvania Municipalities Planning Code.
- (c) Prepare and administer subdivision and land development regulations as needed and as prescribed in the Pennsylvania Municipalities Planning Code.
- (d) Prepare and administer planned residential development regulations as may be needed from time to time and in a manner set forth in the Pennsylvania Municipalities Planning Code.
- (e) Prepare and present to Council a building code and make recommendations to Council of any proposed amendments thereto.
- (f) Prepare and present Council a housing code and make recommendations to Council of proposed amendments thereto.
- (g) Submit to the Mayor a recommended capital improvements program in accordance with the laws of Pennsylvania and in accordance with the Administrative Code.
- (h) Promote public interest in and understanding of the Comprehensive Plan and planning.
- (i) Make recommendations to governmental, civic and private agencies and individuals as to the effectiveness of the proposals of such agencies and individuals.
- (j) Hold public hearings and meetings.
- (k) Require from other departments and agencies of the Municipality such available information as relates to the work of the Planning Commission.
- (l) In the performance of its functions, enter upon any land to make examinations and surveys either after permission has been obtained from the owner or after public notice.

- (m) Do such other act or make such other study as may be necessary to fulfill the duties and obligations of the Planning Commission as provided by any law of Pennsylvania or City ordinance.
- (n) Jointly certify with the Vacant Property Review Committee that a property is blighted property as defined in Section 195.02 of the Codified Ordinances if the Commission so finds. The Commission shall also review and recommend to the Redevelopment Authority an appropriate reuse of any property acquired in accordance with Article 195 of the Codified Ordinances, as such review and recommendation is requested by the Redevelopment Authority. [Ord. 5039]
- (o) The Planning Commission shall provide advice and guidance to business and property owners within the Central Business District that are planning changes in signage, new or replacement awnings or exterior building alterations, painting and facade changes or new construction and streetscape. [Ord. 6132]
- (p) The Building Code Official shall not approve the final issuance of a permit until after the Planning Commission has had an opportunity to provide a review or until 30 or more days have passed from the submission of the application to the Planning Commission in relation to the Central Business District Facade, Signs and Awning. [Ord. 6132]
- (q) It shall be a function and responsibility of the Planning Commission as a whole to review in total Article 1379.11 Design Standards for Central Business District and Article 1346.06(i) Sign Review within the CBD District beginning in the year 2012 and every three years thereafter. The Planning Commission shall report to City Council on the applicability of the standards to the central business district as it develops and transforms over time. The report shall include any recommended changes. [Ord. 6132]

Permit Application Procedures. Upon receipt of an application for a building permit for any exterior building alteration, including new construction, signs, awnings, etc., to be done in the Central Business District, the Building Code Official shall act in accordance with the procedures presently being followed in that office except as those procedures are necessarily modified by the following requirements:

- (a) He shall forward to the Chairman of the Planning Commission a copy of the application for a building permit, together with a copy of the plot plan and the building plans and specifications filed by the applicant.
- (b) He shall maintain in his office a record of all such applications and of his handling and final disposition of the same, which shall be in addition to and appropriately crossed referenced to his other records.
- (c) He shall require applicants to submit the appropriate material, which is necessary to make an informed review and provide a sufficient number of copies to be attached to an application for a building permit to permit compliance with the foregoing.

- (d) In the event a variance from the Zoning Code is required, a copy of the Planning Commission's report shall be submitted to the Zoning Hearing Board within the 30-day period. Failure to submit a timely report shall be deemed an approval of the application.

[Ord. 6132]

(Ord. 4512 §401. Approved 2-17-72; Ord. 5039 §1. Approved 5-1-80; Ord. 6132 §IV. Approved 4-30-2009.)

1301.09 ADMINISTRATIVE AND TECHNICAL ASSISTANCE.

The Mayor may employ administrative and technical services to aid in carrying out the provisions of the Pennsylvania Municipalities Planning Act either as consultants on particular matters or as regular employees of the City. A county planning agency, with the consent of Council, may perform planning services for the City if Council requests such assistance. The Planning Commission may, with the consent of Council, accept and utilize any funds, personnel or other assistance made available by Lycoming County, the Commonwealth of Pennsylvania, the Federal government or any of its agencies or from private sources including, but not limited to, a citizens advisory committee as required by law. Council may enter into agreements or contracts regarding the acceptance or utilization of the funds or assistance in accordance with any City governmental procedures.

(Ord. 4512 §501. Approved 2-17-72.)



USES	ZONING DISTRICTS											
	R1A	R1B	R2	R3	RU	INST	CC	CBD	CS	ML	MH	O
c. Existing buildings with the restrictions of a and not requiring exterior alteration of dwelling and not subject to the restriction of Section 1311.76.				S		X	X	X	X	X	X	
(36) Frozen food lockers.										X	X	
(37) Funeral homes.												
a. Provided that a funeral home in the R3 District shall be within a building that existed prior to January 1, 1997, within the Historic District and that is adjacent to 3rd and 4th Streets.				S		X	X	X				
(38) Hotels, motels and inns.							X	X	X			
(39) Motion-picture theaters within enclosed building.							X	X				
(40) Kennel on a lot of not less than 2 acres, provided the kennel area is completely enclosed within a building or within a woven wire or other suitable fence or wall and is not less than 100 feet from any dwelling.										X	X	X
(41) Veterinary office.								X	X			



- (1) Along expressways, not less than 1,000 feet; [Ord. 5802]
  - (2) In the CC, ML and MH Districts, other than as provided in (1) above - not less than 500 feet apart;
  - (3) In the CS District - not less than 300 feet apart.
- (b) Each sign shall not exceed 300 square feet in area in a CS or CC District or 672 square feet in a ML or MH District. Such sign area shall be permitted on each side of a two sided sign, if the sign faces are back-to-back. The above square footage may be exceeded by 15 percent for cut-out or snipes on a temporary basis.
- (c) Such signs shall not exceed 12 feet in height nor 25 feet in length in the CS or CC Districts, or 14 feet in height nor 48 feet in length in the ML or MH Districts. Such sizes shall be inclusive of all trim and border area, but shall not include bases, aprons, supports and other structural members. Cut-outs or snipes exceeding the height and length by up to 15 percent shall be allowed on a temporary basis.
- (d) Such signs shall be set back the following minimum distances:
- (1) 30 feet from any right-of-way of a limited access highway,
  - (2) 100 feet from any lot line of a primarily residential property, and
  - (3) 10 feet from any other property line or street right-of-way.
- (e) Such signs shall have no portion exceeding a height of 35 feet above ground level at the curb or edge of pavement.
- (f) Billboards and advertising signs shall conform with the State Outdoor Advertising Control Act, as amended, except as further controlled by this Section.
- (g) An existing billboard or advertising sign within the CBD shall only be replaced with a new billboard or advertising sign if the new sign is approved as a conditional use.

