BILL NO 28 -2010

AN ORDINANCE

ESTABLISHING A QUALITY OF LIFE VIOLATION TICKET PROCESS FOR VIOLATION OF SPECIFICALLY IDENTIFIED CITY CODE PROVISIONS BY AMENDING CHAPTER 5 – CODE ENFORCMENT OF THE CITY OF READING CODIFIED ORDINANCES BY ADDING A PART 14

THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

SECTION 1: Chapter 5 – Code Enforcement of the City of Reading Codified Ordinances is hereby amended to add a Part 14 per Exhibit A as attached hereto.

SECTION 2. The Property Maintenance/Codes Administrator is hereby authorized to promulgate rules and regulations to implement and supplement the provisions of this Ordinance. The Property Maintenance/Codes Administrator shall make the rules and regulations available for inspection during regular business hours.

SECTION 3: All ordinances, regulations and policies of the City of Reading in direct contrast to this Ordinance, including but not limited to provisions of Chapter 5 Code Enforcement Part 6 the City of Reading Property Maintenance Code, Chapter 6 Conduct Part 5 Littering and Advertising Material, Chapter 10 Health Code Part 1 Health Code, Part 4 Weeds, Part 5 Motor Vehicle Nuisances, Part 6 Indoor Furniture, Part 12 Food Code and Part 17 Sidewalk Vendor Chapter 20 Solid Waste Part1 Solid Waste, and Chapter 21 Streets and Sidewalks Part 2 Snow and Ice Removal relative to violations covered and set forth herein, are hereby repealed. Notwithstanding, nothing in this Ordinance shall preclude a public officer from issuing a notice of violation or citation if deemed appropriate.

SECTION 4: All relevant ordinances, regulations and policies of the City of Reading, Pennsylvania not amended per the attached shall remain in full force and effect.

SECTION 5: 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 6: This Ordinance shall become effective in ten (10) days, in accordance with Charter Section 219.

Enacted June 28, 2010

Council President

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Bill passed by the Council of the City of Reading, on the 28 day of June A. D. 2010. Witness my hand and seal of the said City this 29 day of June A. D. 2010.

CITY CLERK

Attest:

City Clerk

Submitted to Mayor:
Date: 6-28-10

Received by the Mayor's Office:
Date: 6/29/10

Approved by Mayor:
Date: 6/29/10

Vetoed by Mayor: _____
Date: _____

EXHIBIT A

§14-101 Purpose – Lack of maintenance of properties, littering, improper storage of trash and rubbish, storage of inoperable /non registered vehicles, vendor operations without permits and accumulation of snow and ice are costly problems that contribute to the deterioration of property values and general disorder in a community. These problems degrade the physical appearance of the City which reduced business and tax revenue inhibiting economic development. The quality of life and community pride of the citizens of Reading are negatively impacted by the occurrences and existence of these activities. Recognizing these are community problems, the purpose of this ordinance is to promote the health, safety and general welfare of the City by helping to create a clean environment for the citizens of Reading.

§14-102 – Definitions The following words, terms and phrases when used in this Part shall be defined as follows, unless context clearly indicates otherwise:

Authorized Litter Receptacle is a litter collection receptacle which is placed on the public right-of-way or on public property by the City for use by the public to deposit small quantities of hand-held trash, but not household or commercial waste

Debris - any material upon the premises that is a residue of structural demolition, or any other material that is not neatly stored, stacked or piled in such a manner so as not to create a nuisance or become a harboring place or food supply for insects and rodents

Dumping includes, but is not limited to, depositing of litter, depositing durable goods (refrigerators, washers, dryers, etc.) small appliances, furniture, carpets, tires, vehicles, vehicle parts and automotive products and other such municipal waste, hazardous waste, residual waste and construction or demolition debris on public or private property, except as authorized by Part 1131, Solid Waste Storage, Collection and Disposal.

Garbage. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Hazardous Waste means any waste material or a combination of solid, liquid, semisolid, or contained gaseous material that because of its quantity, concentration, physical, chemical, or infectious characteristics may:

a. Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; and

b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed.

