



CITY COUNCIL

Meeting Agenda

**REGULAR MEETING
COUNCIL CHAMBERS**

**MONDAY, MARCH 12, 2007
7:00 P.M.**

OPENING MATTERS

CALL TO ORDER

INVOCATION: Father John Gibbons, St. Margaret's RC Church

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS AND PRESENTATIONS

Council Commendations:

Recognizing Irish Heritage Week and the many contributions of Irish Americans- Presented to the Ancient Order of Hibernians.

Mayoral Proclamations:

Honoring National Art Month- Presented to the Reading School District

Recognizing MS Awareness Week- Presented to members of the National MS Society

PUBLIC COMMENT – AGENDA MATTERS:

Citizens have the opportunity to address the Council, by registering with the City Clerk before the start of the meeting. All remarks must be directed to Council as a body and not to any individual Council member or public or elected official in attendance. Any person making personally offensive or impertinent remarks or who shall become unruly while addressing Council may be called to order by the Presiding Officer, and may be barred from speaking before Council, unless permission to continue speaking is granted by the majority vote of Council.

All comments by the public shall be made from the speaker's podium. Citizens attending the

meeting may not cross into the area beyond the podium. Any materials to be distributed to Council must be given to the City Clerk before the meeting is called to order. Those commenting on an agenda business shall speak at the beginning of the meeting and shall limit their remarks to 5 minutes. Those commenting on general matters shall speak after the legislative business is concluded and shall limit their remarks to 3 minutes.

No comments shall be made from any other location except the podium, and anyone making "out of order" comments may be subject to removal. There will be no demonstration at the conclusion of anyone's presentation. Citizens may not ask questions of Council member or other elected or public official in attendance.

APPROVAL OF AGENDA AND MINUTES

2. **AGENDA:** Council Meeting of March 12, 2007.

3. **MINUTES:** Council Meetings of February 26, 2006

4. CONSENT AGENDA

Award of Contract- to MAXIMUS, Inc. in the amount of \$79,440.00 for the purchase and installation of a Fleet Management software package in the City Garage. This contract will be an addendum to an existing contract between MAXIMUS, Inc. and the City of Harrisburg in accordance with the joint purchasing agreement between the Cities of Reading and Harrisburg. **(Public Works)**

5. ADMINISTRATIVE REPORTS

6. FINANCE REPORT

7. REPORT FROM OFFICE OF THE AUDITOR

8. REPORTS FROM DIRECTORS & BOARDS AUTHORITIES AND COMMISSIONS

9. ORDINANCES FOR FINAL PASSAGE

Bill No. 16- amending the City of Reading Codified Ordinances by regulating advertisements for the sale of real estate in the City of Reading. **(Waltman/Goodman-Hinnershitz)**

10. INTRODUCTION OF NEW ORDINANCES

Ordinance – authorizing the submission of a referendum question to define the term “residency” in the City of Reading Home Rule Charter **(Solicitor & Council Staff)**

Ordinance – authorizing the submission of a referendum question to provide neutrality for the Solicitor by requiring that dismissal be approved by the Mayor and Council. **(Solicitor & Council Staff)**

Ordinance- increasing the salary of the Police Chief in accordance with Section 706 of the City of Reading Home Rule Charter and Bill No. 22-2002, which established procedures for City Council to provide annual increases to department directors. **(Managing Director)**

Ordinance- amending Section 1-271 of the City of Reading Personnel Code by increasing the salary range for the Chief of Police Chief. **(Managing Director)**

Ordinance- increasing the salary of the Fire Chief in accordance with Section 706 of the City of Reading Home Rule Charter and Bill No. 22-2002, which established procedures for City Council to provide annual increases to department directors. **(Managing Director)**

Ordinance- amending the City of Reading Capital Improvements Plan, by substituting new projects for deleted existing projects. **(Managing Director)**

Ordinance- amending Chapter 11, Housing, of the City of Reading Codified Ordinances. **(Managing Director/Solicitor)**

Ordinance- amending Chapter 20, Part 1 Solid Waste, of the City of Reading Codified Ordinances. **(Managing Director)**

Ordinance- adopting a Stormwater Management Ordinance, as required by EPA and DEP. **(Public Works)**

11. RESOLUTIONS

Resolution- authorizing the exoneration of outstanding property taxes, penalties and interest for the year 2006 for 123-125 North 6th Street.
(Tax Administration/Solicitor)

Resolution- authorizing the exoneration of outstanding Property taxes, penalties and interest for the year 2006 for 614 South 15 ½ Street, 632 South 15 ½ Street, 633 South 15 ½ Street and 133 Schuylkill Avenue. (Tax Administration/Solicitor)

Resolution- eliminating the required funds for façade projects scheduled for the Centre Park Artifacts Bank and the Olivet's Building. (Waltman)

Resolution- appointing Dr. Eve Kimball to the Board of Health.
(Administrative Oversight)

Resolution- authorizing the transfer of Councilman Marmarou's salary.
(Council Staff)

PUBLIC COMMENT - GENERAL MATTERS

COUNCIL BUSINESS / COMMENTS

COUNCIL MEETING SCHEDULE

Committee of the Whole-Mon, March 12th, Council Offices 5:00p.m.

Regular Meeting-Mon, March 12th, Council Chambers 7:00p.m.

Council Meeting with the Mayor-Wed, March 14th, Mayor's Office 4:00p.m.

ICGR Meeting-Wed, March 14th, Chef Alan's West Reading 7:00p.m.

Public Safety Committee-Mon, March 19th, Council Office 5:00p.m.

Public Works Committee-Mon, March 19th, Council Office 5:00p.m.

Work Session-Mon, March 19th, Penn Room 7:00p.m.

Meeting with Judge Grimm and District Justices-Tues, March 20th, Council Chambers 5:00p.m.

Council Meeting with the Mayor- Wed, March 21st, Mayor's Office 4:00p.m.

Committee of the Whole-Mon, February 26th, Council Offices 5:00p.m.

Regular Meeting-Mon, February 26th, Council Chambers 7:00p.m.

BILL NO. _____

AMENDING THE CITY OF READING CODIFIED ORDINANCES BY ADDING A NEW PART 8 TO CHAPTER 6 - CONDUCT REGULATING THE REAL ESTATE ADVERTISEMENTS FOR REAL ESTATE FOR SALE IN THE CITY.

WHEREAS, the City of Reading is a community enjoying many advantages such as affordable housing; and

WHEREAS, the growth of rental housing has increased the pressure on the City's neighborhoods and housing and has put additional strain on our stable residential neighborhoods; and

WHEREAS, the conversion of single family homes and other properties to rental properties has increased quality of life problems such as overcrowding, excess noise, traffic congestion, lack of parking, trash, poor property maintenance and deterioration of housing stock; and

WHEREAS, the City of Reading City Council continues to (1) strengthen the enforcement of the housing and occupancy regulations on rentals and pursue legal action when necessary; (2) increase inspection staff and increase fees so that the inspection program becomes self-supporting; (3) continue to use code enforcement, legislation and appropriate zoning to protect single family residences; and (4) discourage the further conversion of single family homes to rentals; and

WHEREAS, the City of Reading has received complaints regarding advertisements claiming single family dwellings located in the City of Reading could be converted for rental use; and

WHEREAS, the following ordinance will prohibit certain language used in the advertisement of properties for sale in the City of Reading.

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

SECTION 1. Amending the Codified Ordinances of the City of Reading by adding a new Part 8 to Chapter 6 – Conduct regulating the real estate advertisement of properties for sale in the City of Reading.

SECTION 2. Declaration of Purpose. The City of Reading City Council finds that the overabundance of the rental properties in the City is increasing quality of life problems and complaints such as congestion, lack of available parking, noise, increased traffic, trash, etc. Council and the Administration continue to strengthen enforcement efforts on housing problems, including placing a moratorium on the conversion of single family dwellings to multi-family rentals. Council has had complaints and has seen real estate advertisements informing prospective buyers that properties could easily be converted to multi-family rental properties. Therefore, to protect the quality of life of the City's residential neighborhoods Council, through enactment of this ordinance, restricts certain advertisement practices.

SECTION 3. Prohibiting those selling properties in the City of Reading from using any language that infers or states that these properties be converted to a use that contradicts the City's Zoning Code.

SECTION 4. Requiring the those selling all properties in the City of Reading to alert the potential buyer about requirements pertaining to requirements contained in the City's Codified Ordinances to include but not limited to Chapter 4 Buildings - Historical Districts and Chapter 27 – Zoning.

SECTION 5. Penalty. Failure to comply with the terms of this ordinance shall result in a fine in an amount of no less than \$1,000.

SECTION 6. This ordinance shall be effective ten (10) days after its adoption and approval by the Mayor, or repassage by City Council over the Mayor's veto, in accordance with Section 219 of the City of Reading Home Rule Charter, or as set forth in Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2007

President of Council

Attest:

City Clerk

(Councilors Goodman-Hinnershitz and Waltman)

BILL NO. _____

AN ORDINANCE

AN ORDINANCE DIRECTING THE BERKS COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE CITY VOTERS ON THE 2007 PRIMARY BALLOT WHICH WOULD AMEND THE CITY OF READING HOME RULE CHARTER BY DEFINING THE TERM "RESIDENCY".

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

SECTION 1. Directing the Berks County Board of Elections to place the following referendum question to City Voters on the 2007 Primary Ballot:

Shall the City of Reading Home Rule Charter Article I, Section 105 be amended by adding "(d) Residency. All references to residency in this Charter shall mean legal residence or domicile." ?

SECTION 2. This ordinance shall become effective within ten (10) days of the date of passage and approval by the Mayor or override of the Mayor's veto.

Passed _____, 2007

Council President

Attest:

City Clerk
(Solicitor Council Staff)

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____
Approved by Mayor: _____
Date: _____
Vetoed by Mayor: _____
Date: _____

**BILL NO. _____
AN ORDINANCE**

AN ORDINANCE DIRECTING THE BERKS COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM QUESTION BEFORE CITY VOTERS ON THE 2007 PRIMARY BALLOT WHICH WOULD AMEND THE CITY OF READING HOME RULE CHARTER BY PROVIDING NEUTRALITY OF THE SOLICITOR.

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

Directing the Berks County Board of Elections to place the following referendum question to City Voters on the 2007 Primary Ballot:

Neutrality of the Solicitor

Shall the City of Reading Home Rule Charter Article II Section 211 (b) be amended to read as follows: "The City Solicitor may be removed by resolution approved by five (5) members of Council and approved by the Mayor within ten (10) days of the date of passage."?

SECTION 2. This ordinance shall become effective within ten (10) days of the date of passage and approval by the Mayor or override of the Mayor's veto.

Passed _____, 2007

Council President

Attest:

City Clerk
(Solicitor Council Staff)
Submitted to Mayor: _____

Date: _____
Received by the Mayor's Office: _____
Date: _____
Approved by Mayor: _____
Date: _____
Vetoed by Mayor: _____
Date: _____



AGENDA MEMO MANAGING DIRECTOR

TO: President Spencer and City Council

FROM: Leon Churchill, Managing Director

MEETING DATE: March 7, 2007

AGENDA MEMO DATE: March 12, 2007

RECOMMENDED ACTION:

To approve an Ordinance presented by the Administration relating to the annual salary for William Heim, Police Chief, for the City of Reading.

RECOMMENDATION:

It is the recommendation of this Administration to increase the salary for the Police Chief to \$100,737.00, a four (4%) percent increase, effective January 23, 2007, the anniversary date of William Heim's, appointment as the Police Chief for the City of Reading. The performance evaluation supporting this recommended action was conducted as per our City Ordinance No. 22-2002, which provides for a performance review of department heads to be completed by the Managing Director.

BACKGROUND:

It is this Administration's position to make the salary level for all department directors as equitable and fair as possible. The merit increase is the same amount recently agreed

to and approved with the Fraternal Order of Police. Chief Heim has made an impact beyond originally conceived when hired by the City in early 2006. He shows extraordinary ability to focus, devise a plan, and stick to it. He is not distracted by “noise” from other sources.

Chief Heim has managerial and leadership instincts that are very consistent with the High Performance Organization principles espoused by this Administration. There are clear signs that he has created accountability, pushed decision-making down and out as much as practical, and stood firm to basic principles of adult to adult relationships, confidentiality, and professionalism. He needs to ensure that all personnel in the RPD understand and perform to these expectations.