(Ord. 5745. Approved 4-16-98; Ord. 5802 §1. Approved 3-2-00; Ord. 5870 §3. Approved 5-16-02)

#### 1346.06 BUSINESS IDENTIFICATION SIGNS.

Business Identification Signs shall only be permitted in the CC, CBD, CS, ML and MH Districts, and shall meet the following additional requirements, as applicable:

- (a) Permit. A zoning permit is issued by the City.
- (b) Number. No more than two ground, wall or roof-mounted signs may be erected or maintained on any premises at any one time, except when a building is located on a corner lot and has a public entrance on two or more public ways; or when a building

has both a front and rear public entrance, one additional sign may be erected. A double faced sign shall count as a single sign.

- (c) Height. Signs shall not exceed 20 feet in height when erected within 10 feet of the right-of-way line of a street, road or highway adjoining the premises. In no event may a sign exceed the height limit imposed by zoning regulations for the district in which it is located.
- (d) Area.
  - (1) Single business on one lot. The total sign area of pole-mounted, wall or roof-mounted signs per premises shall not exceed 4 square feet per 1 lineal foot of property frontage upon a street. No business shall be limited to less than 32 square feet of total sign area nor exceed more than 300 square feet of sign area, except that the maximum total sign area shall be 60 square feet along each street frontage within the CBD District.
  - (2) More than one business on one lot. The total sign area of pole, wall or roof-mounted signs per premises shall not exceed 4 square feet per 1 lineal foot of frontage of the portion of the building occupied by the occupant of such premises. No business shall be limited to less than 32 square feet of total sign area nor exceed more than 300 square feet of sign area, except that the maximum total sign area shall be 60 square feet along each street frontage within the CBD District.
- (e) Shopping Center. (More than six individual businesses) A sign advertising the premises shall not exceed 300 square feet in area. Signs identifying the individual businesses within the shopping center may be attached to the shopping center sign structure. Such identification signs shall not exceed an aggregate area of 300 square feet in area as provided for by subsection (d)(2) hereof.
- (f) Projecting Signs. A sign shall only be permitted to project over public sidewalk if the following requirements are met:
  - (1) Such sign shall only be permitted in the CBD District.
  - (2) Such sign shall meet the City Building Code, including requirements for secure attachment and minimum clearance.
  - (3) Such sign area shall be constructed entirely of weather-resistant wood (preferably relief-cut) or materials with a closely similar appearance, and shall not include plywood. Such sign shall not be internally-illuminated.
  - (4) Such sign shall not exceed 8 square feet on each of two sides.
  - (5) Such sign shall not exceed a total height above the ground of 15 feet, and should be located below the second floor window ledge.

- (6) Such sign shall be placed a minimum of 6 inches from the building, and extend a maximum total of 5 feet from the building.
  - (7) The applicant shall comply with applicable City requirements concerning encroachment into a right-of-way.
- (g) Awning Signs. A sign may be incorporated into an awning that is attached to a principal building if the following requirements are met:
- (1) The sign area shall be counted within the maximum permitted sign area for wall signs.
  - (2) Such sign shall meet the City Building Code, including requirements for secure attachment and minimum clearance.
  - (3) The applicant shall comply with applicable City requirements concerning any encroachment into a right-of-way.
  - (4) Such awning shall not extend more than 12 feet in height above the adjacent ground level.
  - (5) Such awning shall be durably constructed of attractive material.
- (h) In addition, signs meeting the requirements of Section 1346.04 shall be permitted in any commercial or industrial district.
- (i) Sign Review Within the CBD District. The Planning Commission shall review the following provisions that shall apply to any sign proposed to have a sign area of 1 square foot or larger (except as exempted by subsection "1" below) within the CBD Zoning District that will be visible from a public street:
- (1) As part of any application for a sign permit under this Section, the applicant shall submit to the Zoning Officer:
    - a. A sketch of the proposed sign.
    - b. A description of the proposed types of materials and colors.
    - c. A sketch or description of the proposed location and height of the sign.
    - d. A description of any proposed lighting.

Such information shall be submitted and comments of the Planning Commission received before an applicant constructs or formally orders a new sign.
  - (2) Such sign information shall be provided to the Planning Commission for a review in advance of being permitted, erected, posted or otherwise placed.

- (3) The Zoning Officer shall not approve the final issuance of a sign permit until after the Planning Commission has had an opportunity to provide a review, or until 30 or more days have passed from the date the application was forwarded to the Chairperson of the Planning Commission.
- (4) The Planning Commission shall provide advice to the applicant concerning how a sign could be attractively designed to be compatible with the exterior of the building and with adjacent buildings. Specifically, an emphasis should be placed on uncovering, restoring and highlighting the central business district features.
- (5) CBD Sign Guidelines. The following guidelines should be followed in the design of any signs within the CBD Zoning District:
  - a. All signs should contribute to the overall traditional and historic nature of the Central Business District.
  - b. Signs should be primarily oriented to pedestrians, as opposed to motor vehicles.
  - c. All signs should be permanently attached to a building.
  - d. Signs should not dominate the facade of a building, but should relate in placement and size to the other architectural elements of the exterior of the building.
  - e. Signs should not cover windows, cornices and other decorative features.
  - f. Older lettering styles should be considered for signs on older buildings.
  - g. Signs should be limited in number, such as one primary and one secondary sign, to avoid clutter.
  - h. Signs should avoid excessive numbers of words. Simpler messages are the easiest to read.
  - i. The colors of signs should complement the colors of the building. Light letters on a darker background are often easiest to read, such as a relief-cut wood sign.
  - j. The following types of signs are specifically encouraged within the CBD District:
    1. Long horizontal signs or individual carved lettering mounted flat against the building are encouraged, in a manner that does

not obstruct architectural features. Such signs in most cases should be placed between the first and second floor windows.