Household Hazardous Waste (HHW) is waste which would be chemically or physically classified as a hazardous waste but is excluded from regulation as a hazardous waste because it is produced in quantities smaller than those regulated by the Pennsylvania Department of Environmental Protection, and because it is generated by persons not otherwise covered as hazardous waste generators by those regulations. Such HHW materials meet one of the following four classifications: Toxic; Flammable; Reactive; or Corrosive. HHW consists of numerous products that are common to the average household such as: Pesticides and herbicides, cleaners, automotive products, paints, and acids. (14262 §1 3/3/05)

Indoor Furniture - any and all pieces of furniture which are made for only inside use including, but not limited to, upholstered chairs and sofas, etc.

Junked Vehicle means any vehicle which presents a hazard or danger to the public or is a public nuisance by virtue of its state or condition of disrepair.

The following conditions, if present, are examples of a state or condition of disrepair:

(1) Rusted and/or jagged metal on or protruding from the body of the vehicle;
(2) Broken glass or windows on or in the vehicle;
(3) Leaking of any fluids from the vehicle or deflated or flat tire(s);
(4) Unsecured and/or unlocked doors, hood or trunk;
(5) Storage or placement of the vehicle in an unbalanced condition, on concrete blocks or other similar apparatus;
(6) Harboring of rodents, insects or other pests.

The foregoing examples are not inclusive of all conditions which may constitute a state or condition of disrepair. See also Motor Vehicle Nuisance.

Litter includes, but is not limited to, all waste material, garbage, trash, i.e. waste paper, tobacco products, wrappers, food or beverage containers, newspapers, etc., municipal waste, human waste, domestic animal waste, furniture or motor vehicle seats, vehicle parts, automotive products, shopping carts, construction or demolition material, recyclable material, dirt, mud and yard waste that has been abandoned or improperly discarded, deposited or disposed.

Local Responsible Agent means any person residing or working within the County of Berks designated to accept service on behalf of a legal owner or operator of a rental dwelling unit.

Mobile Vendor - a vendor or seller of food and/or goods from a vehicle or other conveyance upon the public streets or alleys of the City that does not typically remain stationary for more than approximately 10 minutes each hour.

Motor Vehicle - any type of mechanical device, capable or at one time capable of being propelled by a motor, in which persons or property may be transported upon public streets or highways, and including trailers or semi-trailers pulled thereby.

Motor Vehicle Nuisance – a motor vehicle with one or more of the following defects:

A. Broken windshields, mirrors or other glass, with sharp edges.

B. Broken headlamps, tail lamps, bumpers or grills with sharp edges.

C. Any body parts, truck, firewall or floorboards with sharp edges or large holes resulting from rust.

D. Protruding sharp objects from the chassis.

E. Missing doors, windows, hood, trunks or other body parts that could permit animal harborage.

F. One or more open tires or tubes which could permit animal harborage.

G. Any vehicle suspended by blocks, jacks or other such materials in a location which may pose a danger to the public property owners visitors or residents of the property on which said vehicle is found.

H. Any excessive fluids leaking from vehicle which may be harmful to the public or the environment.

I. Disassembled body or chassis parts stored in on or about the vehicle.

J. Vehicles that do not display a current valid license and registration.

K. Such other defects which the Fire Department determines to be a danger to the general public or property.

L. Motor vehicles parked, drifted or otherwise located which may interfere with flow of pedestrian or automobile traffic or impede emergency efforts.

Municipal waste means any garbage, refuse, industrial, lunchroom or office waste, and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation or residential, municipal, commercial, or institutional establishments or from community activities and which is not classified as residual waste or hazardous waste as defined herein. The term does not include source separated recyclable materials or organic waste.

Notice of violation is a written document issued to a person in violation of a city ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action.

Nuisance - any condition, structure or improvement which constitutes a danger or potential danger to the health, safety or welfare of citizens of the City or causes a blighting effect in City neighborhoods. See also Public Nuisance.

Person means every natural person, firm, corporation, partnership, association, or institution. (13008 §1 11/7/90)

Planter Strip is the non-concrete space in the sidewalk area filled with dirt and/or grass.

Private Property means any land and the improvements thereon owned by any person and includes front, side and rear yards; vacant lots, buildings and other structural improvement; walkways and alleyways; and parking areas, designed or used either wholly or in part for private residential, industrial or commercial purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

Public Officer means any police officer, authorized inspector, or public official designated by the Mayor to enforce the City Ordinances.

Public Nuisance means any condition or premises which is unsafe or unsanitary.

Public Right-of-Way means the total width of any land used, reserved or dedicated as a street, alley, driveway, sidewalk or utility easement, including curb and gutter areas.