The Crime Plan is the Chief’s principal instrument of communicating expectations and performance standards. He is encouraged to make it more visible, more hardened with deadlines, and who is responsible for the deliverables. He needs to find ways for everyone to think the Crime Plan is their plan, and not “Chief Heim’s Plan”.

BUDGETARY IMPACT:

The 4% increase amounts to \$3,780. Funds are available in the City’s General Fund in the Police Department budget.

PREVIOUS ACTION:

Not applicable.

SUBSEQUENT ACTION:

Not applicable.

RECOMMENDED BY:

The Mayor and Managing Director

RECOMMENDED MOTION:

To increase the present salary of the Police Chief to \$100,737.00.

William Heim 2006 Accomplishments

- A. The development of a comprehensive crime reduction strategy which was done between February and April 2006.
- B. The partial implementation of the crime reduction plan, to include:
 - a. The formation of the VIPER initiative to focus on serial violent crimes and career criminals
 - b. The dissolution of the FBI violent Crimes Task Force and the reallocation of those three officers to the patrol platoons
 - c. The implementation of Crime Status Meetings, to begin to increase accountability of the entire department and to better focus on emerging crime trends, problem locations, and problem people.
 - d. The introduction of Problem Oriented Policing to the Reading Police Department. Over 20 officers were initially trained, and eight officers were trained to become instructors.
 - e. The division of the city into quadrants, and the assignment of managers and officers to manage crime reduction efforts and problem solving within their assigned quadrants and districts.
 - f. The implementation of regular bar and club checks by "D" Platoon officers. This has resulted in higher visibility in problem bars and a reduction of shootings and other crimes in and around bars.
 - g. The reallocation of one sergeant's position from planning and research to an operational position (VIPER supervisor).
- C. The creation of a Citizen's Crime Report, which is available for citizens to complete and mail into the department to save them the time waiting for an officer to take a report on minor thefts and vandalism.
- D. The creation of two "quick hit" awards for officers to recognize their good work. The Lightning Bolt awards is given to officers who take an illegal gun off the street, and the Chamber of Commerce restaurant gift certificate award is given to officers who make a difference in the community by practicing community problem oriented policing techniques or following the crime reduction strategy.
- E. Revising the civil service regulations to test more frequently in order to get the best and freshest candidates, and to streamline the application and testing process so that it is easier for interested applicants to apply year-round, and for the application pool to be certified in a much shorter amount of time, decreasing the number of qualified candidates who are "hired away" or lose interest.
- F. Was part of the city's collective bargaining agreement negotiating team that won approval for an innovative contract with the FOP, including the return of

some management rights, and the creation of an incentive plan to motivate officer to achieve higher performance.

- G. Implemented policy and deployed TASERS on the street after they had lain in boxes for approximately two years.
- H. Updated and wrote several key police general orders, including ones on undercover operations and the mandatory wearing of bullet resistant vests in the aftermath of the death of Scott Wertz.
- I. Restored the confidence of police supervisors in the police administration's handling of disciplinary matters by promptly addressing these issues and levying the penalty in a much timelier manner.
- J. Brought a program, "Tools for Tolerance" diversity awareness to the Reading Police Department. This is an interactive program to teach police officers about the realities and perception of racial and ethnic conflict. Reading has two instructors trained to deliver this program.

Reduced Part 1 (serious) crime 6.5% as compared to 2005 FBI UCR figures.

BILL NO. _____

AN ORDINANCE

AN ORDINANCE INCREASING THE SALARY OF THE POLICE CHIEF, WILLIAM M. HEIM, IN ACCORDANCE WITH SECTION 706. OF THE CITY OF READING HOME RULE CHARTER AND BILL NO. 22-2002 WHICH ESTABLISHED A PROCEDURE FOR CITY COUNCIL TO PROVIDE ANNUAL INCREASES TO THE CITY'S DEPARTMENT DIRECTORS.

WHEREAS, William M. Heim, was confirmed, by City Council, as the City's Police Chief on January 23, 2006; and

WHEREAS, City Council passed Bill No. 22-2002, on June 24, 2002, which states that a Department Director shall receive an annual salary adjustment based upon a performance evaluation; and

WHEREAS, William M. Heim, received a performance evaluation which is satisfactory, meeting motivational standards, he is entitled to a salary increase to \$100,737.00 (4% merit) effective January 23, 2007.

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

SECTION 1. COMPENSATION.

The salary of the Police Chief, William M. Heim, shall be increased to \$100,737.00 per annum effective January 23, 2007.

SECTION 2. REPEALER.

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

SECTION 3. EFFECTIVE DATE.

This ordinance shall become effective 10 days after its adoption in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2007

Attest:

President of Council

City Clerk

BILL NO. _____

AN ORDINANCE

AN ORDINANCE AMENDING 1-271 OF THE CITY OF READING PERSONNEL CODE
(Salary Administration) BY AMENDING THE SALARY
RANGE FOR THE POLICE CHIEF.

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

SECTION 1. Section 1-271 (8) of the City of Reading Codified Ordinances
(Personnel Code) shall be amended to read as follows:

- (a) Managing Director- the Managing Director of the City of Reading shall be compensated at an annual salary of no less than \$90,000 and no more than \$120,000.
- (b) Chief of Fire and Rescue Services- the Chief of the Department of Fire and Rescue Services for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$75,000.
- (c) **Chief of Police- the Chief of Police for the City of Reading shall be compensated at an annual salary of no less than \$80,000 and no more than \$105,000.**
- (d) Public Works Director- the Director of the Department of Public Works of the City of Reading shall be compensated at an annual salary of no less than \$70,000 and no more than \$85,000.
- (e) Finance Director- the Director of the Department of Finance for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$72,000.
- (f) Human Resources Director- the Director of the Department of Human Resources of the City of Reading shall be compensated at an annual salary of no less than \$75,000 and no more than \$100,000.
- (g) City Solicitor- the director of the Legal Department for the City of Reading shall be compensated at an annual salary of no less than \$60,000 and no more than \$75,000.
- (h) Community Development Director- the Director of the Department of Community and Economic Development for the City of Reading shall be

compensated at a salary of no less than \$55,000 and no more than \$85,000.

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

SECTION 3. This Ordinance shall become effective immediately.

Enacted by Council _____, 2007

President of Council

Attest:

City Clerk



AGENDA MEMO

MANAGING DIRECTOR

TO: President Spencer and City Council

FROM: Leon Churchill, Managing Director

MEETING DATE: March 12, 2007

AGENDA MEMO DATE: March 7, 2007

RECOMMENDED ACTION:

To approve an Ordinance presented by the Administration relating to the annual salary for William H. Rehr, III, Fire Chief, for the City of Reading.

RECOMMENDATION:

It is the recommendation of this Administration to increase the salary for the Fire Chief to \$73,771.17, a four (4%) percent increase, effective January 1, 2007,. The performance evaluation supporting this recommended action was conducted as per our City Ordinance No. 22-2002, which provides for a performance review of department heads to be completed by the Managing Director.

BACKGROUND:

It is this Administration's position to make the salary level for all department directors as equitable and fair as possible.

Chief Rehr has continued to work with FirstStates Billing Company to increase the EMS revenue. He has also partnered with the City's Grant Writer to apply for a FEMA Fire Act Grant to provide turnout gear for all firefighters. All of the 20 labor grievances were settled or withdrawn with the exception of one. Chief Rehr commanded the Fire Department operations during the flood of June 2006.

Chief Rehr has participated in eight (8) professional development activities which include but not limited to, serving as a fire service delivery evaluator in Albright

College's Community Needs Assessment Program, his involvement in the statewide Career Fire Chief's Organization, member of the County's 9-1-1 Advisory Board, and participated in the 800 MHz re-banding task force which is FCC mandated.

BUDGETARY IMPACT:

The 4% increase amounts to \$2,837.35. Funds are available in the City's General Fund in the Fire Department budget.

PREVIOUS ACTION:

Not applicable.

SUBSEQUENT ACTION:

Not applicable.

RECOMMENDED BY:

The Mayor and Managing Director

RECOMMENDED MOTION:

To increase the present salary of the Fire Chief to \$73,771.17.

BILL NO. _____-2006

AN ORDINANCE

AN ORDINANCE OF THE CITY OF READING SETTING FORTH THE SALARY OF THE FIRE CHIEF.

SECTION 1. COMPENSATION. The salary of the Fire Chief, William H. Rehr, III, shall be SEVENTY-THREE THOUSAND SEVEN HUNDRED SEVENTY-ONE DOLLARS AND SEVENTEEN CENTS (\$73,771.17) per annum, payable in equal bi-monthly installments.

SECTION 2. BENEFITS. William H. Rehr, III shall receive benefits accorded to other non-union management/professional personnel of the City.

SECTION 3. REPEALER. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective on January 1, 2007.

Passed Council _____, 2007

President of Council

Attest:

City Clerk

Project With Cost Changes: 2007, City Park Pond Remediation (moved up from 2011 and increased by \$100,000 to \$200,000)

New Projects: 2007, Downtown Camera Network (\$390,000)
 2007, African-American Museum Site Preparation (\$500,000)
 2007, Pagoda Renovations (\$443,900)
 2008, Hansen Dynamic Portal (\$286,000)

Financial Impact

The 2007-2011 CIP is proposed to increase total expenditures by \$1,026,000. The specific changes include a reduction in 2006 by \$250,000; an increase in 2007 expenditures by \$990,000; and 2008 expenditures by \$286,000. The CIP has the capacity to fund these projects through previously approved financing in 2005. There is no expected change in debt service impact as stated in the Approved 2007-2011 CIP.

Other Board Action

There is no other board action on this item.

Recommendations

Adopt the ordinance as proposed.

Attachments

Proposed Revised 2007-2011 CIP

BILL NO. _____ 2006
A N O R D I N A N C E

AN ORDINANCE AMENDING THE FY 2007-2011 CAPITAL IMPROVEMENT PLAN FOR THE CITY OF READING.

SECTION 1. The City Council amends the FY 2007 to FY 2011 Capital Improvement Program totaling \$ 43,389,776 which, when compared to the FY 2006 to FY 2010 Approved Capital Improvement Program will reflect an increase of \$1,026,000 over six years, and deletions, postponements and rescheduling of certain capital projects and establishes planned funding levels for each of the six years of the capital plan; and

SECTION 2. The City Council moves to amend the 2007 Capital Budget totaling \$7,783,966, when compared to the FY 2007 Capital Budget, reflecting a \$990,000 increase from \$6,793,966.

SECTION 3. This Ordinance shall become effective ten (10) days after its approval, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2007

Vaughn D. Spencer, President of Council

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____
Date: _____

Vetoed by Mayor: _____
Date: _____

**CITY OF READING
CAPITAL IMPROVEMENTS PROGRAM
FY 2006 - FY 2010**

PROJECT	YEAR	PROJ. COST	GENERAL REVENUES	DEBT FINANCING	GRANTS	FEDERAL STATE	ENTERPRISE	OTHER
2006								
E REPLACE RESCUE 1	2006	\$450,000		\$450,000				
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2006	\$750,000				\$750,000		
DISASTER RECOVERY	2006	\$1,250,000		\$1,250,000				
Uninterrupted Power Source	2006	\$67,000		\$67,000				
PURCHASE GIS SYSTEM FOR CITYWIDE	2006	\$3,000,000		\$750,000	\$150,000		\$2,100,000	
ENGINEERING CATCH BASINS	2006	\$50,000					\$50,000	
E BUILD OAKBROOK FIRE STATION	2006	\$1,500,000		\$1,500,000				
ICE RANGE CLASSROOM ADDITION	2006	\$52,000		\$52,000				
ENGINEERING CATCH BASIN MUSEUM ROAD	2006	\$54,000					\$54,000	
PUBLIC PROPERTY CITY HALL ROOF	2006	\$100,000		\$200,000				
RECREATION EAST READING POOL RENOVATION	2006	\$250,000		\$250,000				
n Street Bridge Lighting Repairs	2006	\$87,000		\$87,000				
HIGHWAYS SALT BRINE EQUIPMENT	2006	\$50,000		\$50,000				
RARY NORTHWEST BRANCH REPAIRS	2007	\$60,000		\$60,000				
TRAFFIC ENGINEERING FORCE IN CURB	2006	\$70,000						\$70,000
ICE EVIDENCE ROOM EXPANSION	2006	\$200,000		\$100,000				\$100,000
PUBLIC PROPERTY STADIUM HIGH MAST REPLACEMENT	2006	\$152,000		\$152,000				
ENGINEERING SCHLEGEL PARK POOL STORMWATER	2006	\$86,000					\$86,000	
RECREATION BAER PARK PLAYGROUND RENOVATION	2006	\$100,000		\$50,000	\$50,000			
RECREATION ESSICK PLAYGROUND RENOVATION	2006	\$100,000		\$0	\$100,000			
DIRECTIONAL SIGNAGE	2006	\$150,000			\$150,000			
AC Unit	2006	\$100,000.00						
TOTAL		\$8,678,000	\$0	\$5,018,000	\$450,000	\$750,000	\$2,290,000	\$170,000
2007								
E REPLACE ENGINE 1	2007	\$475,000		\$475,000				
E REPLACE ENGINE 14	2007	\$475,000		\$475,000				