2. Signs may be mounted flat against the building next to a doorway. These signs should not exceed 12 square feet, although a 6 square foot maximum size is preferable.
  3. Signs may project from the building, provided they meet the standards for “projecting signs” in Section 1346.06.
  4. Signs are encouraged to be integrated with awnings and canopies.
  5. Lettering is encouraged on clear doors or windows. The image should not obscure more than 20 percent of the total area of a window or door.
  6. Wood signs with relief-cut lettering are encouraged.
  7. Wood signs are encouraged with painted lettering or carved lettering attached to the sign.
  8. Signs are encouraged to be constructed from wood, metal or materials with an appearance very similar to wood.
  9. Any lighting of signs should be external to the sign face, and be carefully directed to avoid nuisances to motorists, pedestrians and neighbors.
- k. The following types of signs are strongly discouraged within the CBD District:
1. Plastic signs, particularly with internal lighting.
  2. Signs extending above the roof of a building.
  3. Signs covering the second or third stories.
  4. Flashing signs.
  5. Neon signs.
  6. Signs with garish or day glow colors.
- l. The following types of signs shall not require review under this Section 1346.06(i):

1. A sign meeting the requirements of Section 1346.04, such as but not limited to, temporary political signs and real estate for sale signs.
2. An official sign placed by a government agency.
3. A non-illuminated window sign of less than 4 square feet that is posted for a maximum total period of 60 days in any calendar year.

[Ord. 6135]

(Ord. 5745. Approved 4-16-98; Ord. 6135 §II. Approved 4-30-2009)

#### 1346.07 PORTABLE SIGNS.

On existing lawful uses, non-illuminated movable ground signs advertising the product offered for sale on the premises may be directed and maintained. Such signs shall be limited to one double faced sign and shall be included in the total number of permitted signs for the use category. Such signs shall not be greater than 12 square feet in area per side and shall not be more than 6 feet in height above the ground. All portable signs shall be anchored, weighted, spring-loaded or otherwise designed to resist wind action.

(Ord. 5745. Approved 4-16-98)

#### 1346.08 TEMPORARY SIGNS.

Flags, pennants, special promotional devices or displays or similar type signs shall be permitted in Commercial and Industrial Districts only, provided that:

- (a) Such signs or displays shall not endanger the public or be located in the right-of-way of any State or City street without the prior approval of the City.
- (b) General regulations specified in Section 1346.03 shall apply.
- (c) An individual business shall be limited to one temporary sign at any one time per street the business fronts on.
- (d) A single side or face of a temporary sign shall not exceed 25 square feet.
- (e) Temporary signs shall be permitted for a period not exceeding 30 days in any 6 month period or such additional time as may be authorized by the City.
- (f) A zoning permit is issued by the City.
- (g) Temporary signs shall be removed immediately upon the expiration of the permit for its erection or as soon as torn or damaged.

(Ord. 5745. Approved 4-16-98)

ARTICLE 1379  
Design Standards

1379.01	Conformance required.	1379.10	Flood damage control measures.
1379.02	Streets.	1379.11	Design standards for Central Business District
1379.03	Access driveways.	1379.12	Certificates of appropriateness, appeals and enforcement relating to facade, signs and awning design standards for the Central Business District
1379.04	Parking lots.		
1379.05	Easements.		
1379.06	Blocks.		
1379.07	Lots.		
1379.08	Multi-family developments.		
1379.09	Nonresidential developments.		

CROSS REFERENCES

Council may waive design provision for Residential RU District -  
see P. & Z. 1343.03  
Zoning height, area and bulk regulations - see P. & Z. Art. 1343  
Variances - see P. & Z. 1375.08

1379.01 CONFORMANCE REQUIRED.

The design standards to which all plans must conform in order that they be approved by the Planning Commission are as contained in this Article. The requirements of the Zoning Ordinance, both the general requirements and the requirements for the district in which the development is located, shall also be met.

(Ord. 4486. Approved 10-14-71.)

1379.02 STREETS.

The arrangement, character, extent, width, grade and location of all streets shall conform to the Comprehensive Plan and shall be considered in their relation to existing and planned streets, topographical conditions, public convenience and safety and in their appropriate relation to the proposed uses of the land to be served by such streets.

- (a) Where such is not shown in the Comprehensive Plan, the arrangement of streets in a subdivision shall either:
- (1) Provide for the continuation or appropriate projection of existing streets and surrounding areas;
  - (2) Conform to a plan for the neighborhood or planning district prepared by the Planning Commission where topographical or other conditions exist that make continuance of or conformation to existing streets impractical; or

- (3) Conform, in the case of multi-family housing projects, industrial developments, commercial districts, unit group projects, etc. , to a plan approved by the Planning Commission.
- (b) No residential street shall be laid out in such a way as to permit or encourage its use by thru traffic.
- (c) Where a subdivision abuts or contains an arterial street shown on the Comprehensive Plan, the Commission may require a nonaccess reservation or "buffer strip" containing screen planting along the rear property line, deep lots with rear service ways or such other treatment as may be necessary for adequate protection of residential properties and will afford separation of thru and local traffic.
- (d) Where a subdivision borders along or contains a controlled access highway right of way as shown on the general street plan for the location of streets (Ordinance 2888, August 24, 1961 and all future locations), the Commission may require a street approximately parallel to and on each side of such right of way at a distance suitable for the appropriate use of the intervening land. Portions of such width shall be greater where approach grades and future grade separations require additional width.
- (e) Reserve strips controlling the access to streets shall be prohibited except where their control is definitely placed under the jurisdiction of the City with conditions approved by the Commission.
- (f) Street jogs with center line offsets of less than 125 feet shall be avoided; residential streets shall intersect collector streets at "T" street intersections if possible.
- (g) A tangent at least 50 feet long shall be introduced between reverse curves on residential streets.
- (h) When connecting street lines deflect from each other at any one point, they shall be connected by radial curves adequate to insure a sight distance of not less than 100 feet for collector streets, 50 feet for residential streets and of such greater radii as the Commission determines for special cases.
- (i) Streets shall be laid out so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees. Not more than two streets shall converge at one intersection.
- (j) Street intersections shall be rounded with radii of;

<u>Street Type</u>	<u>Radii (Feet)</u>
Arterial	50
Collector	35
Local	15
Marginal Access	15
Lane or Alley	10

- (k) Street right-of-way widths, pavement and sidewalk widths shall be the minimum specified hereafter.