Recyclable Material means material which would otherwise become municipal waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products. These materials are designated by the regulations promulgated under Chapter 20 Solid Waste Part 1 Solid Waste. Such materials may include, but not be limited to, aluminum cans, ferrous and bi-metal cans, glass containers, plastic bottles and containers, mixed paper, white goods, major appliances, televisions, tires and large auto parts.

Residual Waste means any discarded material or other waste including solid, semisolid or contained gaseous materials resulting from construction, industrial, mining, and agricultural operations excluding municipal water and sewer operations.

Rubbish. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

Shade Tree, unless otherwise specified, includes all trees, shrubs, and woody vegetation in the public right-of-way.

Sidewalk Area means the public right-of-way between the property line and the curbline or the established edge of the roadway.

Solid Waste - any waste including, but not limited to, municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials.

Storage - the containment of any municipal waste on a temporary basis in such a manner as not to constitute disposal as such waste, and it shall be presumed that the containment of any municipal waste in excess of 3 months constitutes disposal.

Tree Well is the non-concrete area surrounding a shade tree planted in a sidewalk area.

Vegetation is any planting that is cultivated and managed for edible or ornamental purposes such as vegetable gardens, trees, shrubs, hedges, flowers, etc.

Violation Ticket is a form issued by a police officer or public officer to a person who violates a provision of this Part. The violation ticket is an offer by the City of Reading extended to a person to settle a violation by paving the fine in lieu of a citation being issued against the violator.

Weeds shall be defined as all grasses, annual plants and vegetation, which meet any of the following criteria:

a. exceed six (6) inches in height,
b. exhale unpleasant noxious odors or pollen such as ragweed, dandelion and miscellaneous other vegetation commonly referred to as weeds or brush,
c. may conceal filthy deposits or serve as breeding places for mosquitoes, other insects or vermin,
d. may cause a public nuisance.

Weeds shall not include cultivated and managed vegetation planted for edible or ornamental purposes such as vegetable gardens, trees, shrubs, flowers, etc.

Yard. An open space on the same lot with a structure

§14-103 – Quality of Life Violations

QOL.001 Accumulation of rubbish or garbage – All exterior property and premises, and the interior of every structure, shall be free from any accumulation of waste, trash, rubbish or garbage.

QOL.002 Animal maintenance and waste/feces clean-up – People owning, harboring or keeping an animal within the City of Reading shall not permit any waste matter/feces from the animal to collect and remain on the property so as to cause or create an unhealthy, unsanitary, dangerous or offensive living condition. All waste from animals must be cleaned up on a daily basis.

QOL.003 Disposal of Rubbish or Garbage / Dumping – improper disposal of rubbish or garbage or dumping or disposing of rubbish or garbage on vacant, unoccupied, or other property

QOL.004 High weeds, grass or plant growth – All premises and exterior property shall be maintained free from weeds or plant growth in excess of 6 inches (152.4 mm). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation. Cultivated flowers, gardens, trees and shrubs shall not be included as a violation of this ordinance.

QOL.005 Littering or scattering rubbish – No person shall throw, dump, place, sweep or dispose of any waste, trash, garbage or rubbish upon any public sidewalk, alley, street, bridge, public passageway, public parking area or on any public property.

QOL.006 Motor Vehicles – It shall be unlawful to store, park or place any unregistered, un-inspected, inoperative,unlicensed or nuisance motor vehicle on any premises. No vehicle shall, at any time, be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

QOL.007 Operating a food cart illegally – It shall be unlawful to operate any food cart without the proper permits and/or inspections. It shall also be unlawful to operate any food cart while any portion of the cart is inoperable.

QOL.008 Operating or vending without the proper permit/license – It shall be unlawful for any person, business, partnership or entity to operate, including but not limited too any business, vending cart, store or establishment without the proper permits

QOL.009 Outside placement of indoor appliances/furniture – It is prohibited to store or place any/all appliances or furniture including but not limited to ranges, refrigerators, air conditioners, ovens, washers, dryers, microwaves, dishwashers, mattresses, recliners, sofas, interior chairs or interior tables on the exterior of any property for the purpose of sale or any other reason except for the temporary purpose to perform maintenance in said property.