ICE Downtown Camera Network	2007	\$1,785,000	\$390,000		\$1,395,000			
TRAFFIC ENGINEERING 13 & BERN TRAFFIC SIGNAL	2007	\$65,000	\$65,000					
RARY MAIN BRANCH RENOVATION	2007	\$140,000	\$140,000					
RECREATION CITY PARK PLAYGROUND RENOVATION	2007	\$50,000	\$50,000					
HIGHWAYS TRASH COMPACTOR TRUCK	2007	\$120,000	\$120,000					
PUBLIC PROPERTY BANDSHELL REHABILITATION	2007	\$80,000	\$80,000					
RECREATION NORTH WEST POOL RENOVATION	2007	\$443,900	\$443,900					
PUBLIC PROPERTY Pagoda Renovations	2007	\$443,900						
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2007	\$750,000			\$750,000			
ENGINEERING CATCH BASINS	2007	\$60,000					\$60,000	
TRAFFIC ENGINEERING FORCE IN CURB	2007	\$70,000						\$70,000
RECREATION ANGELICA BOATHOUSE COMPLETION	2007	\$50,000						\$50,000
HIGHWAYS DUMP TRUCK	2007	\$110,000	\$110,000					
RECREATION BAER PARK PLAYGROUND RENOVATION	2007	\$100,000	\$50,000	\$50,000				
RECREATION Hillside Playground Renovation	2007	\$70,000.00	\$60,000.00	\$10,000.00				
PUBLIC PROPERTY CITY STATUE REFURBISHING	2007	\$70,000	\$70,000					
SKYLINE DRIVE WALL REPAIR	2007	\$171,500	\$171,500					
ROAD DEMO AND CLEARANCE	2007	\$1,000,000						\$1,000,000
Public African American Museum Site Preparation	2007	\$500,000	\$500,000					
TRAFFIC ENGINEERING BUCKET TRUCK	2007	\$70,000	\$70,000					
RECREATION SCHLEGEL PARK POOL REPLASTER/TILE	2007	\$150,000	\$150,000					
TRAFFIC ENGINEERING HANDICAP RAMPS	2007	\$50,000	\$50,000					
PUBLIC PROPERTY 6 & PENN COURTYARD UPGRADE	2007	\$120,000	\$120,000					
PUBLIC PROPERTY ATHLETIC FIELD LIGHTING	2007	\$50,000	\$50,000					
PARKS City Park Pond Remediation & Water Feature	2007	\$200,000.00	\$200,000.00					Moved up from 2011 and Increased by \$100,000
FLEET GARAGE OVERHEAD LUBRICATION SYSTEM	2007	\$114,666	\$114,666					
TOTAL		\$7,783,966	\$0	\$3,955,066	\$60,000	\$2,145,000	\$60,000	\$1,120,000
2008								
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2008	\$700,000			\$750,000			
ENGINEER TO REPLACE ENGINE 3	2008	\$485,000	\$485,000					
ENGINEER TO BUILD PENN STREET FIRE STATION	2008	\$2,500,000	\$2,500,000					
PUBLIC PROPERTY STADIUM FIELD LIGHTING UPGRADES	2007	\$60,000	\$60,000					
PUBLIC PROPERTY STADIUM HIGH MAST PAINTING	2007	\$50,000	\$50,000					

RECREATION ANGELICA FISHING DOCK/BOAT HOUSE	2006	\$50,000						\$50,000	
PUBLIC PROPERTY CITY HALL BRASS RESTORATION	2007	\$75,000		\$75,000					
OUTDOOR FURNISHINGS	2007	\$60,000		\$60,000					
ansen Dynamic Portal	2008	\$286,000		\$286,000					
D ALLEY AND ROW IMPROVEMENTS	2007	\$250,000		\$200,000					\$50,000
ENGINEERING CATCH BASINS	2008	\$60,000						\$60,000	
TRAFFIC ENGINEERING FORCE IN CURB	2008	\$70,000							\$70,000
PUBLIC PROPERTY SIDEWALK REPLACEMENT	2008	\$50,000							\$50,000
RECREATION 3rd & SPRING PLAYGROUND RENOVATION	2008	\$160,000		\$80,000		\$80,000			
RECREATION BAER PARK FIELD HOUSE RENOVATION	2008	\$100,000		\$50,000		\$50,000			
D DEMO AND CLEARANCE	2008	\$1,000,000							\$1,000,000
TOTAL		\$5,956,000	\$0	\$3,846,000	\$130,000	\$750,000	\$110,000	\$1,170,000	
2009									
E REPLACE ENGINE 9	2009	\$500,000		\$500,000					
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2009	\$1,050,000				\$1,050,000			
HIGHWAYS FRONT END LOADER	2008	\$175,000		\$175,000					
HIGHWAYS STREET SWEEPERS	2007	\$300,000		\$300,000					
FLEET BIG TRUCK LIFT	2008	\$50,000		\$50,000					
PUBLIC PROPERTY CITY HALL HVAC UPGRADES	2007	\$50,000		\$50,000					
TRAFFIC ENGINEERING HANDICAP RAMPS	2007	\$50,000		\$50,000					
E BUILD NEW HAMPDEN/MARION FIRE STATION	2009	\$2,500,000		\$2,500,000					
ENGINEERING CATCH BASINS	2009	\$60,000							\$60,000
TRAFFIC ENGINEERING FORCE IN CURB	2009	\$70,000							\$70,000
RECREATION NORTHMONT PLAYGROUND RENOVATION	2009	\$160,000		\$80,000		\$80,000			
D DEMO AND CLEARANCE	2009	\$1,000,000							\$1,000,000
TOTAL		\$5,965,000	\$0	\$3,705,000	\$80,000	\$1,050,000	\$0	\$1,130,000	
2010									
E REPLACE LADDER 3	2010	\$850,000		\$850,000					
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2010	\$600,000				\$600,000			
RARY SOUTHEAST BRANCH REPAIRS	2008	\$70,000		\$70,000					
D ALLEY AND ROW IMPROVEMENTS	2008	\$250,000		\$200,000					\$50,000
PUBLIC PROPERTY ATHLETIC FACILITIES LIGHTING	2008	\$50,000		\$50,000					
TRAFFIC ENGINEERING HANDICAP RAMPS	2008	\$50,000		\$50,000					

PARKS FRONT END LOADER	2009	\$120,000		\$120,000					
HIGHWAYS STREET SWEEPERS	2009	\$300,000		\$300,000					
ENGINEERING CATCH BASINS	2010	\$60,000					\$60,000		
RARY MAIN BRANCH EXPANSION	2010	\$8,000,000		\$2,000,000	\$4,000,000				\$2,000,000
TRAFFIC ENGINEERING FORCE IN CURB	2010	\$70,000							\$70,000
RECREATION KEFFER PARK FIELD HOUSE RENOVATION	2010	\$100,000		\$50,000	\$50,000				
D DEMO AND CLEARANCE	2010	\$1,000,000							\$1,000,000
TOTAL		\$11,520,000	\$0	\$3,690,000	\$4,050,000	\$600,000	\$60,000	\$60,000	\$3,120,000

2011

HIGHWAYS STREET SWEEPERS	2010	\$300,000		\$300,000.00					
PARKS GROUNDMASTER TRACTOR	2010	\$50,000		\$50,000.00					
RARY New NW Branch	2011	\$1,800,000.00		\$1,800,000.00					
PUBLIC PROPERTY ATHLETIC FACILITIES LIGHTING	2010	\$50,000		\$50,000.00					
RARY NORTHEAST BRANCH REPAIRS	2009	\$70,000		\$70,000.00					
TRAFFIC ENGINEERING HANDICAP RAMPS	2009	\$50,000		\$50,000.00					
TRAFFIC ENGINEERING HANDICAP RAMPS	2010	\$50,000		\$50,000.00					
PLANNING Whitewater Park	2007	\$522,810.00		\$522,810.00					
RECREATION PENDORA PARK FIELD HOUSE RENOVATION	2009	\$200,000		\$100,000.00	\$100,000.00				
RARY BOOK MOBILE REPLACEMENT	2010	\$120,000		\$120,000.00					
D ALLEY AND ROW IMPROVEMENTS	2009	\$250,000		\$200,000.00					
D ALLEY AND ROW IMPROVEMENTS	2010	\$250,000		\$200,000.00				\$50,000.00	
PUBLIC PROPERTY STADIUM FIELD LIGHTING UPGRADES	2010	\$60,000		\$60,000.00				\$50,000.00	
TOTAL		\$3,772,810	\$0	\$3,572,810	\$100,000	\$0	\$0	\$100,000	\$100,000
Total CIP		\$43,675,776.00	\$-	\$23,786,876.00	\$4,870,000.00	\$5,295,000.00	\$2,520,000.00	\$6,810,000.00	\$6,810,000.00

SCHEDULED PROJECTS From 2006

PUBLIC PROPERTY STADIUM HIGH MAST REPLACEMENT	2006	\$100,000							
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TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2006	\$750,000			
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2007	\$750,000			
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2008	\$700,000			
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2009	\$1,050,000			
TRAFFIC ENGINEERING LIQUID FUEL FUND PAVING	2010	\$600,000			
ALLEY AND ROW IMPROVEMENTS	2009	\$250,000	\$200,000		\$50,000
RECREATION PENDORA PARK FIELD HOUSE RENOVATION	2009	\$200,000	\$100,000	\$100,000	
RARY NORTHEAST BRANCH REPAIRS	2009	\$70,000	\$70,000		
TRAFFIC ENGINEERING HANDICAP RAMPS	2009	\$50,000	\$50,000		
HIGHWAYS STREET SWEEPERS	2010	\$300,000	\$300,000		
PARKS GROUNDMASTER TRACTOR	2010	\$50,000	\$50,000		
PUBLIC PROPERTY ATHLETIC FACILITIES LIGHTING	2010	\$50,000	\$50,000		
TRAFFIC ENGINEERING HANDICAP RAMPS	2010	\$50,000	\$50,000		
RARY BOOK MOBILE REPLACEMENT	2010	\$120,000	\$120,000		
ALLEY AND ROW IMPROVEMENTS	2010	\$250,000	\$200,000		\$50,000
PUBLIC PROPERTY STADIUM FIELD LIGHTING UPGRADES	2010	\$60,000	\$60,000		
TOTAL		\$5,400,000	\$1,250,000		\$100,000

es:

The stadium high mast replacement project is proposed to remain unscheduled until final determination of whether to renovate or re-locate Municipal Stadium is made. Although street paving is budgeted every year, the magnitude of the effort is beyond the City's financial capacity, thus proposing State and Federal funding. The project could be debt financed, but the life of a road is less than 10 years making it a poor candidate for such funding.

BILL NO. _____ 2007
A N O R D I N A N C E

**AN ORDINANCE AMENDING THE CITY OF READING CODIFIED
ORDINANCES CHAPTER 11 - HOUSING**

THE CITY OF READING CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Chapter 11 Housing of the City of Reading Codified Ordinances is hereby amended as follows.

Chapter 11 Housing is renamed to Chapter 11 Housing - Rental

§ 11-101 PURPOSE

The purpose of this ordinance and the policy of the City of Reading shall be to protect and promote the public health, safety and welfare of its citizens, to establish rights and obligations of owners and occupants relating to residential rental units in the City and to encourage owners and occupants to maintain and improve the quality of rental housing within the community. As a means to these ends, this ordinance provides for a systematic inspection program, registration and licensing of residential rental units, and penalties.