<u>Street Type</u>	<u>Right-of-Way Width (Feet)</u>	<u>Pavement Width (Feet)*</u>	<u>Width of Paved Sidewalk (Feet)</u>
Arterial	Pa. Department of Transportation		None
Collector	60	42	5 Residential Area 10 Commercial Area
Local	50	26**	4
Cul-de-sac	50***	26**	4
Marginal Access	40	20	4
Lane or Alley	20	20	None
Pedestrian Way	20	--	4



## 1379.11 DESIGN STANDARDS FOR CENTRAL BUSINESS DISTRICT

The purpose of these design standards is to guide the design of buildings constructed in the CBD zoning district to ensure that, through appropriate use of facades, windows, building orientation, and architectural details, new structures and alterations of existing structures are physically and visually compatible with other buildings within the downtown business district. Existing buildings in the downtown area reflect a distinctive but varied set of 19<sup>th</sup> and 20<sup>th</sup> Century architectural styles. It is the desire of the City to have buildings that are sensitive to the existing architectural styles.

These standards are intended to encourage quality design in new building construction, enhance street safety, and provide a comfortable street environment by providing features of interest to pedestrians. Good design results in buildings that are in visual harmony with nearby buildings, leading to a central downtown district that is attractive, interesting, active, and safe. These qualities, in turn, contribute to the creation of a downtown core that facilitates easy pedestrian movement and establishment of a rich mixture of uses.

(a) Dimensional Standards.

- (1) Lot Area, Lot Width, and Lot Depth: As specified in the CBD zoning district.
- (2) Setbacks: New construction and infill buildings must maintain the alignment of facades within 18 inches along the sidewalk edge. Exceptions may be granted if the setback is pedestrian-oriented and contributes to the quality and character of the streetscape. An example would be for outdoor dining.
- (3) Building Height: The minimum height of a structure at the sidewalk edge shall be 18 feet or the average height of the buildings on that block, whichever is higher.

(b) Pedestrian Accessibility.

- (1) Buildings shall maintain and enhance the pedestrian scale and orientation of the Downtown core.
- (2) Special attention shall be given to designing a primary building entrance, which is both attractive and functional.
- (3) Buildings located at the intersection of two streets shall consider the use of a corner entrance to the building.
- (4) Pedestrian environment may be enhanced by street furniture, landscaping, awnings, and movable planters of seasonal flowers.

(c) Compatibility with Existing Downtown Businesses. The size and shape of proposed construction shall be comparable with the size and shape of surrounding buildings. Where building sizes will not be equivalent or comparable, larger building facades

shall be broken down into units that resemble the size of existing storefront facades. Likewise, the form of new construction shall complement the general shape of existing, nearby storefront buildings and their features.

(d) Building Materials and Colors.

- (1) Facades shall be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in facades, floor levels, architectural features, and exterior finishes shall create the appearance of several smaller buildings.
- (2) Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco and wood are encouraged. Metal siding is not permitted as the primary exterior building material, but metal may be used for accents including awnings. Other materials not permitted as primary wall surfaces are: vinyl siding, cast block, glass block, faux stone, plywood sheathing, chipboard or wood composite sheathing, plastic composite sheathing, fiberglass panels, board-and-batten, or rough wood surfaces. Cast block, glass block and other materials and treatments may be used on a minority of the surfaces within the facade for the purpose of providing decorative elements or visual breaks.
- (3) Where masonry is used for exterior finish, decorative patterns should be incorporated. Examples of these decorative patterns include multicolored masonry units such as brick, stone, or cast stone, in layered or geometric patterns, or split-faced concrete block to simulate a rusticated stone-type construction.
- (4) Wood siding must be bevel, shingle siding, or channel siding and must not be applied in a diagonal or herringbone pattern. T-111 style siding is not permitted.
- (5) Preferred colors for exterior building finishes are earth tones, creams, and pastels of earth tones. High-intensity primary colors and metallic colors may be utilized as trim and detail colors but shall not be used as primary wall colors.

(e) Roof Materials, Parapets, and Roof Pitch.

- (1) Pitched roof structures shall have a minimum roof pitch of 6:12.
- (2) Flat roofs are permitted with detailed parapets or detailed brick coursing.
- (3) Visible sloped roofs must be a "non-color": gray, black, or dark brown.
- (4) Visible roof materials must be slate, tile, wood or architectural grade composition shingle, or sheet metal with standing or batten seam.

- (5) All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, must be screened from public view by parapets, walls, or by other approved means consistent and compatible with the architectural style of the building.
  - (6) The design should be applicable to a variety of business and/or residential uses and not specific to one business or corporate entity. Roof outlines or materials, which serve as a business or corporate identity, are not permitted.
- (f) Building Facades.
- (1) Building entrances must be architecturally emphasized and visible from the street.
  - (2) Ornamental devices, such as molding, entablature, and friezes, are encouraged at the roofline.
  - (3) Alcoves, Porches, Arcades, Etc. Buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, and awnings to protect pedestrians from the rain and sun. Awnings and entrances may be designed to be shared between two structures.
  - (4) Traditional Storefront Elements. For buildings designed to house retail, service, or office businesses, traditional storefront elements are required. These elements include:
    - a. Clearly delineated upper and lower facades.
    - b. A lower facade dominated by large display windows and a recessed entry or entries; required window areas must be either windows that allow views into working areas, or lobbies, pedestrian entrances or display windows.
    - c. Smaller, regularly spaced windows in the upper floor(s).
    - d. Decorative trims, such as window hoods, surrounding upper floor windows.
- (g) Windows. All new buildings must provide ground floor windows on any elevation abutting the street. Windows, which allow views to the interior activity or display areas, are encouraged. Windows should include architecturally appropriate trim or molding around the perimeter, sills at the bottom and pediments at the top. If this is not possible, then some compensatory element must be added. Reflective glass and painted or darkly tinted glass are discouraged.
- (h) Landscaping/Streetscape.