QOL.010 Ownership presumption of waste, trash and/or recyclables for illegal dumping and illegal hauling – It shall be the responsibility of every owner and/or occupant to dispose of their waste, trash or recyclables in a proper manner. Any business or person who is unable to show proof that they have legally disposed of any waste, trash or recyclables, will be in violation of this ordinance. Should any person or business use an unlicensed hauler to dispose of their waste, trash or recyclables, said person or business shall be in violation of this ordinance. Upon request of the Property Maintenance/Codes Administrator or his/her designee, any owner or

occupant must show proof of their appropriate trash and/or recyclable hauler. Any Parts found within a municipal waste container, recycling container, garbage bag or loose trash/waste displaying the name and/or address of a person and/or persons, that trash or waste shall be presumed to be the property of such person and/or persons. It shall be unlawful for any person, business, partnership or entity to remove or haul waste, trash or recyclables without the proper approval or license. Any waste, trash or recyclables found not to be disposed of in accordance with this ordinance, will be a violation of this ordinance.

QOL.011 Placement or littering by private advertising matter – No person shall throw, place, sweep or dispose of litter or private advertising matter upon any public sidewalk, alley, street, bridge, public passageway, public parking area or any public property. No person, group, organization or entity will hang, place or advertise on any public property in any manner. No person, group, organization or entity will hang, place or advertise on any property that they do not have any ownership rights without written approval of said owner.

QOL.012 Snow and ice removal from sidewalks – Every owner, tenant, occupant, lessee, property agent or any other person who is responsible for any property within the City of Reading, is required to remove any snow or ice from their sidewalk. Any property located along Penn Street, Washington Street and/or Court Street or along Second (2nd) Street, Third (3rd) Street, Fourth (4th) Street, Fifth (5th) Street, Sixth (6th) Street, Seventh (7th) Street, Eighth (8th) Street and Ninth (9th) Street, between Penn Street and Washington Street, shall have all snow or ice removed within two (2) hours of the cessation of said snow and ice falling. Furthermore, the entire sidewalk must be free of all snow and ice in these areas. Any other property within the City of Reading shall have all snow and ice removed within four (4) hours of the cessation of said snow and ice falling and must create a path, free from any snow or ice, of three (3) feet on said sidewalk. Should any property be a place of business within the City of Reading, all snow and ice must be removed within two (2) hours of the cessation of said snow and ice falling. Any property deemed a business; the entire sidewalk must be free from any snow and ice. If/when the snow and/or ice cessation happens during the hours of darkness, the time limit of removal of all snow and ice begins at daybreak.

QOL.013 Storage containers for waste or trash – The owner of every premise shall supply approved containers for waste/trash as well as be responsible for the removal of rubbish. All containers that store waste or trash shall be durable, water tight and made of metal or plastic. Containers must have tight fitting covers and must be kept clean and odor free at all times. All containers must be stored in the rear of every property so said containers are not visible from the public right-of-way. Waste/trash containers may only be placed in front of any property when darkness occurs the night before the day of the scheduled pick-up day. Once the licensed hauler removes the waste/trash from any property, all containers must be returned to the rear of any property before daybreak on the day following pick-up. (Example – Jim Smith's trash collection day is Wednesday. Jim Smith may place his trash containers out front of his property on Tuesday night, once night falls. Jim Smith must place his trash containers in the rear of his yard before daybreak, on Thursday morning.)

QOL.014 Storing or discarding of appliances – Refrigerators and similar equipment including but not limited too washers, dryers, dishwashers and ranges not in operation shall not be discarded, stored or abandoned on any premises without first removing the doors.

QOL.015 Storing of hazardous material – It shall be unlawful for any person, business or entity to store combustible, flammable, explosive or other hazardous materials, including but not limited too paints, volatile oils and cleaning fluids or combustible rubbish including but not limited too wastepaper, boxes or rags unless the storage of said materials is stored in compliance with the applicable Building Codes.

QOL.016 Storing of recyclables – It shall be the responsibility of the owner of all residential, commercial and industrial property to ensure storage, collection and disposal of all recyclables from their property in such a manner not to create a public nuisance. Storage of recyclables is only prohibited in approved containers which must be kept clean and sanitary at all times.

QOL.017 Storing or serving of potentially hazardous food – No person, business, partnership or entity shall store or serve potentially hazardous food. Including but not limited too out of date food, food being stored above or below the appropriate temperature, food being stored directly on a flooring surface, infestation problems at the location or serving food that had previously been open are considered a violation of this ordinance.

QOL.018 Swimming pools – Swimming pools shall be maintained in good repair at all times. They shall also be kept clean, safe, covered and sanitary as well.