In considering the adoption of this ordinance, the City makes the following findings:

1. There is a growing concern in the community with the general decline in the physical condition of residential rental units;
2. City records indicate there is a greater incidence of problems with the maintenance and upkeep of residential properties which are not owner occupied as compared to those that are owner occupied;
3. City records indicate there are a greater number of disturbances at residential rental units than all other properties combined; and
4. City records indicate that violations of the various codes are generally less severe at owner-occupied units as compared to residential rental units.

§ 11-102 DEFINITIONS

As used in this Chapter, certain terms are defined as follows:

BUSINESS PRIVILEGE LICENSE – a license issued by the City of Reading Tax Division per City of Reading Codified Ordinance Chapter 24 Taxation, Special Part 5 Business Privilege Tax authorizing one to perform business including for purposes of this Ordinance renting.

BUSINESS PRIVILEGE TAX – the tax payable to the City of Reading Division of Tax per City of Reading Codified Ordinance Chapter 24 Taxation, Special Part 5 Business Privilege Tax on, for purposes of this Ordinance, the annual gross receipts derived from rental of a property or unit.

CAPACITY TO RENT - any dwelling unit that is fit for habitation by humans as determinable by applicable Building and Property Maintenance Codes [Chapter 5, Part 6], and is not the owner's primary residence and as is permitted by the City of Reading Zoning Ordinance.

CODES - any State or local code or ordinance adopted, enacted or in effect in and for the City of Reading including, but not limited to, the International / City of Reading Building Code, Existing Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code, and Residential Code, and City of Reading Property Maintenance Code, Zoning Ordinance, Recycling and Solid Waste Ordinance, and general nuisance ordinances.

CODES ENFORCEMENT DIVISION –

CODES OFFICIAL – a City of Reading employee or authorized agent sworn to enforce the City of Reading Codes and Codified Ordinances.

DISRUPTIVE CONDUCT - any form of conduct, action, incident or behavior perpetrated, caused or permitted by any occupant or visitor of a rental unit that is so loud, untimely (as to hour of the day), offensive, riotous, or that otherwise disturbs other persons of reasonable sensibility in their peaceful enjoyment of their premises, or causes damage to said premises such that a report is made to a police officer and/or a public officer complaining of such conduct, action, incident, or behavior. It is not necessary that such conduct, action, incident or behavior constitute a criminal offense, nor that criminal charges be filed against any person in order for said person to have perpetrated, caused or permitted the commission of disruptive conduct, as defined herein. Provided, however, that no disruptive conduct shall be deemed to have occurred unless a public officer or a police

officer shall investigate and make a determination that such did occur, and keep written records, including a disruptive conduct report, of such occurrences. The tenant and the owner, operator, responsible agent or manager shall be notified of any such occurrences, in writing.

DISRUPTIVE CONDUCT REPORT - a written report of disruptive conduct on a form to be prescribed therefor to be completed by a police officer or a public officer, as the case may be, who actually investigates an alleged incident of disruptive conduct and which shall be maintained by the Department of Police and Codes Enforcement Division.

DWELLING UNIT - a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

HOTEL UNIT - any room or group of rooms located within a hotel or motel forming a single habitable unit used or intended to be used for living and sleeping only on a transient basis for a period of less than 30 days.

LOCAL RESPONSIBLE AGENT -

MULTIPLE DWELLING UNIT - any dwelling containing two or more dwelling units.

OCCUPANT / TENANT - A person renting or letting a rental unit from the owner thereof.

OWNER - any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON - any individual, firm, corporation, association, partnership or entity.

PUBLIC OFFICER - anyone authorized to enforce the City of Reading Codified Ordinances.

QUALITY OF LIFE -

RENTAL UNIT - a rooming unit or a dwelling unit let for rent, or an other-than

owner-occupied unit. A rental unit shall not include a hotel unit. A rental unit includes dwelling units under lease-purchase agreements, or long-term (greater than 6 months) agreements of sale.

RESTITUTION – for the purposes of this Chapter restitution shall be the amount of the fee due for obtaining of the Rental Permit.

ROOMING HOUSE - a building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one or two family dwelling.

SALES AGREEMENT -

TWELVE (12) MONTH PERIOD – for purposes of this ordinance twelve (12) month period shall be calculated by counting twelve (12) months back from the most recent disruptive conduct report.

ZONING - City of Reading Zoning Ordinance.

ZONING PERMIT – A permit issued by the City of Reading Zoning Division per the City of Reading Zoning Ordinance authorizing and/or registering a unit as a rental.

§ 11-103 PERMIT REQUIRED

No person shall let, rent or cause to be occupied any dwelling or dwelling unit, nor shall any person operate a rooming house, or let to another for occupancy, any room in a rooming house unless that person first applies for and obtains a permit issued by the City of Reading Codes Enforcement Division. Occupancy of a dwelling unit or rooming unit is precluded until a Rental Permit has been issued.

§11-104 APPLICATION FOR PERMIT

Applications for and registration of a rental permit for a dwelling unit or a rooming unit shall be made in writing on forms prepared and provided by the City of Reading Codes Enforcement Division and shall be accompanied by payment of the applicable permit fee. Such forms shall require, but not shall not be limited to requiring, the following information and shall be signed and sworn to by the owner of such dwelling unit or rooming unit:

1. The names, addresses, date of birth and telephone numbers, business, home and cell of all of the owners of the dwelling unit or rooming unit. If the owner is a corporation or partnership, a true and correct copy of the Articles of Incorporation or Partnership Agreement shall be

provided in conjunction with a document identifying the officers of the corporation or the partners of the partnership.

2. The name, address, date of birth and telephone numbers, business, home and cell, of the responsible local agent as required by this Ordinance.
3. The owner(s) and responsible local agent shall submit as proof of identification a government issued identification card. The proof of identification shall be presented to the Codes Enforcement Division with the application for photocopying and attachment thereto. Where the owner is a corporation or partnership, proof of identification of at least one of the officer of the corporation or partnership must be presented by said individual.
4. The address of the premises at which the dwelling unit or rooming unit is located.
5. Identification of the unit as a dwelling unit or rooming unit.
6. The number of dwelling units or rooming units located on the premises at which the dwelling unit or rooming unit is located.
7. A copy of Zoning Permit authorizing or registering the dwelling unit or rooming unit as a rental unit attached. If the dwelling unit or rooming unit contains more than one unit, then the Zoning Permit attached shall indicate the authorized number of units. If the dwelling unit or rooming unit has been certified as a non-conforming use per the City of Reading Zoning Ordinance and applicable state law, then a copy of the Certificate of Non-Conforming Use shall be attached.
8. A copy of the Business Privilege License under which the owner will be renting the dwelling unit or rooming unit and reporting gross receipts therefrom under.
9. Proof of a valid contract with a trash hauler licensed by the state for trash removal / collection from the dwelling unit or rooming unit including the name, address and telephone number of the trash hauler. Alternatively, proof of participation of the dwelling unit or rooming unit on the City of Reading trash collection program.

10. Proof of participation of the dwelling unit or rooming unit on the City of Reading recycling program.
11. A copy of the written lease form the owner intends to have the occupants / tenants of each permitted dwelling unit or rooming unit to execute with a copy of the Addendum required herein attached thereto.
12. The owner shall furnish with the application for rental permit a floor plan, drawn to scale, with the measurements of each room within the dwelling unit or rooming unit. The scale drawing shall only be required with the first application after enactment of this Ordinance. If there are changes to the floor plan, the owner shall submit the revised floor plan with the application first submitted after the changes to the floor plan were made accompanied by copies of all valid permits as required for such revisions.
13. A list of other properties in the City of Reading owned and rented by the applicant owner.
14. Confirmation to the satisfaction of the Codes Enforcement Division that the property of the rental unit is current on all City of Reading taxes, fees and utility charges.
15. A completed Tenant Listing on a form prepared and provided by the Codes Enforcement Division providing the following information of all persons occupying the structure for which the permit is sought, including children under 18 years of age, full name, date of birth (if date is unknown, year of birth) unit, apartment or floor number / designation (where applicable), and term of lease including date of entry and departure. If the owner has reason to believe that such disclosure may jeopardize the personal safety and well-being of a tenant or occupant and provides the Codes Enforcement Division with such information and documentation to support such belief as may be reasonably required by the Codes Enforcement Division, shall disclosure shall not be required.
16. A place to indicate approval or denial of the application and date thereof as well as and location for print name, signature and title of person approving or denying the application.

§11-105 RENEWAL OF RENTAL PERMIT

It shall be the responsibility of the owner of the dwelling unit or rooming unit to request and submit an application for renewal of a Rental Permit. The owner of every dwelling unit or rooming unit must renew his/her Rental Permit for each such dwelling unit or rooming unit each year by the first of July. An application for renewal of Rental Permit with the requisite fees may be submitted between May 1 and June 30 of each year. All renewal applications received after the first of July of each year shall be subject to revocation of the Rental Permit and/or doubling of the fee set forth herein. To renew a Rental Permit the owner must complete the application on the form prepared and provided by the Codes Enforcement Division and pay the applicable fee. Except as set forth in this Ordinance, on a three year basis, renewal of a Rental Permit is not subject to an inspection. An application for renewal of a Rental Permit may be denied resulting in nonrenewal of the permit as set forth herein. Failure of the owner to renew a permit will be considered a surrendering of the Rental Permit and will require vacation of all occupants / tenants of the dwelling unit or rooming. To reobtain a Rental Permit after its surrender, the owner will after to submit a new initial application and undergo the requirements thereof. Any waiver of such requirements is at the discretion of the Codes Enforcement Division Manager or his/her designee.

§11-106 TRANSFER OF OWNERSHIP

A. It shall be the duty of each owner of a dwelling unit or rooming unit to notify the Codes Enforcement Division, in writing, of any change in ownership of the premises.

B. A Rental Permit issued hereunder is not automatically transferable to any person or entity who has acquired ownership of the dwelling unit or rooming unit. To preclude displacement of occupants / tenants, immediately upon execution of a Sales Agreement, the proposed new owner shall complete and submit to the Codes Enforcement Division an application for an initial Rental Permit as prescribed herein. Said application and issuance of permit shall be evaluated per the provisions hereof, including but not limited to performance of an inspection. In no event shall an application for an initial Rental Permit be submitted later than fifteen (15) dates after date of transfer. Failure to submit an application within the aforesaid time frame shall result in revocation of the Rental Permit and vacation of the dwelling unit or rooming unit. Said requirements are in addition to those set forth in the City of Reading Property Maintenance Code requiring sworn notification by a owner to a new owner of violations existing at the property.

§11-107 INSPECTION

A. INITIAL APPLICATION

Upon receipt of a fully completed application for an initial rental permit for a dwelling unit or rooming unit and receipt of payment of the applicable fee for rental permit, the Codes Enforcement Division shall within ten (10) days of said receipt schedule an exterior and interior inspection of the dwelling unit or rooming unit to be performed no later than thirty (30) days from said receipt to determine if the dwelling unit or rooming unit is compliant with the applicable City of Reading Codes and Codified Ordinances. If the Codes Enforcement Official performing the inspection determines that the dwelling unit or rooming unit complies with the applicable City of Reading Codes and Codified Ordinances, the Official shall so advise the owner and inform them that they may obtain their Rental Permit from the City of Reading Codes Enforcement Division.

In the event the Code Official determines that the dwelling unit or rooming unit is in violation of the applicable City of Reading Codes and Codified Ordinances, the Codes Enforcement Division shall be instructed not to issue the Rental Permit. Additionally, the Code Official shall issue a Notice of Violation as provided for in the appropriate Code. Further, if the violation is not corrected within the time frame established on the Notice of Violation, the Code Official shall commence the appropriate legal proceedings as permitted by the applicable Code. The owner shall notify the Codes Enforcement Division of correction, remediation and/or abatement of the violation. Within ten (10) days of receipt of said notification from the owner, the Codes Enforcement Division shall schedule a reinspection of the dwelling unit or rooming unit to determine if the violations set forth in the Notice of Violation have been remedied, corrected and/or abated. If the Codes Official determines that the violations have been remedied, corrected and/or abated in accordance with the applicable City of Reading Codes and Codified Ordinances, the Code Official shall so advise the owner and Codes Enforcement Division and in so doing authorize issuance of the Rental Permit. Occupancy of the dwelling unit or rooming unit is prohibited until a Rental Permit is issued.

B. THREE YEAR RENEWAL INSPECTIONS

An inspection of the dwelling unit or rooming unit shall be performed on every three (3) years.

Upon receipt of a fully completed application for a renewal Rental Permit, as provided for herein, three (3) years from application for and issuance of the initial Rental Permit for a dwelling unit or rooming unit and receipt of payment of the applicable fee for rental permit, the Codes Enforcement Division shall within ten (10) days of said receipt schedule an exterior and interior inspection of the dwelling unit or rooming unit to be performed no later than thirty (30) days from said receipt to determine if the dwelling unit or rooming unit is compliant with the applicable City of Reading Codes and Codified Ordinances. If the Codes Enforcement Official performing the inspection determines that the dwelling unit or

rooming unit complies with the applicable City of Reading Codes and Codified Ordinances, the Official shall so advise the owner and inform them that they may obtain their Rental Permit from the City of Reading Codes Enforcement Division. In the event the Code Official determines that the dwelling unit or rooming unit is in violation of the applicable City of Reading Codes and Codified Ordinances, the Codes Enforcement Division shall be instructed not to issue the Rental Permit. Additionally, the Code Official shall issue a Notice of Violation as provided for in the appropriate Code. Further, if the violation is not corrected within the time frame established on the Notice of Violation, the Code Official shall commence the appropriate legal proceedings as permitted by the applicable Code. In addition, should the Code Official find violations s/he shall also order the owner to vacate the dwelling unit or rooming unit as operation thereof is prohibited without a Rental Permit.

The property shall remain vacated until the Codes Official determine that the violations have remedied, corrected and/or abated. The owner shall notify the Codes Enforcement Division of correction, remediation and/or abatement of the violation. Within ten (10) days of receipt of said notification from the owner, the Codes Enforcement Division shall schedule a reinspection of the dwelling unit or rooming unit to determine if the violations set forth in the Notice of Violation have been remedied, corrected and/or abated. If the Codes Official determines that the violations have been remedied, corrected and/or abated in accordance with the applicable City of Reading Codes and Codified Ordinances, the Code Official shall so advise the owner and Codes Enforcement Division and in so doing authorize issuance of the Rental Permit.

C. ROUTINE INSPECTION

The Codes Enforcement Division shall perform routine inspections on all dwelling units and rooming units subject to the provisions of the applicable City of Reading Codes and Codified Ordinances.

D. COMPLAINT INSPECTIONS

Nothing in this Ordinance shall preclude the Codes Enforcement Division / Code Official from performing an inspection upon receipt of a complaint of violation of the City of Reading Codes and Codified Ordinances existing at the dwelling unit or rooming unit. Said inspections shall be in accord with the applicable Codes and Ordinances and regulations and policies established by the City of Reading Codes Enforcement Division. A complaint of violation shall include but not be limited to a violation of a City of Reading Code or Ordinance, e.g., Property Maintenance Code and/or Disruptive Conduct Report.

E. NOTICE

All notices scheduling an inspection shall be mailed via regular mail to the owner of record with a copy mailed via regular mail to the local responsible agent and posted on the premises.

F. FAILURE TO APPEAR FOR INSPECTION

If the owner or his/her local responsible agent fail to cannot be available at the proposed time, said owner or representative shall provide no less than twenty-four (24) hour written notice to the Codes Enforcement Division Upon failure to give such written notice or upon failure to gain entry, an administrative fee of Fifty Dollars (\$ 50.00) will be assessed against the owner or representative of the owner failing to supply written notice or appear. For each rescheduling beyond the second rescheduling an administrative fee of One Hundred Dollars (\$100.00) shall be assessed in all cases. Failure to pay administrative fees shall at the discretion of the Code Official constitute a violation of this Code or the City of Reading Property Maintenance Code.

§11-109 PERMIT

Upon compliance by the owner of the dwelling unit or rooming unit of the requirements of this Chapter, the City of Reading Codes Enforcement Division shall issue a Permit thereto in a form on paper under the letterhead of the City of Reading Codes Enforcement Division prepared thereby which shall include but not be limited to the following:

1. Name, address and telephone numbers, home, business and cell of owner.
2. Name, address and telephone numbers, home, business and cell of local responsible agent.
3. Number of occupants / tenants permitted to occupy in said dwelling unit or rooming unit as authorized by the City of Reading Codified Ordinances, including but not limited to the Zoning Ordinance and Property Maintenance Code.
4. Date of last application inspection, e.g., initial or three year.

5. A place for date and initials of Code Official indicating performance of a routine or complaint inspection and whether or not violations were found.
6. Date of issuance of permit.
7. Date of required renewal of permit.
8. Printed name of person issuing permit.

§ 11-110 POSTING OF THE PERMIT

The Rental Permit shall be conspicuously posted and maintained in the dwelling unit or rooming unit and shall be available for inspection by the City Code Officials. In addition to posting of the permit, the owner shall post in a conspicuously place at or near the entrance of the dwelling unit or rooming unit in a manner available for inspection by the City Code Officials:

1. The name, mailing address and telephone numbers of the owner and local responsible agent.
2. The evenings on which garbage and recycling are to be placed curbside for collection and the set out requirements defined in the Solid Waste Ordinance, found in Chapter 20 of the City's Codified Ordinances.
3. The telephone number to call to register complaints regarding the physical condition of the rental unit.
4. The telephone number for emergency police, fire and medical services.
5. The date of expiration of the rental registration or rental license.
6. A summary of the owner's and occupant's duties under this Part.

Failure to maintain posting and maintenance of the Rental Permit and aforesaid requisite information as required herein shall subject the owner to penalties of this Ordinance.

§ 11-111 LOCAL RESPONSIBLE AGENT

A. DESIGNATION

Any owner who rents, leases or lets a dwelling unit or rooming unit shall designate and appoint an adult individual to serve as the responsible local agent for such dwelling unit or rooming unit. The owner and responsible local agent shall be jointly and severally legally responsible for operation of the dwelling unit and rooming unit and its compliance with the City of Reading Codes and Codified Ordinances and the laws of the Commonwealth of Pennsylvania. The local responsible agent shall also be responsible for providing the Code Official with access to the dwelling unit or rooming unit for the purpose of making inspections necessary to ensure such compliance. A responsible local agent is required to reside within Berks County, Pennsylvania. An owner may designate him/herself as a responsible agent if s/he resides within Berks County, Pennsylvania.

B. POSTING OF RESPONSIBLE LOCAL AGENT

The name, address, and contact information including but not limited to telephone number, business, home and cell of the responsible local agent shall be conspicuously posted and maintained in the dwelling unit or rooming unit and shall be available for inspection by the City Code Officials upon request. Failure to maintain posting and maintenance of the information of the responsible local agent as required herein shall subject the owner to penalties of this Ordinance.

§11-112 OCCUPATION OF PREMISES WITHOUT RENTAL PERMIT

It shall be unlawful for the owner of any dwelling unit or rooming unit or any agent thereof to allow, rent, lease or let or otherwise permit occupancy of any dwelling unit or rooming unit by another or to represent to the general public that such dwelling unit or rooming unit is for rent, lease, let or occupancy unless a current Rental Permit is obtained for such dwelling unit or rooming unit.

§11-113 OWNER AND OCCUPANT DUTIES.

A. OWNER'S DUTIES.

It shall be the duty of every owner, operator, responsible agent or manager to keep and maintain all rental units in compliance with all applicable codes and provisions of all applicable State laws and regulations and local ordinances, and to keep such property in good and safe condition and to be aware of, and to act to eliminate disruptive conduct in such rental units.

It shall be unlawful for any person to conduct or operate or cause to be rented either as owner, operator, responsible agent or manager any rental unit within the City of Reading without having a rental registration or a rental license.

The owner, operator, responsible agent or manager shall include the amendment attached hereto as the Addendum to rental agreement in each lease of a rental unit taking effect on or after May 1, 2007. Said amendment is hereby considered to be a part of every lease of a rental unit in the City of Reading executed on or after May 1, 2007.

It shall be the responsibility of every owner, operator, responsible agent or manager to employ policies and to manage the rental units under his/her control in compliance with the provisions of this Part, City codes and applicable State laws.

B. OCCUPANT DUTIES.

The occupant(s) shall comply with all obligations imposed unto by this Part and by the City of Reading codified ordinances including, but not limited to, Chapter 2 Animals, Chapter 3 Bicycles, Chapter 5 Code Enforcement Part 6 Property Maintenance Code, Chapter 6 Conduct, Chapter 10 Health and Safety, Chapter 15 Motor Vehicles and Traffic, Chapter 20 Solid Waste and Chapter 21 Streets and Sidewalks as well as all State laws and regulations.

The occupant(s) shall conduct themselves and require other persons including, but not limited to, guests on the premises and within their rental unit with their consent, to conduct themselves in a manner that will not disturb the peaceful enjoyment of the premises by others and that will not disturb the peaceful enjoyment of adjacent or nearby dwellings by people occupying the same.

The occupant(s) shall not engage in, nor tolerate, nor permit others on the premises to cause damage to the rental unit or engage in disruptive conduct, or other violations of this Part, City codes or applicable State laws.

Police officers or public officers shall investigate alleged incidents of disruptive conduct. They shall complete a disruptive conduct report upon a finding that the reported incident constitutes disruptive conduct as defined herein. The information filed in said report shall include, if possible, the identity of the alleged perpetrators of the disruptive conduct and all other obtainable information, including the factual basis for the disruptive conduct described on the prescribed

§11-114 OWNERS SEVERALLY RESPONSIBLE.

If any regulated dwelling unit or rooming unit is owned by more than one person, in any form of joint tenancy, as a partnership, corporation or otherwise, each persons shall be jointly and severally responsible for the duties imposed under the terms of this Chapter and shall be severally subject to prosecution for the violation of this Chapter.

§ 11-115 FEES FOR RENTAL PERMIT

A. FEE SCHEDULE

Fees required for application of Rental Permit shall be:

1. PERMIT
 - a. Single rented dwelling unit \$50 per year
 - b. Each single room (rooming unit) \$25 per year
2. REINSPECTION

The initial and first subsequent inspection upon an application for either an initial or three year renewal shall be included in the Permit Fee. A fee in the amount of \$ 25 shall be charged for any second or subsequent inspection required for approval of an initial or three year renewal application.

B. NUMBER OF UNITS

For the purpose of determining the number of units or rooms to be included in a permit, the following definitions shall apply:

1. Efficiency apartments and rented rooms used for purposes other than sleeping shall be considered a dwelling unit.
2. Any dwelling unit or room occupied by the owner/operator of a multiple unit dwelling shall be included in the total number of units or rooms, as well as any unit or room occupied by the spouse, son, daughter, mother, father, sister or brother of the owner or operator.

C. WAIVER OF FEES

The permit fees established in subsection A above shall be waived under the following conditions:

1. If the owner, or operator, or the spouse, son, daughter, mother, father, sister or brother of the owner or operator occupy the unit.
2. If the owner or operator is the United States government, the Commonwealth of Pennsylvania, the City of Reading, Pennsylvania or any agency thereof.
3. If the owner or operator is a corporation or association organized and operated exclusively for religious, charitable or educational purposes, or for one or more such purposes, provided that no part of the net earnings or profits of which inure to the benefit of any private shareholder, individual, corporation or partnership.
4. Licensed real estate brokers or agents or financial institutions that purchase or acquire dwellings for the sole purpose of resale of the property shall be exempt from obtaining a rental permit.
5. Persons who have acquired property for the sole purpose of renovating and resale of the property may be exempt from obtaining a rental permit based upon approval of an application for exemption on the form prescribed.

D. EFFECT OF WAIVER OF FEES

The waiver of fees contained in subsection C above, shall not exempt the owners or local responsible agent from compliance with this Chapter and all other applicable Codes, Codified Ordinances, rules, regulations of the City of Reading and laws of the Commonwealth of Pennsylvania, unless otherwise specifically exempted herein.

E. FEE NON-REFUNDABLE

The fee paid as part of the application for a Rental Permit is non-refundable even if the application is denied.

§11-116 PERMIT EXEMPTION

A. EXEMPT UNITS

1. All property owned by the Housing Authority of the City of Reading or the Housing Authority of the County of Berks which is inspected annually by those agencies to assess conformance with Federal standards, or properties that are inspected annually for compliance with the requirements of the United States Department of Housing and Urban Development or the Pennsylvania Housing Finance Agency, regardless of the occupants, shall be exempt from the permitting provisions of this Part.

2. The permitting provisions of this Chapter shall not apply to hospitals, nursing homes or other rental units used for human habitation which offer full time supervision and provide medical or nursing services, and wherein all operations of such facilities are subject to County, State or Federal licensing or regulations concerning the health and safety of the users, patients or tenants. The permitting provisions of this Chapter also shall not apply to hotel units, as defined previously, as defined in the City's Zoning Ordinance [Chapter 27].

B. LOSS OF EXEMPTION

If, in response to a complaint, an exempt unit is found to be in violation of a City code, the owner, operator, local responsible agent, manager shall correct the violation(s) within the time frame cited by the public officer or police officer. If the violation(s) is/are not corrected, the unit shall lose its exemption until the violation(s) is/are corrected. If three verified complaints are received in any 12-month period, the unit shall lose its exemption for a period of 5 years.

§11-117 TENANT INFORMATION

In addition to supplying information of the tenants of the dwelling unit or rooming unit on the initial or renewal application for a Rental Permit, the owner or the local responsible agent shall on or before June 1 and December 1 of each year shall provide to the City of Reading Codes Enforcement Division on a form prepared and provided by said Division information of all tenants or other persons, including children under 18 years of age, occupying the dwelling unit or rooming room for which they are required to have a Rental Permit the full name, date of birth (year of birth if date of birth is unknown), unit, floor or apartment number / designation and term of lease, date of entry and anticipated departure date.

The owner shall notify the City of Reading Codes Enforcement Division of changes in the tenant listing within ten (10) days of such change by submitting an updated tenant listing on the form prepared and provided by the Codes Enforcement Division. In so doing, the owner shall notify the City of the name of the person whom is no longer residing at the dwelling unit or rooming unit.

If the owner has reason to believe that such disclosure may jeopardize the personal safety and well-being of a tenant or occupant and provides the Codes Enforcement Division with such information and documentation to support such belief as may be reasonably required by the Codes Enforcement Division, shall disclosure shall not be required.

Failure to provide the required information or failure to update such information as required by this Chapter are hereby made subject to the penalties set forth in this Chapter.

§11-118 OFFICIAL NOTICES

All official notices including but not limited to Notices of Violation relating to a dwelling unit or rooming unit shall be served on the owner with a copy to the local responsible agent. All official notices shall be by first class mail to address of record of the owner and local responsible agent and posting of the dwelling unit or rooming unit. The address of record of the owner shall be that provided by the County of Berks. Any owner change of address must be performed through the County of Berks Recorder of Deeds / Assessment Office. The address of record of the local responsible agent shall be that provided by the owner on the most recent permit application. It is the responsibility of the owner to change the address thereof or the identity or address of the local responsible agent per the requirements hereof. There shall be a rebuttable presumption that any notice required to be given under this Chapter shall have been received by owner and/or local responsible agent if the notice was given in the manner provided. A claim of lack of knowledge by the owner of any violation hereunder or City of Reading Codes shall not be a defense to license nonrenewal, suspension or revocation proceedings as long as all notices prerequisite to institution of such action were given and deemed received in accord with the applicable provisions of this Chapter.

§11-119 DENIAL OR NONRENEWAL OF A RENTAL PERMIT FOR FAILURE TO COMPLY WITH APPLICATION, CHAPTER AND/OR FAILURE TO PASS INSPECTION

A. TIMING

A decision to deny or not renew an application for a Rental Permit for the reasons set forth herein shall be made within five (5) working days of receipt of the application as indicated on the time stamp by the Codes Enforcement Division.

B. BASIS FOR DENIAL OR NONRENEWAL UNDER THIS SUBCHAPTER

1. A Rental Permit shall be denied and/or nonrenewed upon failure of the owner to comply with the application requirements set forth in this Chapter.

2. An application for an initial or renewed permit shall also be denied upon proof of failure of owner or local responsible agent to comply with the requirements of this Chapter including but not limited to the posting requirements, submission of tenant listing, fail to appear for more than one (1) schedule inspection and non compliance with owner's duties.

3. A Rental Permit shall not be issued or renewed upon the failure of dwelling unit or rooming unit to pass an initial or tri-annual inspection as required by subsection 11-107(A) and (B) of this Chapter.

B. NOTICE

Notification of the decision to deny or not renew an application for an initial or renewal of a Rental Permit shall be issued by the Codes Enforcement Division Manager or his/her designee within fifteen (15) working days of receipt of the application. The notification shall specify the reason for denial or refusal or renew an application for a Rental Permit citing the requirement therefor. Said notice shall be in accord with the requirements therefor of this Chapter.

C. RIGHT TO CURE

At the discretion of the Codes Enforcement Manager or his/her designee notification of the denial or nonrenewal of a Rental Permit may provide the owner an opportunity to cure the basis for the denial or nonrenewal. If said opportunity is provided, the notification must specify the time period provided for curing of the basis for the denial or refusal to renew a Rental Permit. Upon failure of the owner or local responsible agent to cure the basis for the denial within the time period given, the decision of the Codes

Enforcement Division Manager of his/her designee to deny or not renew a Rental Permit shall stand and the sole recourse shall be an appeal. Nothing in this section is to interpreted to override the requirements and right to resolve failure to pass inspection as required above as part of the initial and three year inspection process.

D. APPEAL

The denial of an initial or renewal application for a Rental Permit for the reasons set forth above may be appealed to the Housing Board of Appeals by submission of such a request with payment of the appropriate fee made in writing to the Manager of the Codes Enforcement Division within ten (10) days of receipt of notification of such denial.

§11-120 SUSPENSION OF RENTAL PERMIT

A. WARNING NOTICE REQUIRED PRIOR TO SUSPENSION OF RENTAL PERMIT

1. Prior to suspension of a rental license, the Code Official shall provide written notice of violation to the owner of any dwelling unit or rooming unit.

2. The written notice of violation shall inform the owner of the rental property, dwelling unit or rooming unit and the owner's responsible local agent that a written correction plan shall be submitted to the Code Official within five (5) days after receipt of the notice of violation. Failure to submit an acceptable correction plan will result in suspension of all applicable housing permits.

3. The notice of violation shall inform the owner of the rental property, dwelling unit or rooming unit that the owner may request an informal meeting with the Code Official to discuss the violations within five (5) days of the receipt of the notice of violations. Owners requesting a meeting may request that the owner's responsible local agent represent the owner and act on the owner's behalf.

4. This subsection shall be issued in conjunction with and not in lieu of the requisite notices of violations regarding under City of Reading Codes including but not limited to the Property Maintenance Code.

5. The notice of violation / warning and notice of suspension shall be served in accord with the Official Notice requirements set forth in this Chapter.

B. SUSPENSION PROCEDURES

1. The Code Official shall notify the owner of the suspension of a rental license for a dwelling unit or rooming unit by written notice sent by certified mail or delivered in person. The notice shall advise the owner of the property address of the dwelling unit or rooming unit, the effective dates of the suspension, the reason for the suspension, the effect of the suspension, penalties that can be imposed for violation of the suspension and appeal rights and procedures.

2. The Code Official shall set forth the effective date of the suspension in such manner so that suspension commences on the first day following expiration of the ten (10) days to file an appeal of the Code Official's determination.

3. No rental permit shall be renewed for six months for the first suspension and 12 months for each subsequent suspension within a five (5) year period beginning on the effective date of the suspension.

4. During the time a rental license is suspended, if any additional points accumulate against the dwelling unit or rooming unit, the rental license suspension may be extended up to an additional 12 months.

C. EFFECT OF SUSPENSION

Upon the commencement of suspension, the dwelling unit or rooming unit shall be secured by the owner, and no person, firm, or corporation shall operate or rent/lease to another for residential occupancy any dwelling unit or rooming unit during such time that the rental license for such unit is revoked. The transfer of the ownership of a rental property by an owner to an entity in which such owner holds an ownership or equity interest will not void the existing accumulated points relating to such rental property or void any existing suspension relating to such rental property.

D. DEFENSE

When tenants and/or occupants are culpable for violations resulting in a suspension notice, the owner may request reinstatement of the housing permit upon eviction of the tenants.

E. APPEAL PROCEDURE FOR SUSPENSION INITIATED BY THE CODE OFFICIAL

An appeal of a suspension of Rental Permit shall be made by submitting the appropriate fee and a request for an appeal to the Housing Board of Appeal in writing to the Manager of Codes Enforcement Division within (10) days of receipt of the Notice of Suspension.

F. OFFENSES

For purposes of this chapter, offenses are those as set forth, but not limited to the following ordinances or statutes:

1. Occupancy: Refers to regulations relating to occupancy of rooming units, dwelling units and dwellings as contained in Chapters 43 and 112 of the Codified Ordinances of the City of Reading .

2. Refuse: Refers to regulations relating to Garbage, Rubbish and Refuse, under the City of Reading Codified Ordinances including but not limited to the Property Maintenance Code, Health Code and Solid Waste and Recycling Ordinance.

3. Property maintenance (interior and exterior): Refers to regulations relating to City of Reading.

4. Sidewalks: Refers to regulations relating to snow and ice removal contained in the Streets and Sidewalks, Chapter 95 of the City of Reading Codified Ordinances.

5. Noise: Refers to regulations relating to Noise Disturbance, Chapter 73 of the City of Reading Codified Ordinances.

6. Vegetation: Refers to regulations relating to Brush, Grass and Weeds, per the City of Reading Codified Ordinances including but not limited to the Property Maintenance Code and Health Code.

7. Disorderly conduct: Refers to enforcement by the City of Reading Police Department of Section 5503, Crimes Code, Act of Dec. 6, 1972, P.L. 1482, No. 334, 18 Pa. C.S.A. § 5503.

8. Dogs: Refers to regulations relating to Animals and Health under Chapters ?? and ?? of the City of Reading Codified Ordinances.

9. Fire Prevention Code: Refers to regulations to the City of Reading Fire Prevention Code.

10. Zoning violations and related offenses.

11. Failure to appear in court and related offenses.

12. Any other offense that renders the dwelling, unit, or room inhabitable.

G. IMMEDIATE SUSPENSION

Placarding and condemning of a property per the City of Reading Property Maintenance Code shall result in immediate suspension of a Rental Permit. Notwithstanding any other provision of this Chapter, the permit shall be reinstated upon performance of an inspection, payment of the appropriate fee for removal of the placard per the Property Maintenance Code and submission with the appropriate fee and approval of an application for a Rental Permit.

H. SUSPENSION AND DISRUPTIVE CONDUCT

Nothing in this subchapter shall be interpreted to preclude enforcement under the Disruptive Conduct subchapter set forth herein.

I. REINSTATEMENT OF RENTAL PERMIT SUBSEQUENT TO SUSPENSION

To obtain reinstatement of a Rental Permit subsequent to a suspension and period therefor, an owner must resubmit an application and undergoing the process for an initial application including but not limited to an undergoing an inspection and payment of the appropriate fee.

§11-121 NOTICE, VIOLATION AND PENALTIES

A. NOTICE

1. Form. A notice of a violation shall be in accordance with all of the following:

- a. Be in writing.
- b. Include a description of the real estate sufficient for identification.
- c. Include a statement of the violation or violations and why the notice is being issued.
- d. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.
- e. Inform the property owner of the right to appeal.

2. Service. Service shall be accomplished when completed in the matter set forth in §11-???.

3. Applicability. The requirements of this subsection shall only apply to notices of violations under this Chapter and where requisite notice is not provided for.

B. VIOLATIONS

It shall be unlawful for any person, as either owner or local responsible agent of a rental dwelling unit or rooming unit for a Rental Permit is required to operate without a valid, current permit issued by the City of Reading authorizing such action. It shall also be unlawful for any person, either owner or local responsible agent, to allow the number of occupants of dwelling unit or rooming unit to exceed the maximum limit as set forth on the license or to violate any other provision of this Chapter. Further, it shall be unlawful for any occupant to violate this Chapter.

C. PROSECUTION OF VIOLATION.

If the notice of violation is not complied with, the Code Director, his designee or code official shall institute the appropriate proceeding at law or in equity, to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate. Notwithstanding the above, nothing will prevent the Code Director, his designee or code official from commencing a summary offense criminal action via the issuance of a non-traffic citation in accord with the Pennsylvania Rules of Criminal Procedures in the court of appropriate jurisdiction and the violation shall be deemed a strict liability offense.

D. PENALTIES

Any person who shall violate any provision of this Chapter, shall upon conviction thereof, be sentenced to pay a fine of not less than three hundred dollars (\$300.00) and not more than one thousand dollars (\$1000.00) plus costs and restitution. In default of payment of said fine and costs to a term of imprisonment of not more than ninety (90) days. Each day that violation of this Chapter continues or each Section of this Chapter which shall be found to have been violated shall constitute a separate offense.

E. NONEXCLUSIVE REMEDIES

The penalty provisions of this Section and the license nonrenewal, suspension and revocation procedures provided in this Chapter shall be independent, nonmutually exclusive separate remedies, all of which shall be available to the City of Reading as may be deemed appropriate for carrying out the purposes of this Chapter. The remedies and procedures provided in this Chapter for violation hereof are not intended to supplant or replace to any degree the remedies and procedures available to the city in the case of a violation of any other City of Reading Code or Codified Ordinances, whether or not such other code or ordinance is referenced in this Chapter and whether or not an ongoing violation of such other code or ordinance is cited as the underlying ground for a finding of a violation of this Part.

§11-122 DISRUPTIVE CONDUCT

A. INVESTIGATION AND REPORT OF DISRUPTIVE CONDUCT

Police officers or public officers shall investigate alleged incidents of disruptive conduct. They shall complete a disruptive conduct report upon a finding that the reported incident constitutes disruptive conduct as defined herein. The information filed in said report shall include, if possible, the identity of the alleged perpetrators of the disruptive conduct and all other obtainable information, including the factual basis for the disruptive conduct described on the prescribed form. A copy of the disruptive conduct report shall be given or mailed to the occupant and mailed to the owner and local responsible agent within ten (10) working days of the occurrence of the alleged disruptive conduct.

B. APPEALS

The occupant, owner or local responsible agent shall have ten (10) working days from the date of receipt of a disruptive conduct report to appeal the contents of said disruptive conduct report. The appeal shall be made in writing and submitted to the Manager of the Codes Enforcement Division. An appeal of the third disruptive conduct report within a 12-month period shall stop the eviction proceedings against the occupants until the appeal is resolved, only if the eviction proceedings were a direct result of the third disruptive conduct report.

C. EVICTION

After three (3) disruptive conduct incidents in any 12-month period by an occupant documented by disruptive conduct reports, the owner or local responsible agent shall have ten (10) working days from the date of his/her receiving the notice to begin eviction proceedings against the occupants. This paragraph is not intended to limit or inhibit the owner or local responsible agent's right to initiate eviction actions prior to the third disruptive conduct incident.

D. SUSPENSION OR REVOCATION OF RENTAL PERMIT

Failure of an owner or local responsible agent to take action required in subsection C above will result in the commencement of the process to suspend a Rental Permit per the process established herein, notwithstanding any other requirements therefor.

E. REINSTATEMENT OF RENTAL PERMIT

The rental unit involved shall not have its Rental Permit reinstated until the reinstatement fee is paid and the disruptive occupants have been evicted, the Housing Board of Appeals has ruled in the occupant's favor, the Housing Board of Appeals has ruled in the owner's favor but has not ordered the eviction of the

occupant(s), or the occupants have filed an appeal to a higher court thereby preventing their eviction. Notwithstanding this subsection, if there are points assessed against the owner per the provisions of this Ordinance which require suspension or revocation, a Rental Permit shall not be reinstated until compliance with the requirements therefore have occurred.

F. REOCCUPATION

The disruptive occupants, upon eviction, shall not re-occupy any rental unit on the same premises involved for a period of at least one (1) year from date of eviction.

G. REPORT AGAINST ALL OCCUPANTS

The content of the disruptive conduct report shall count against all occupants of the rental unit. The content of the disruptive conduct report shall not count against all occupants of the rental unit if the complaint is initiated by one of the rental unit occupants.

H. MAINTENANCE OF LIST OF EVICTED OCCUPANTS

The Codes Enforcement Office shall maintain a list of the names of all occupants evicted as a result of the preceding paragraph. The names shall remain on the list for a period of five (5) years.

I. APPEALS

Any person aggrieved by any decision of a police officer or public officer in regard to a disruptive conduct report or the revocation of a rental permit resulting therefrom may appeal to the Housing Board of Appeals. Such appeal must be filed with the appropriate fee with the Manager of the Codes Enforcement Division in writing, within ten (10) working days from the date of receipt of the Disruptive Conduct Report or notice of revocation.

§11-123 HOUSING BOARD OF APPEALS

A. APPEALS

Any person aggrieved by any decision of a police officer or public officer in regard to a disruptive conduct report or the suspension, nonrenewal, denial or revocation of a Rental Permit, may appeal to the Housing Board of Appeals. Such appeal must be filed, in writing, with the appropriate filing fee within ten (10) working days from the date of receipt of the disruptive conduct report or notice of revocation.

B. ORGANIZATION

1. MEMBERSHIP

The Disruptive Conduct Board of Appeals shall be a body of seven (7) members consisting of: the Managing Director or his/her designee who shall serve as Chairperson; a Councilperson, Codes Enforcement Division Manager or their designee; the Chief of Police or his/her designee; an owner or local responsible agent of a rental unit(s) in Reading; an occupant of a rental unit residing in the City of Reading; and a member of a community group recognized by the City of Reading.

2. ALTERNATES

There shall be three alternate members: an owner or local responsible agent, an occupant of a rental unit residing in the City of Reading and a member of a community group recognized by the City of Reading.

4. APPOINTMENT

All members of the Board shall be appointed by the Mayor with the advice and consent of the Council of the City of Reading, with the exception of the Council Member, who shall be appointed by the Council President.

4. TERM

A member or alternate member shall serve a term of not more than three (3) years from the time of appointment or reappointment or until his/her successor shall take office. Members and alternates of the initial board shall be appointed to staggered terms of 1, 2 and 3 years.

5. POWERS OF DESIGNEE AND ALTERNATES

Designees and alternate members may be requested to attend meetings in absence of a regular member and shall have all the powers of a regular member at such meetings.

6. QUORUM AND MAJORITY VOTE

Four (4) members shall constitute a quorum of the Board. A majority vote of the members of the quorum of the Board shall prevail. A tie vote shall be deemed as a denial of the appeal.

C. POWERS

The Board shall have the following powers:

1. PROMULGATE RULES AND REGULATIONS

To adopt and administer the rules of procedure regarding its organization, officers (except the Chairperson), times and places of meetings, conduct of meetings and other legal procedures relating to the hearing and determination of appeals and other matters within the Board's jurisdiction.

2. HEAR AND DECIDE APPEALS

To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the police officer or public officer in the enforcement of the provisions of this Chapter.

3. GRANT MODIFICATION OR VARIANCE

To modify any notice of violation or order and to authorize a variance from the terms of this Code when because of special circumstances, undue hardship would result from literal enforcement, and where such variance substantially complies with the spirit and intent of the Code.

4. GRANT EXTENSION OF TIME

To grant a reasonable extension of time for the compliance, as described in the City's Property Maintenance Code and other applicable sections of the City of Reading Codified Ordinances of any order where there is a demonstrated case of hardship and evidence of bona fide intent to comply within a reasonable time period.

5. TIMELINESS

In exercising the above-mentioned powers, the Board shall act with reasonable promptness and seek to prevent unwarranted

delays prejudicial to the party involved and to the public interest; provided, however, that the Board shall file its decision within ten (10) working days after the appeal hearing.

6. AUTHORITY

The Board may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as justice would require, and, to that end, shall have all the powers of the police officer or public officer; provided, however, that the Housing Board of Appeals, in its determination, shall be bound by this Chapter and shall not ignore the clear provisions and intent of this Chapter.

D. RECORDS OPEN TO INSPECTION

The disruptive conduct report and all records of all proceedings and the final disposition of the matter outlined in the appeal shall be public and available for inspection; provided, however, that the police officer or public officer may prescribe reasonable regulation regarding the time and manner of inspection.

E. AFFECT OF APPEALS

Any decision or order issued under, per and in accord with this Chapter shall be held in abeyance upon the timely filing of an appeal thereof with the Housing Board of Appeals or an appeal of a decision thereof to the Court of Common Pleas of Berks County. Said abeyance shall include but not be limited to revocation, suspension, denial or nonrenewal of a Rental Permit until the appeal is resolved. An appeal of the third disruptive conduct report within a twelve (12) month period shall stop the eviction proceedings against the occupants until the appeal is resolved, only if the eviction proceedings were a direct result of the third disruptive conduct report.

F. ENFORCEMENT UPON RESOLUTION OF APPEAL OF HOUSING BOARD

If this appeal is of a third disruptive conduct report and the decision of the police officer or public officer has been affirmed, and no appeal is pending, within ten (10) working days after the expiration of the time for filing an appeal has expired and time for compliance as required by the decision of the Housing Board of Appeals or Court of Common Pleas, the public officer shall

reinspect to determine compliance as to whether the occupant has voluntarily moved from the premises or the owner has initiated eviction proceedings.

If, when so required by a third disruptive conduct report, the occupant has not voluntarily moved or the owner has not initiated eviction proceedings, and there is no appeal pending, the time for filing an appeal and for compliance as required by the decision of the Board has expired, the public officer shall institute revocation of the rental permit per the provisions set forth in this Chapter.

G. FEE

The fee for filing of an Appeal to the Housing Board of Appeals shall be \$50. Failure to submit the appropriate fee with the request for an appeal shall result in automatic denial of the appeal.

§11-124 APPEAL TO COURT OF COMMON PLEAS

Any person, including the police officer or public officer for the City, aggrieved by any decision of the respective Board, may appeal to the Court of Common Pleas of Berks County. Such appeal shall be made by a duly verified petition in accord with the Pennsylvania Rules of Civil Procedure and shall set forth the factual and legal basis upon which the decision of the Board is alleged to be illegal, in whole or in part. Such petition shall be filed with the Court of Common Pleas and a notice thereof served upon all parties to the appeal before the Housing Board of Appeals, including the Board and City of Reading, within thirty (30) days after service of the decision.

§11-125 SHARE INFORMATION

The City of Reading Codes Enforcement Division is authorized to share any and all information obtained under this Code with other Departments and Divisions of the City of Reading.

ADDENDUM TO RENTAL AGREEMENT

This Addendum to Rental Agreement is made this day of _____, _____, 20__ and is incorporated into and shall be deemed to amend and supplement the Rental Agreement made by the undersigned Tenant and Landlord, their heirs, successors and assigns, dated _____. The Rental Agreement and

this Addendum pertain to the premises described in said agreement and located at

This Addendum is required by the Certification of Rental Units Ordinance of the City of Reading.

§11-126 COMPLIANCE WITH OTHER CITY OF READING ORDINANCES

Every owner of every dwelling, in addition to the provisions set forth herein, shall comply with the provisions (sections) of all other applicable City Ordinances, including but not limited to the International / City of Reading Building Code, Existing Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code, and Residential Code, Property Maintenance Code, Solid Waste and Recycling Ordinance, Health Code and Zoning Ordinance.

ADDITIONAL COVENANTS AND OBLIGATIONS

In addition to the covenants and obligations set forth in the aforementioned Rental Agreement, Tenant and Landlord hereby covenant and agree as follows:

A. Landlord's Covenants and Obligations:

1. Landlord shall keep and maintain the leased premises in compliance with all applicable Codes and Ordinances of the City of Reading and all applicable state laws and shall keep the leased premises in good and safe condition.

2. The local responsible agent for the leased premises shall be as follows:

Name

Address

Telephone Number

3. The Landlord shall be responsible for regularly performing all routine maintenance, including lawn mowing and ice and snow removal, and for making any and all necessary repairs in and around the leased premises, except for any specific tasks which the parties hereby agree shall be delegated to the Tenant and which are identified as follows:

4. The Landlord shall promptly respond to reasonable complaints and inquiries from the Tenant.

5. The Landlord shall comply with all applicable provisions of the Landlord/Tenant Act of the Commonwealth of Pennsylvania.

B. Tenant's Covenants and Obligations:

1. Tenant shall comply with all applicable Codes and Ordinances of the City of Reading and all applicable state laws.

2. Tenant agrees that the maximum number of persons permitted within the regulated rental unit at any time shall be five and the maximum number of persons permitted within the common areas of the leased premises at any time shall be five.

3. Tenant shall dispose of all rubbish, garbage and other waste from the leased premises in a clean and safe manner and shall separate and place for collection all recyclable materials in compliance with the City of Reading's Solid Waste and Recycling Ordinances.

4. Tenant shall not engage in any conduct on the leased premises which is declared illegal under the Pennsylvania Crimes Code or Liquor Code, or the Controlled Substance, Drug, Device and Cosmetic Act, nor shall Tenant permit others on the premises to engage in such conduct.

5. Tenant shall use and occupy the leased premises so as not to disturb the peaceful enjoyment of adjacent or nearby premises by others.

6. Tenant shall not cause, nor permit nor tolerate to be caused, damage to the leased premises, except for ordinary wear and tear.

7. Tenant shall not engage in, nor tolerate nor permit others on the leased premises to engage in "disruptive conduct" which is defined as "any form of conduct, action, incident or behavior perpetrated, caused or permitted by any occupant or visitor of a rental unit that is so loud, untimely (as to hour of the day), offensive, riotous or that otherwise disturbs other persons of reasonable sensibility in their peaceful enjoyment of their premises or causes damage to said premises, such that a report is made to a Police Officer and/or a Public Officer

complaining of such conduct, action, incident, or behavior. It is not necessary that such conduct, action, incident or behavior constitute a criminal offense, nor that criminal charges be filed against any person in order for said person to have perpetrated, caused or permitted the commission of disruptive conduct as defined herein. Provided, however, that no disruptive conduct shall be deemed to have occurred unless a Public Officer or a Police Officer shall investigate and make a determination that such did occur, and keep written records, including a Disruptive Conduct Report of such occurrence. The tenant and the owner, operator, responsible agent or manager shall be notified of any such occurrences in writing."

8. Tenant acknowledges and agrees that this tenancy is subject to the provisions of the Codified Ordinances of the City of Reading including but not limited to the Housing Ordinance/ Code, the Health Code, the Property Maintenance Code and the Solid Waste and Recycling Ordinances, and that the issuance by a Public Officer or Police Officer of the City of Reading of three disruptive conduct reports in any 12-month period relating to the leased premises shall constitute a breach of the rental agreement of which this addendum is a part. Upon such breach, Landlord shall have the right and option to pursue any and all of the following remedies:

- a. Termination of the rental agreement without prior notice; and
- b. Bring an action to recover possession of the leased premises without abatement of rents paid, including reasonable attorney's fees and costs; and
- c. Bring an action to recover the whole balance of the rent and charges due for the unexpired lease term, including reasonable attorney's fees and costs; and
- d. Bring an action for damages caused by Tenant's breach, including reasonable attorney's fees and costs.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

WITNESS

TENANT

WITNESS

TENANT

WITNESS

TENANT

WITNESS

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WITNESS

TENANT

WITNESS

TENANT

SECTION 2. The Disruptive Conduct Board of Appeals shall be renamed to the Housing Board of Appeals. The current members of the Disruptive Conduct Board of Appeals shall remain in place and their terms shall be calculated commencing on the initial date of their appointment to the prior Disruptive Conduct Board of Appeals

SECTION 3. All other provisions of the City of Reading Codified Ordinances non inconsistent herewith shall remain in full force and effect. All other provisions of the City of Reading Codified Ordinances inconsistent herewith are repealed as of the effective date of this Ordinance.

SECTION 4. If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 5. The headings of the Sections and subsections of this Ordinance are for guidance only and shall not be utilize to interpret the language of the Ordinance.

SECTION 6. This Ordinance shall become effective ten (10) days after its approval, in accordance with Section 221 of the City of Reading Home Rule Charter.

Enacted _____, 2007

Vaughn D. Spencer, President of Council

Attest:

City Clerk
Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

BILL NO. _____-2007

A N O R D I N A N C E

**AMENDING CHAPTER 20 PART 1 SOLID WASTE OF
THE CITY OF READING CODIFIED ORDINANCES**

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 20 Part 2 of the City of Reading Codified Ordinances is hereby amended as follows:

§20-104 (1)(B)(1) is amended to add the following:

(g) Owners of owner occupied single family or multi-family dwellings upto and including four units that elect not to participate in the City Curbside trash program, shall provide per the requirements hereunder a copy of a valid written contract, to the City, for rear-yard (where possible) trash collection serviced, with a licensed hauler.

§20-104 (1)(B)(2) is amended to add the following:

(g) Owners of multi-family dwellings which are either owner occupied or non-owner occupied with five units or more that elect not to participate in the City Curbside trash program, shall provide per the requirements hereunder a copy of a valid written contract, to the City, for rear-yard (where possible) trash collection serviced, with a licensed hauler.

§20-104(8)(A) Municipal Waste is amended to read as follows:

It shall be the responsibility of the owner/operator of all residential, owner occupied and non owner occupied, commercial, industrial or institutional properties and multifamily dwellings, owner occupied and non owner occupied, not on the City curbside trash removal program to submit the Solid Waste and Recycling Division of the Department of Public Works on a bi-annual basis, on or before February 1 and again on or before September 1 of each year evidence of a valid current agreement/contract with a licensed hauler including the collector's name, address and telephone number. This information shall also include the days and times of collection. The Department of Public Works must be notified in writing within 24 hours of such changes. Failure of the owner / operator of the aforesaid premises to submit the information as required herein shall subject the owner / operator to placement on the City curbside trash removal program. Placement on the City curbside trash removal program per the requirements hereof shall result in billing of the owner / operator for the cost thereof and responsibility for said bill. At the discretion of the Manager of the Solid Waste and Recycling Division a property may be removed from the City curbside trash removal program upon submission, though untimely, of evidence of a valid current agreement / contract with a license hauler for service of the subject property.

§20-104 is amended to add subsection 10 and to read as follows:

10. It shall be the responsibility of the owner / operator of every property in the City of Reading to ensure its compliance with the requirements of this Part including but not limited notifying the occupants of the requirements hereof and ensuring their compliance therewith and that a contract / agreement is undertaken by either a license hauler or per the City of Reading curbside trash removal program.

§20-107 Administrative Provisions is amended to read as follows:

1. **AUTHORIZED RETRIEVAL AND RESPONSIBILITY THEREFOR**

The City of Reading contractor for curbside trash removal is authorized to pick up, abate and/or remove violations of this Ordinance including but not limited to items not picked up by the property's contracted hauler, placement of bags for retrieval in excess of that permitted, dumping or items placed improperly. The City of Reading contractor for curbside trash removal shall obtain documentation of such violations and note the address thereof prior to retrieval of said violations. The contractor shall

report the violations, provide proof thereof and the fact of their retrieval to the Manager or his/her designee City of Reading Solid Waste Division and/or Code Official assigned to the area from the violation was retrieved. The contractor shall additionally issue a bill to the City of Reading for the retrieval of the violations noting the date and address of the same. The City of Reading shall then issue a bill to the owner of the property from where the violation was retrieved for the costs it incurred to abate the violation. The City of Reading's contractor's removal of the violation and issuance of the City of a bill therefor shall not be exclusive remedy for abatement of such violations. The City reserves the right to undertake any additional action for such violation including but not limited commencing any appropriate legal action to recover costs for the abatement and/or commencement of penalty proceedings as set forth herein.

2. PENALTY.

A. Any person or entity found to be in violation of any provision of this Part shall, upon first conviction, be fined not less than \$50 but not more than \$300 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. If costs for abatement are incurred by the City, restitution of 200 percent of the costs shall be awarded to the City in addition to any fines or other penalties awarded herein. Owner shall also be required to provide a receipt from a licensed trash hauler for 1 year of prepaid trash collection service.

B. Upon second or subsequent offenses occurring within 5 years of a first offense, fines shall be doubled, to a minimum fine of \$100 but not more than \$600 plus costs and, in default of payment of said fine and costs to a term of imprisonment not to exceed 30 days. If costs for abatement are incurred by the City, restitution of 200 percent of the costs shall be awarded to the City in addition to any fines or other penalties awarded herein. Owner shall also be required to go on the City trash collection system upon verification of second offense.

C. Every violator of the provisions of this Part shall be deemed guilty of a separate offense for each and every day such violation shall continue and shall be subject to the penalty imposed by this Section for each and every separate offense.

3. ENFORCEMENT

The City's Code Enforcement Division, Department of Public Works, the Police Department and any other City enforcement officers are authorized and directed to enforce this Part. The Director of the Department of Public Works is hereby authorized and directed to promulgate and establish reasonable rules and regulations for the collection, storage and disposal of solid waste in accordance with the terms herein and any other matters required to implement this Part. The City may change, modify, repeal or amend any portion of said rules and regulations at any time.

4. FORFEITURE AND SEIZURE

Any person or entity violating relevant provisions of this Part, including collection of trash outside of the zoned collection day, may be subject to forfeiture and seizure of property as set forth in 53 P.S. §4000.1715 and 25 Pa.Code §271.431.

5. CONTINUED RIGHT AND CITY CONTRACT

The issuance of a hauler's license does not grant a continued right to any collector to haul or collect municipal waste or recyclables in the City and the City reserves the right to contract for municipal waste and recycling services or to initiate the public collection of municipal waste and/or recyclables at any time.

SECTION 2: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended shall remain in full force and effect.

SECTION 3: If any section, subsection, sentence or clause of this ordinance is held, for any reason, to be invalid, such decision shall not affect the validity of the remaining portions of the Ordinance.

SECTION 4: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted _____, 2007

Council President

Attest:

City Clerk

Submitted to Mayor: _____

Date: _____

Received by the Mayor's Office: _____

Date: _____

Approved by Mayor: _____

Date: _____

Vetoed by Mayor: _____

Date: _____

RESOLUTION NO. _____

AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEARS 2006 FOR 123-125 NORTH 6TH STREET, READING, BERKS COUNTY, PENN-SYLVANIA.

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the years 2006 for 123 - 125 North 6th Street, Reading, Berks County, Pennsylvania, owned by the the Spanish Church of God, with an account number (PIN) of 07530783815043.

Passed Council _____, 2007

President of Council

Attest:

City Clerk

RESOLUTION NO. _____

AUTHORIZING THE EXONERATION OF OUTSTANDING CITY PROPERTY TAX, PENALTIES AND INTEREST FOR THE YEAR 2006 FOR 614 S. 15 ½ STREET, 632 S. 15 ½ STREET, 633 S. 15 ½ STREET AND 133 SCHUYLKILL AVENUE, READING, BERKS COUNTY, PENNSYLVANIA.

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

That the City of Reading, City Council does hereby authorize the exoneration of all outstanding City Property Tax, Penalties and Interest for the year 2006, for 614 S. 15 ½ Street, 632 S. 15 ½ Street, 633 S. 15 ½ Street and 133 Schuylkill Avenue, Reading, Berks County, Pennsylvania, owned by The Berks County Conservancy, with an account numbers (PIN) of 16531639374058, 16531639374041, 16531639364835, 16531639363711, and 06530773515401.

Passed Council _____,

2007

President of Council

Attest:

City Clerk

RESOLUTION NO. _____ 2007

**ELIMINATING THE REQUIRED MATCH IN FUNDS FOR THE FAÇADE PROJECTS
SCHEDULED FOR THE CENTRE PARK ARTIFACTS BANK AND THE OLIVETS
BUILDING**

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

That the City of Reading City Council does hereby eliminate the required matching fund contribution for the façade projects scheduled for the Centre Park Artifacts Bank on North 5th Street and the Olivet's Building on Perkiomen Avenue.

Adopted by Council _____, 2007

President of Council

Attest:

City Clerk

R E S O L U T I O N O. _____

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

That Dr. Eve Kimball is appointed to the Board of Health with a term
ending December 31, 2010.

Adopted by Council _____, 2007

Vaughn D. Spencer
President of Council

Attest:

Linda A. Kelleher
City Clerk

RESOLUTION NO. _____-2007

AUTHORIZING THE REALLOCATION OF SALARY, IN THE AMOUNT OF \$5,000.00 FROM THE CITY COUNCIL TEMPORARY WAGES LINE ITEM, TO THE PUBLIC PROPERTY TEMPORARY WAGES LINTE ITEM.

WHEREAS, Councilman Stratton Marmarou was elected to City Council on November 8th 2005 and took office January 2nd, 2006; and

WHEREAS, P.S. 53, Section 39361 prohibits a beneficiary serving in an elective office from receiving additional compensation from the entity which provides their pension; and

WHEREAS, Councilman Marmarou would like to see the amount budgeted for his salary used for the good of the City of Reading.

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

That the \$5,000.00 per year budgeted for the salary of Councilman Marmarou be transferred from City Council Temporary Wages, line item number 01-02-09-4016, to Public Property Temporary Wages, line item number 01-07-74-4016 . Furthermore

Council requests that the Administration use these funds to provide an appropriate raise to part time maintenance staff employed by the City of Reading.

Passed Council _____, 2007

President of Council

Attest:

City Clerk