- (1) Benches, outdoor seating, and trash receptacles must complement the existing ornamental street lighting and be in keeping with the overall architectural character of the downtown.
  - (2) Benches and other streetscape items may be placed within the public right-of-way, but must not block free movement of pedestrians. A minimum pedestrian walkway width of five feet must be maintained at all times.
- (i) Lighting.
- (1) All building entrances and exits must be well lighted.
  - (2) Exterior lighting must be an integral part of the architectural design of the structure.
  - (3) Minimum lighting level in accordance with Articles 1344 and 1346.
- (j) External Storage. The external storage of merchandise and/or materials directly or indirectly related to a business is prohibited.
- (k) Outdoor Seasonal Displays of Merchandise. Outdoor seasonal displays of merchandise are permitted during business hours only. A minimum pedestrian walkway width of five feet must be maintained at all times.
- (l) Trash and Recycling Storage. Each structure shall provide for collection of its trash and recyclable materials within the boundaries of each parcel. All trash collection areas must be located within the structure, or behind the building in an enclosure, in accordance with Article 1151. On the street level, mechanical elements, refuse storage areas and loading dock areas must be out of view of pedestrians. This should be a part of the building design and not simply added fencing.
- (m) Signage. In accordance with Article 1346.06(i)
- (n) Additional Requirements. The above provisions shall be applicable to any construction or change in use subject to site and design review. The Planning Commission of the City of Williamsport will evaluate construction for compliance with these provisions and the zoning ordinance, subject to acceptance by Williamsport City Council.

(Ord. 6133 §II. Approved 4-30-2009.)

1379.12 CERTIFICATES OF APPROPRIATENESS, APPEALS AND ENFORCEMENT RELATING TO FACADE, SIGNS AND AWNING DESIGN STANDARDS FOR THE CENTRAL BUSINESS DISTRICT.

- (a) Recommendation to Council– Certificate of Appropriateness. Upon receipt of the written advice or recommendations of the Planning Commission relating to facade, signs and awnings, Council shall consider at a regular or special meeting the question of issuing to the Building Inspector a certificate of appropriateness

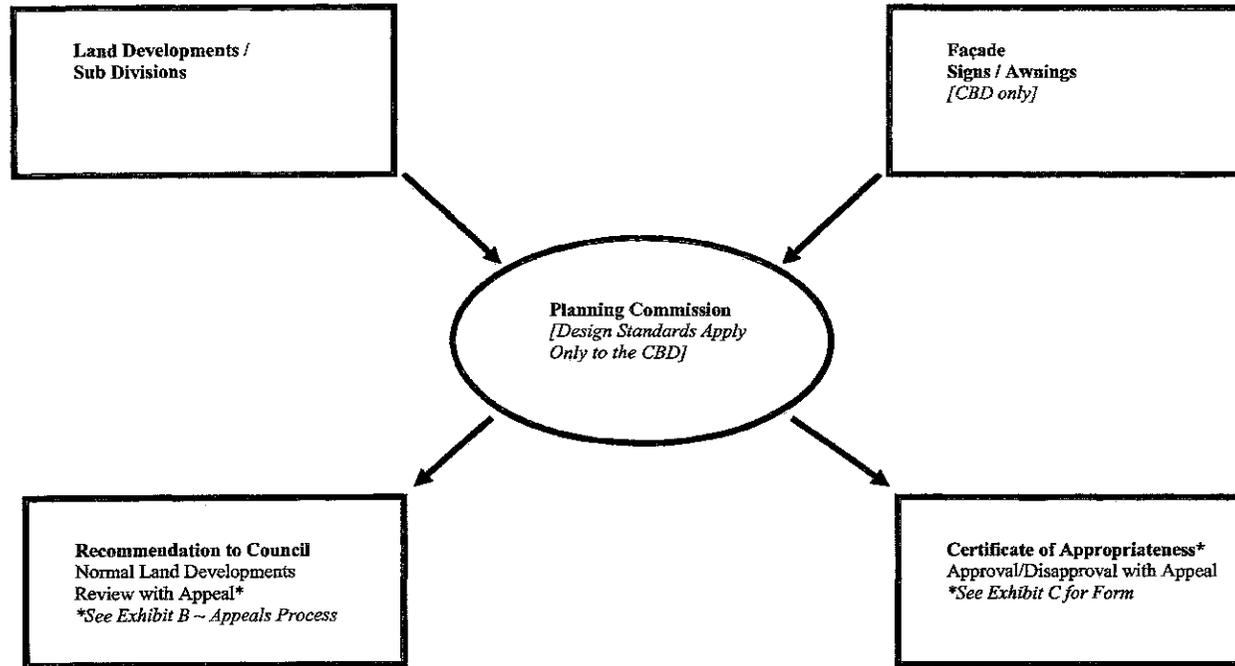
authorizing a permit for the work covered by the application. The City Clerk shall give the applicant not less than five days written notice of the time and place of the meeting at which his application will be considered and of the fact that he has the right to attend and be heard as to his reasons for filing the same. However, the applicant may execute and file a written waiver of the five-day notice requirement if he elects to do so in order that the meeting may be scheduled at an earlier date. In determining whether or not to certify to the appropriateness of the proposed erection, reconstruction, alteration, restoration, demolition or razing of all or part of such building, Council shall consider the same factors as the Planning Commission as set forth in the report of the Commission. If Council approves the application, it shall issue a certificate of appropriateness authorizing the Building Inspector to issue a permit for the work covered. If Council disapproves, it shall do so in writing, giving reasons therefore; and a copy thereof shall be given to the applicant and to the Building Inspector. The disapproval shall indicate what changes in the plans and specifications would meet the conditions for protecting the distinctive central business district character. In any event, Council shall render its decision no later than 30 days from receipt of the written recommendations of the Board.

- (b) Appeal from Disapproval. Upon receipt of the written disapproval of Council, the Building Inspector shall disapprove the application for a building permit and so advise the applicant. The applicant may appeal from the disapproval as provided by the Local Agency Law (2 Pa.C.S.A §101 *et seq.*).
- (c) Enforcement. The Building Inspector shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this Article in the same manner as in his enforcement of other building, zoning or planning legislation or regulations of the City.