QOL.019 Violating the terms of any vending license – It shall be unlawful to violate any term, part, portion or in total, any vending license. Any person, business, partnership or entity violating their vending license, shall be in violation of this ordinance.

§14-104 Authority for Issuance of Violation Ticket – Upon finding a Quality of Life Violation any City of Reading Property Maintenance Inspector appointed by the Property Maintenance/Codes Administrator of the City of Reading, may issue Quality of Life Violation Tickets to the owner and/or occupant of the property at issue or to the individual known to have violated this ordinance.

§14-105 Enforcement

A. The provisions of this Part shall be enforced by police officers, or any other public officer authorized to enforce ordinances.

B. Any violation of the provisions of this Part may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the violator.

§14-106 Service A violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record.

§14-107 Separate Offense – Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

§14-108 Regulations – The Property Maintenance/Codes Administrator is hereby authorized to promulgate rules and regulations to implement and supplement the provisions of this Ordinance.

§14-109 Abatement of Violation – Any person or business violating this ordinance is hereby directed to satisfy the City of Reading and its citizens, upon issuance of a Quality of Life Ticket, by correcting the violation in question. A public officer is authorized and empowered to cause a violation to be corrected. The cost shall be determined by the Administrator of the Property Maintenance Division or designee in order that the City shall be compensated for both direct and indirect costs and expenses incurred.

The City of Reading and/or their contractor, per the direction of the city, reserves the right to abate the violation in question at the expense of the owner. If the City has effected the abatement of the violation, the cost thereof may be charged to the owner of the property, tenant or offending party. A bill/invoice will be generated to the violator for payment separate from the Quality of Life Ticket which will also be paid separately.

In all instances where the City abates the violation, in addition to the fine set forth in the Quality of Life Ticket, the City is authorized to recover from the offending party, the owner of the property, or tenant the abatement charges and such other charges established by the Property Maintenance/Codes Administrator in the rules and regulations.

City of Reading Cleanup – The city reserves the right to perform any necessary work to abate any violation once seventy-two (72) hours passes from the date of issuance of the Quality of Life Ticket. Should the violation at the discretion of the Property Maintenance/Codes Administrator and/or his or her designee present imminent danger and/or pose a health hazard and/or risk, the city reserves the right to perform the abatement immediately. The city will perform this work at a rate of $60.00 per hour per man and forward the cost of any material necessary for the abatement. The city reserves the right to charge an additional twenty percent (20%) on all material purchases to cover all miscellaneous expenses such as wear and tear on equipment.

Contractor Cleanup – The city reserves the right to direct a contractor to perform the abatement of the violation in question once seventy-two (72) hours passes from the date of issuance of the Quality of Life Ticket. Should the violation present imminent danger and/or pose a health hazard and/or risk, the city reserves the right to direct the contractor to perform the abatement immediately. The contractor will submit a bill for their work to the City of Reading and the city will forward these costs to the violator. The city reserves the right to add a thirty percent (30%) processing fee in addition to the cost of the contractor.

§14-110 FINES AND PENALTIES

A. Violation Ticket Fines

1. For the first of a violation of this Part within a twelve (12) month period, violation tickets shall be issued in the amounts of Twenty-five Dollars ($25) or Fifty Dollars ($50) as set forth on the chart below.

2. For the second offense of a violation of this Part within a twelve (12) month period, violation tickets shall be issued in the amounts of Fifty Dollars ($50) or One Hundred Dollars ($100) Dollars as set forth on the chart below.

3. For the third offense of a violation of this Part within a twelve (12) month period, violation tickets shall be issued in the amounts of One Hundred Dollars ($150) Dollars or Two Hundred and Fifty Dollars ($250) as set forth on the chart below.

4. For each offense subsequent to three offenses of this Part within a twelve (12) month period, amounts of violation tickets shall increase in the amount of One Hundred Fifty Dollars ($150) or Two Hundred Fifty Dollars ($250) accumulative for each subsequent offense.

5. Any persons who receives a violation ticket for any violation of this Part, except, may within fifteen (15) days, admit the violation, waive a hearing and pay the fine in full satisfaction.

6. Any person who violating this Part shall pay a fine as set forth herein for each offense plus all direct and indirect costs incurred by the City for the clean up and abatement of the violation.