(Ord. 6131 §§II-IV. Approved 4-30-2009.)



***Land Development ~ Sub Division ~ Façade Flow Chart***



*Planning Commission meets every two weeks. Flow chart requires no additional processing time.*

Exhibit A

**City of Williamsport Bureau of Codes** 327-7517  
**Building PERMIT APPLICATION**

Number 20080126 Application Date 2/2/2009 Total Fees

**Property Information** Zoning District  
 Tax ID 0-TEST Owner  
 Location 0 Phone

**Contractor Information**  
 Name Phone  
 Address  
 Electrical Inspector: Master Plumber:

**Construction Information**  
 Application is hereby made for a Permit for the construction as indicated by the attached plot and/or construction plan drawn to scale, submitted herewith and for purposes herein described.

Category Estimated Value \$0  
 Type  
 Comments

1. NOTICE: This permit is void if building operations are not started within six (6) months of the date of issuance, or abandoned for a period of (6) six months, and completed within two (2) years. 20% will be retained on permits withdrawn. IF THE PROPERTY IS SUBJECT TO A VIOLATION NOTICE THE TIME LIMITS IN THE NOTICE SHALL PREVAIL.
  2. NOTICE: All contractors must secure a business privilege tax license prior to starting any construction in the city. For a license contact: 1-800-223-6829
  3. NOTICE: Act 45 requires that a fee of \$4.00 be assessed for each Building permit issued. The fee is to be forwarded to the State Treasury and deposited in the Municipal Code Official training account.
  4. NOTICE TO TAXPAYERS: Under the provisions of City Ordinance No. 2973, you may be entitled to a property tax exemption on your completed alteration or new construction. An application for exemption may be secured from the Bureau of Code Enforcement and must be filed with the City at the time a building permit is secured. You may also apply for pre-approval prior to the issuance of a building permit. Article 353.05 of the City's Classified Ordinance Interparts, at the time a building or alteration permit is issued to allow an application to be submitted thirty (30) days from the date the building or alteration permit is secured. Any application for tax exemption received more than thirty (30) days after the date of the building or alteration permit will not be accepted. If construction or reconstruction has been started prior to securing a building permit, you are in violation of the City's building code and the LERTA application will not be accepted.

**Applicant's Statement:** The owner hereby agrees to comply with ALL ordinances of the City of Williamsport, PA and with all the rules and regulations of all departments thereof which are applicable hereto and to do no work not specifically covered by this application and its attached plan.

Applicant's Signature _____	Date _____	<input type="checkbox"/>	<input type="checkbox"/>	
Zoning Officer's Signature _____	Date _____	Approved	Denied	
City Engineer's Signature _____	Date _____	<input type="checkbox"/>	<input type="checkbox"/>	
This form is an application until signed by the Building Official. When so signed, it is a permit to build as described.				
Building Official's Signature _____	Date _____	<input type="checkbox"/>	<input type="checkbox"/>	



**CENTRAL BUSINESS DISTRICT  
 CERTIFICATE OF APPROPRIATENESS**

Property Location Data:  
 Work Must Commence within **SIX MONTHS** of [Date of CC Appv]  
 Work To Be Completed: Two years from date of **ISSUE**.  
 The Planning Commission **APPROVED** this request on the \_\_\_\_ day of \_\_\_\_\_ 2009.

The **CITY COUNCIL** of the City of Williamsport **APPROVED** the issuing of this Certificate of Appropriateness for the above named property on the \_\_\_\_ day of \_\_\_\_\_ 2009.

**Attest:**  
 \_\_\_\_\_  
 President  
 Williamsport City Council  
 \_\_\_\_\_  
 City Clerk  
 Copy: Building Inspector  
 Chairman of Planning Commission  
 Secretary of Planning Commission

- (a) Location, size, species (both common and scientific names shall be given), quantity and variety of existing trees over 3 inches in caliper. Trees of suitable species that are in good condition shall be retained on the site whenever possible.
  - (b) Location, size, species (both common and scientific names shall be given), quantity and variety of trees and shrubs to be planted.
  - (c) Foundation planting in an enlarged scale of 1:20 or larger if necessary to clearly illustrate plant locations or spacing.
  - (d) All adjacent uses, structures, walkways, driveways, parking areas and garbage receptacles; also, fences or buffers with dimensions and including front and rear elevations.
  - (e) Lot area in acreage or square feet.
- (Ord. 5868. Approved 5-16-02)

#### 1383.10 PROCEDURE, ENFORCEMENT AND PENALTIES.

- (a) Procedure. A certificate of occupancy shall not be issued until such time as all the landscaping requirements are actually installed unless a performance guarantee of 110 percent of the cost has been deposited with the City. The amount of the guarantee shall be based upon an estimate of cost of completion of the required landscaping submitted by the applicant and as approved by the Director of Streets and Parks or his designee. Such guarantee shall be in a form acceptable to the City Solicitor. The depositor shall agree in making the deposit, that if performance is not completed within 6 months from the date of the certificate of occupancy issuance, the City may complete the requirements and charge the cost against the deposit; otherwise, the deposit shall be returned in full after the satisfactory completion of the work. Extensions requested in writing may be considered by the Bureau of Codes and City Engineer. If a certificate of occupancy is not required, then the performance guarantee noted above applies with work to be completed within the next growing season.
- (b) Enforcement Remedies and Penalties. Any person, partnership or corporation who or which has violated the provisions of this Article upon being found liable therefor in a civil enforcement proceeding commenced by the Bureau of Codes and City Engineer pays a judgement of not more than \$500.00 plus all court costs, including reasonable attorney fees incurred by the City as a result thereof. No judgement shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgement, the City may enforce the judgement pursuant to the applicable rules of civil procedure. Each day that a violation continues that shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the Article to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice

and thereafter each day that a violation continues shall constitute a separate violation.

The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgement pending a final adjudication of the violation and judgement.

(Ord. 5868. Approved 5-16-02)

#### 1383.11 SEVERABILITY.

If any sentence, phrase, clause or other part of this Article shall be declared unconstitutional or enforceable or invalid, it shall not be construed to affect the remainder of the Article and the remainder of this Article shall be enforceable.

#### 1383.12 PROCEDURE FOR ADJUSTMENT OF STANDARDS.

Modifications to the landscape requirements must be requested in writing and with design drawings.

- (a) The requested modification(s) shall be approved only if it is determined that the modification(s) would not be contrary to the public interest and that it would be in keeping with and would preserve the intent of this Article, and that literal enforcement of the standards would be impractical or unreasonable. A committee comprised of the Codes Administrator, the Director of Streets and Parks, the City Engineer shall review, modify, approve or deny all such requests with the advice of the Shade Tree Commission and a member of the Planning Commission (where appropriate). [Ord. 6136]
- (b) Hardship standards shall include physical impossibility caused by irregularity, narrowness or shallowness of lot size or slope; exceptional topographical circumstances, or other conditions where applicant has not created such conditions. Hardship may also accrue if environmental factors mitigated against a literal interpretation of the standards of this Article.

(Ord. 5868. Approved 5-16-02; Ord. 6136 §II. Approved 4-30-2009)

the other provisions of this article, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Board shall be afforded a hearing as soon as possible. After such hearing, depending upon his findings as to whether the provisions of this article and of the rules and regulations adopted pursuant thereto have been complied with, the Health Officer shall continue such order in effect, or modify it, or revoke it.

Section 302.4, Insert: 10 inches

Section 304.14, Insert: May 1 to September 30

Insert: Section 308.2.1—Rubbish Storage Facilities

The owner of every occupied premises shall supply covered containers for rubbish, and the owner and/or tenant of the premises shall be responsible for the removal of rubbish.

[Ord. 6143]

Insert: Section 308.4—Container Size

Trash containers shall be of adequate size to provide enough space for all material being disposed of during the trash collection cycle.

[Ord. 6143]

Insert: Section 308.5—Container Locations

Trash containers shall be placed on the property so as not to create a nuisance to the neighboring properties.

[Ord. 6143]

Insert: Section 308.5.1—Front Property

Trash containers shall not be placed in the front property area which is defined as the area from the front of the structure to the curb/street.

Exception: Containers may be placed in the front property area on the night before the day of trash pick-up and must be removed within 24 hours.

[Ord. 6143]

Insert: Section 308.6 Screened Containers

When a dumpster is used to contain garbage it must be screened in a manner so as not to be visible to the neighboring properties. Screening is defined as: trees, shrubs, bushes or fencing with a minimum height of 6'-0".

Dumpster Definition: For the purpose of this section a dumpster shall be defined as a container or container(s) which holds in excess of 250 gallons or more than (4) 90 gallon containers.

[Ord. 6143]

Insert: Section 309 – Rooming House

No person shall operate a rooming house unless he holds a valid rooming house permit issued by the Health Officer or his designee in the name of the operator and for the specific dwelling or dwelling unit. The operator shall apply to the Health Officer upon compliance by the operator with the applicable provisions of this article and of any rules and regulations adopted pursuant thereto, and payment of the applicable fee hereinafter set out. This permit shall be displayed in a conspicuous place within the rooming house at all times. No such permit shall be transferable. Every person holding such a permit shall give notice in writing to the Health Officer within 24 hours after having sold, transferred, given away or otherwise disposed of ownership of, interest in or control of any rooming house. Such notice shall include the name and address of the person succeeding to the ownership or control of such rooming house. Every rooming house permit shall expire at the end of one year following its date of issuance, unless sooner suspended or revoked as hereinafter provided, and upon expiration thereof a renewal permit shall be required. The applicant for a permit or renewal permit shall pay a fee as specified in Article 117 of the Codified Ordinances.

Any person whose application for a permit to operate a rooming house has been denied may request and shall be granted a hearing on the matter before the Board of Health under the procedure provided by this article.

Any person whose permit to operate a rooming house has been suspended, or who has received notice from the Health Officer that his permit is to be suspended unless existing conditions or practices at his rooming house are corrected, may request and shall be granted a hearing on the matter before the Board of Health, under the procedure provided by this article, provided that if no petition for such hearing is filed within 10 days following the day on which such permit was suspended, such permit shall be deemed to have been automatically revoked.

Insert: Section 310 – Prohibited Furniture

Interior type furniture, which would be adversely affected by the elements and/or susceptible to infestation by insects, rats or other vermin, is prohibited from being placed outside a structure. Such prohibited furniture shall include, but is not limited to, upholstered couches and chairs, automobile seats or other fabric-covered articles not designed or intended for exterior use.

Insert: Section 310.1 – Removal of Prohibited Furniture

When the Codes Office determines that prohibited furniture is located in an exterior property area, they shall cause the owner, or responsible person, to be notified in accor-

dance with the International Property Maintenance Code. If the prohibited furniture is not removed within the time set forth in such notice, the owner or responsible person shall be subject to the penalties provided for by law.

Insert: Section 311 – Designation of Responsible Agent

It shall be unlawful for any residential property to be owned or operated by a person residing outside the County of Lycoming, Pennsylvania, unless such owner or operator provides to the Bureau of Codes the name, address and telephone number of a Designated Responsible Agent who shall be an individual and who shall reside or maintain a place of business within the County of Lycoming. Designation of a responsible agent shall authorize the responsible agent to receive notices and communications necessary or deemed to be appropriate by the Bureau of Codes under the terms of the Property Maintenance Code and to accept service of process and initial and subsequent pleadings on behalf of the owner or operator which may be necessary or deemed to be appropriate by the Bureau of Codes for the enforcement of the Property Maintenance Code; provided, however that nothing contained herein shall affect the right of the Bureau of Codes to submit notices and communications directly to the person, rather than the responsible agent, or to serve process and initial and subsequent pleadings in any other manner permitted by law. Such authorization must be signed by the owner or operator and by the Designated Responsible Agent.

Insert: Section 311.1 – Change of Responsible Agent

Any owner or operator, who subsequently changes his place of residence and resides outside of the County of Lycoming or changes the designation of a responsible agent, shall notify the Bureau of Codes within 30 days after such change.

Insert: Section 311.2 – Effect of Designation

Any notice or communication and any initial or subsequent process or pleading necessary or deemed to be appropriate by the Bureau of Codes to be given, made or served upon an owner or operator who has designated a responsible agent may be given, made or served upon the responsible agent for such party until the Bureau of Codes receives a written revocation or change of such designation signed and dated by the owner or operator. The revocation or change shall be effective upon receipt by the Bureau of Codes.

Section 602.3      Insert: September 15 to May 15

Section 602.4      Insert: September 15 to May 15

(Ord. 5947 §2. Approved 4-29-04; Ord. 6143. Approved 9-17-2009.<sup>1</sup>)

1741.03      INCONSISTENT ORDINANCES REPEALED.

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<sup>1</sup>Editor's Note: Ord. 6143 incorrectly refers to Article 1711. Article 1741 was clearly intended.

Ordinance Number 5905 of the City of Williamsport entitled International Property Maintenance Code and all other ordinances or parts of ordinances in conflict herewith are hereby repealed. (Ord. 5947 §3. Approved 4-29-04)

1741.04 SEVERABILITY.

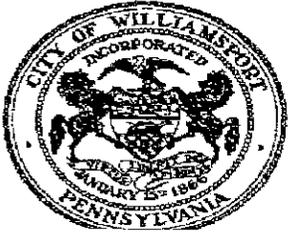
Nothing in this Article or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 1741.03 of this Article; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Article. (Ord. 5947 §4. Approved 4-29-04)

1741.05 PUBLICATION.

The appropriate City officials are hereby ordered and directed to cause this ordinance to be published as required by law. (Ord. 5947 §5. Approved 4-29-04)

1741.06 EFFECTIVE DATE.

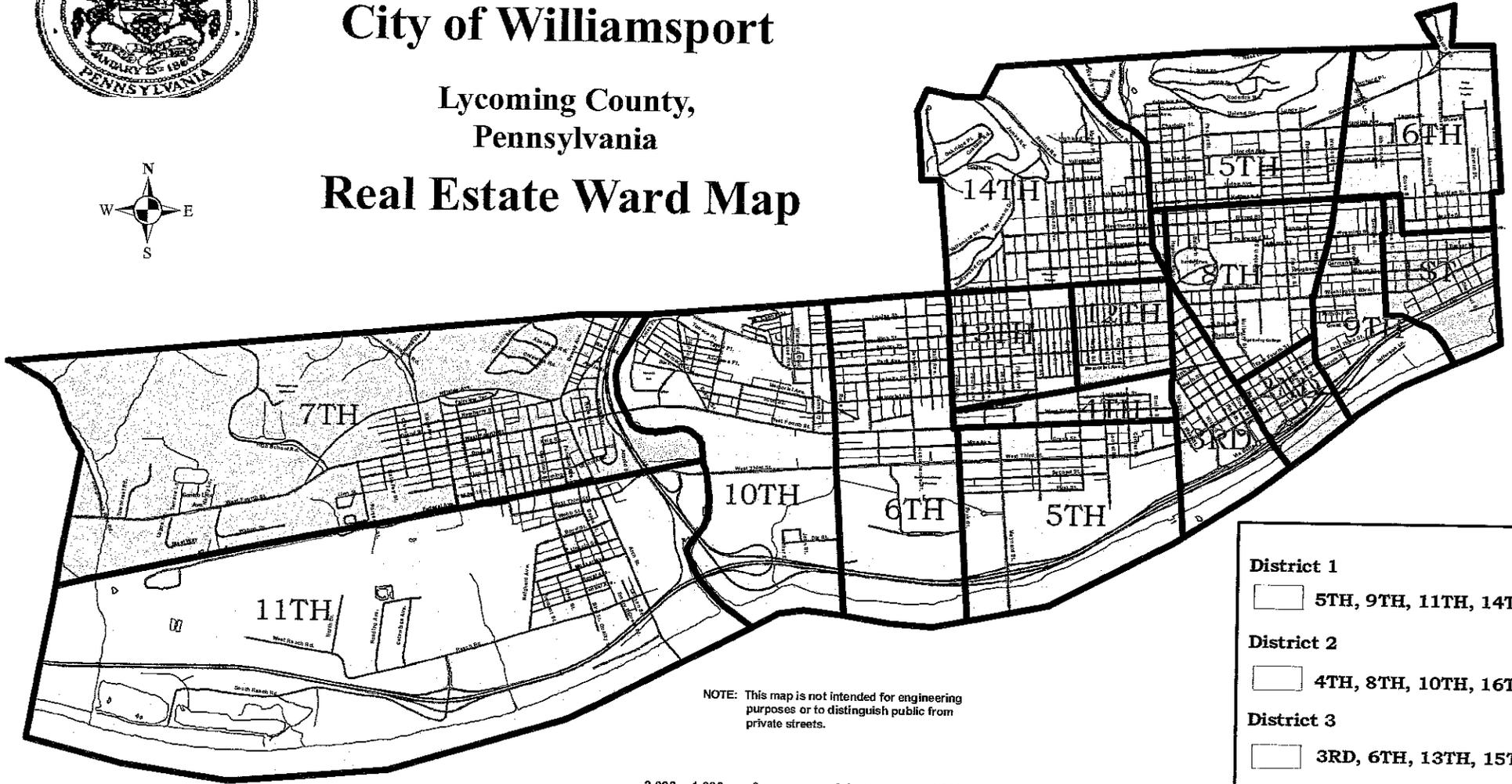
This Article and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 20 days from and after the date of its final passage and adoption. (Ord. 5947 §6. Approved 4-29-04)



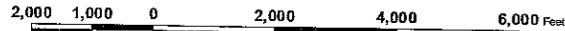
# City of Williamsport

Lycoming County,  
Pennsylvania

## Real Estate Ward Map



NOTE: This map is not intended for engineering purposes or to distinguish public from private streets.



Prepared by Lycoming County Economic Development & Planning Services Date: 4/5/06

<b>District 1</b>	 5TH, 9TH, 11TH, 14TH
<b>District 2</b>	 4TH, 8TH, 10TH, 16TH
<b>District 3</b>	 3RD, 6TH, 13TH, 15TH
<b>District 4</b>	 1ST, 2ND, 7TH, 12TH