Violation number for Quality of Life Ticket Ordinance	Brief description of violations for Quality of Life Ticket Ordinance	Fine 1	Fine 2	Fine for every instance over 2
QOL – 001	Accumulation of rubbish or garbage	$25.00	$50.00	$100.00
QOL – 002	Animal maintenance and waste/feces clean-up	$25.00	$50.00	$100.00
QOL – 003	Disposal of rubbish or garbage / Dumpint	$25.00	$50.00	$100.00
QOL – 004	High weeds, grass or plant growth	$25.00	$50.00	$100.00
QOL – 005	Littering or scattering rubbish	$25.00	$50.00	$100.00
QOL – 006	Motor vehicles	$25.00	$50.00	$100.00
QOL – 007	Operating a food cart illegally	$25.00	$50.00	$100.00
QOL – 008	Operating or vending without the proper permit/license	$25.00	$50.00	$100.00
QOL – 009	Outside placement of indoor appliances/furniture	$25.00	$50.00	$100.00
QOL – 010	Ownership presumption of waste, trash and/or recyclables for illegal dumping and illegal hauling	$50.00	$100.00	$250.00
QOL – 011	Placement or littering by private advertising matter	$25.00	$50.00	$100.00
QOL – 012	Snow and ice removal from sidewalks	$25.00	$50.00	$100.00
QOL – 013	Storing containers for waste or trash	$25.00	$50.00	$100.00
QOL – 014	Storing or discarding of appliances	$25.00	$50.00	$100.00
QOL – 015	Storing of hazardous material	$50.00	$100.00	$250.00
QOL – 016	Storing of recyclables	$25.00	$50.00	$100.00
QOL – 017	Storing or serving of potentially hazardous food	$50.00	$100.00	$250.00
QOL – 018	Swimming pools	$25.00	$50.00	$100.00
QOL – 019	Violating the terms of any vending license	$25.00	$50.00	$100.00

B. Violation Ticket Penalties

1. If the person in receipt of a twenty-five dollar ($25) dollar violation ticket does not pay the fine or request a hearing within fifteen (15) days, the person will be subject to a ten ($10) dollar penalty for days sixteen (16) through thirty (30).

2. If the person in receipt of a one hundred dollar ($100) dollar violation ticket does not pay the fine or request a hearing within fifteen (15) days, the person will be subject to a twenty-five ($25) dollar penalty for days sixteen (16) through thirty (30)..

3. If the person in receipt of a One Hundred Dollar ($150) Dollar or Two Hundred and Fifty Dollar ($250) or higher violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a Fifty ($50) Dollar penalty for days sixteen (16) through thirty (30)..

4. Failure of the person to make payment or request a hearing within thirty (30) days of a violation ticket shall make the person subject to a citation for failure to pay.

5. If violations continuous or egregious, code official has right to issue citation without first issuing ticket provided notice has been given. Upon issuance of four (4) tickets for

same violation, right is reserved for code official to issue citation for fifth and subsequent offenses.

C. Citation Fines

Any person, firm or corporation who shall fail, neglect or refuse to comply with any of the terms or provisions of this Part, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction, be ordered to pay a fine not less than One Hundred ($100) Dollars, not more than One Thousand ($1,000) Dollars on each offense or imprisoned no more than ninety (90) days, or both.

D. Restitution

The Magisterial District Judge may order the violator to make restitution to said real or personal property owner.

§14-111 APPEAL – A person in receipt of a violation ticket may appeal to the Property Maintenance / Codes Administrator by filing a request in writing within fifteen (15) calendar days of date of the violation ticket.

In order for an appeal to be deemed valid and a hearing date/time to be set, the following must be performed by the alleged violator requesting the appeal within fifteen (15) calendar days

1. All paperwork, including the appropriate appeal form, for the appeal must be submitted and complete within fifteen (15) calendar days that the Quality of Life Ticket was issued.
2. Payment of the fine must be in full which will be refunded within thirty (30) calendar days should the alleged violator win their appeal.

The appeal hearing will be before the Property Maintenance/Codes Administrator or his/her designee. The Administrator or his/her designee may uphold the appeal, deny the appeal, or may modify the violation ticket and/or any associated costs, fines or penalty amounts as he/she sees appropriate.

§14-112 Nonexclusive Remedies. The penalty and collection provisions of this Section 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 Part. The remedies and procedures provided in this Part 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 CodifiedOrdinances, whether or not such other code or ordinance is referenced in this Part 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.

§14-113 Severability If any provision, paragraph, word, section or subsection of this Part is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect.