

Julio Guridy, President
Ray O'Connell, Vice President
Joseph Davis
Jeanette Eichenwald
Daryl Hendricks
Cynthia Y. Mota
Peter Schweyer



Allentown City Council
435 Hamilton Street
Allentown, Pa. 18101
AllentownPa.Gov

Facebook: Allentown City Council

COUNCIL MEETING
April 16, 2014
COUNCIL CHAMBERS

PARK AND RECREATION – 6:00 PM

Bill 12 Pool Rate

Amending Article 400.05, of the Department of Parks & Recreation Fees by adopting a new fee schedule for daily admission and season pass fees, and adopting new categories for the same for the city's four public swimming pools.

COUNCIL MEETING – 7:00 PM

1. **Invocation:** Rev. Dr. K. E. Holmes, Founder and Pastor, Deliverance International
2. **Pledge to the Flag**
3. **Roll Call**
4. **Courtesy of the Floor**
5. **Approval of Minutes:** March 19, 2014 and April 2, 2014
6. **Old Business**
7. **Communications**

8. REPORTS FROM COMMITTEES:

Budget and Finance: Chairperson Schweyer

Public Safety: Chairperson Eichenwald

Community and Economic Development: Chairperson Davis

Parks and Recreation: Chairperson Mota

Public Works: Chairperson O'Connell

Human Resources, Administration and Appointments: Chairperson Hendricks

Rules, Chambers, Intergovernmental Relations and Strategy: Chairperson Guridy

OTHER COMMITTEE REPORTS

Controller's Report

Managing Director's Report

9. APPOINTMENTS:

Richard A Malozi Recreation Board Appointment 1/3/2016

10. ORDINANCES FOR FINAL PASSAGE:

Bill 13 Parking Regulations

Amends Traffic Regulations by, changing enforcement hours to run Monday through Saturday from 8 am to 9 pm, expanding acceptable forms of payments, modifying the notice of violations provisions, and changing the fine for the parking of inoperable or illegally registered vehicles.

Bill 5 Capital Funding Allocation

Amending the 2014 Capital Project Fund Budget to provide for a supplemental appropriation of Five Million Dollars (\$5,000,000) from the proceeds of the water/sewer lease project to various capital projects across the City

Bill 9 Reprogram Certain funds

Amending the Consolidated Plan One Year Action Plan for the Thirty-Fifth, Thirty-Sixth, Thirty-Seventh and Thirty-Eighth years of the Community Development Block Grant Program (CDBG) which re-programs Forty-Six Thousand Six Hundred Forty-Five (\$46,645) Dollars of unexpended funds

Bill 10 CDBG Accounts

Providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1974, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

Bill 11 Rental Rehabilitation

An Ordinance providing for the expenditure of certain monies received by the City of Allentown from the repayment of loans made through the Rental Rehabilitation Program.

Bill 12 Pool Rates

Amending Article 400.05, of the Department of Parks & Recreation Fees by adopting a new fee schedule for daily admission and season pass fees, and adopting new categories for the same for the city's four public swimming pools.

Bill 14 Storm Expenditures

Amending the 2014 Liquid Fuels Fund, the 2014 General Fund, the 2014 Trexler Fund, the 2014 Golf Fund and the 2014 Solid Waste Fund by appropriating funds from the unappropriated balances for partial restoration of the following accounts: premium pay, shift differential, repairs and maintenance, contracted services, repair and maintenance supplies, rentals, operating and materials and supplies due to unprecedented amount of expenditures for snow removal, plowing, materials and salting for the recent storms.

11. ORDINANCES FOR INTRODUCTION:**Bill 15 Public Art Ordinance**

Amending Title Eleven of the Codified Ordinances of the City of Allentown, Pennsylvania, relating to AUTHORITIES, BOARDS AND COMMISSIONS, by enacting a new Article 180 creating the Allentown Public Art Committee and setting forth its powers and duties.

Bill 16 Parking Authority Extension

Extending and ratifying the previously authorized and organized Allentown Parking Authority as established under the Act of 1947, June 5, P.L. 458, as amended, including all powers necessary or convenient for the administration; supervision and enforcement of an efficient system of off-street and on-street parking; and further, providing for the delegation to the Allentown Parking Authority of certain municipal functions relating to off-street and on-street parking, under certain terms and conditions.

12. CONSENT AGENDA:**CA-1 HARB**

Certificates of Appropriateness for works at 343 and 345 N. 9th Street; and 38 N. 16th Street

13. RESOLUTIONS ON SECOND READING:

R 10 Action Plan

Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development.

R8 American Citizens Slavonic Society of Allentown, Inc. (Tony's Pizza) Approval

Approves or Disapproves the Intermunicipal Transfer of Lower Milford Township Fire Company #1, 1601 Limeport Pike, Coopersburg, PA 18036 License CC-05168 to 1157 Union Boulevard, Allentown, PA 18109

14. RESOLUTIONS ON FIRST READING:

R11 Police Appointment

Police Officer Appointment

16. GOOD AND WELFARE

17. ADJOURNED

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 13 - 2014

April 2, 2014

AN ORDINANCE

Amends Traffic Regulations by, changing enforcement hours to run Monday through Saturday from 8 am to 9 pm, expanding acceptable forms of payments, modifying the notice of violations provisions, and changing the fine for the parking of inoperable or illegally registered vehicles.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Article 531, Stopping, Standing, and Parking be amended to read as follows:

531.01 PARKING IN PROHIBITED AREAS

When signs are erected lawfully giving notice thereof, no person shall park a vehicle at any time upon any of the streets or parts of streets designated as prohibited parking areas by the Traffic Control Maps, or by temporary regulations in conformity with Article 505. (9898 §10 9/18/62)

531.02 PARKING LIMITED IN DESIGNATED AREAS

When signs are erected lawfully giving notice thereof, no person shall park a vehicle longer than the time permitted upon any street or parts of streets designated as limited parking areas by the Traffic Control Maps, or by temporary regulations in conformity with Article 505. (9898 §10 9/18/62; 14701 §1 4/6/09)

531.03 PARKING PROHIBITED IN SPECIFIC AREAS

No person shall park a vehicle or tractor or permit it to stand, whether attended or unattended, upon a highway or in any of the following places:

- A. Within an intersection
- B. On a crosswalk
- C. Between a safety zone and the adjacent curb or within thirty (30') feet of points on the curb immediately opposite the ends of a safety zone, unless local officials shall indicate a different length by signs or markings.
- D. Within twenty-five (25') feet from the intersection of curb lines or, if none, then within fifteen (15') feet of the intersection of property lines at an intersection of highways.
- E. Within thirty (30') feet upon the approach to any official flashing signal, stop sign or traffic signal located at the side of the roadway.
- F. Within fifteen (15') feet of the driveway entrance to any fire station.
- G. Within fifteen (15') feet of a fire hydrant
- H. On a sidewalk

I. In front of a private driveway or alongside any street or highway excavation or obstruction, or opposite the same, unless a clear and unobstructed width of not less than twenty (20') feet upon the main traveled portion of the street or highway shall be left free for passage of other vehicles thereon. (9898 §10 9/18/62)

J. In the lane ordinarily used by moving traffic or on the roadway side of any vehicle stopped or parked at the curb or edge of the highway. (10657 §2 3/23/65)

K. At any place where official signs have been erected prohibiting standing and parking.

L. Within fifty (50') feet of the nearest rail or railway crossing.

M. Except when necessary in obedience to traffic regulations or traffic signs or signals or where angle parking is permitted, the operator of a vehicle shall not stop, stand or park such vehicle on the highway within a business or residence district other than parallel with the edge of the highway, headed in the direction of authorized traffic movement and with the right hand wheels on a two (2) way highway or the curb side wheels on a one way highway within six (6") inches of the edge of the highway or curb. Vehicles which, because of the type or construction, cannot load or unload parallel to the curb, shall be exempt, while loading or unloading only, from the requirements of standing parallel to the curb. (9898 §10 9/18/62; 14702 §1 4/6/09)

N. At any place where official signs have been erected prohibiting parking pursuant to any declared emergency under the provisions of this article. (11120 §1 2/28/67)

531.04 BLOCKING GARAGE ENTRANCE

No person shall park a vehicle at any time in front of, opposite to, or in such a position as to block entrance to or exit by a vehicle from a garage or driveway. The only exception to this is on streets with widths of twenty (20') feet or more where said vehicle is able to park on an apron to a garage and it is able to be more than fifty (50%) percent off the roadway, and it is not parked on a sidewalk. (9898 §10 9/18/62; 13387 §1 3/25/96; 14061 §1 2/21/03)

531.05 GREASING OR REPAIR WORK

No vehicle shall stand on any street or sidewalk for the purpose of greasing or repair work except in case of emergency repairs. (9898 §10 9/18/62; 13389 §1 3/25/96)

531.06 DISPLAYING OR ADVERTISING VEHICLES FOR SALE

No vehicle shall be displayed or advertised for sale while parked upon any street. (9898 §10 9/18/62)

531.07 PARKING TRUCK AND TRAILERS

No truck trailer or trailer shall be parked upon any street without having attached thereto a means of mechanical traction constructed or designed for the purpose of pulling or drawing such trailer. (9898 §10 9/18/62)

531.08 STORAGE OF VEHICLES ON STREETS

No vehicle shall be stored upon any street. As used herein, "stored" shall mean the parking of a vehicle in one place upon any street continuously for over seventy-two (72) hours. (9898 §10 9/18/62)

531.09 PARKING OF INOPERABLE OR ILLEGALLY REGISTERED VEHICLES

A. No person shall park or leave on the streets, highway or public property of the City any mechanically inoperable vehicles or vehicles without current registration plates. (9610 §9 9/26/61)

B. No person shall park or leave on the streets, highways or public property of the City any vehicle without a current inspection sticker unless the vehicle is legally parked in front of, or in close proximity to, an official Pennsylvania State Inspection Station which identifies said vehicle by work order specifying a state inspection will be performed within twenty-four (24) hours. Additional work orders beyond the initial twenty-four (24) hour period are prohibited. (13035 §1 3/6/91)

531.10 PARKING PROHIBITED ON PRIVATE PROPERTY

A. No person shall park or leave unattended a vehicle on private property without the consent of the owner or other person in control or possession of the property, except in the case of emergency or disablement of the vehicle, in which case the operator, within twenty-four hours, must show proof of the emergency and disablement and remove the vehicle from the private property. (13036 §1 3/6/91)

B. The provisions of this section shall not apply to private parking lots unless such lots are posted to notify the public of any parking restrictions, and the operator of the vehicle violates such posted restrictions. For the purpose of this section, "private parking lot" means a parking lot open to the public or used for parking without charge; or a parking lot used for parking with a charge. The City hereby adopts the regulations promulgated by the Pennsylvania Department of Transportation which

defines posting for public notice pursuant to 75 PA Consolidated Statutes Annotated §3353 (b)2 and any amended or successor statute(s). (13036 §1 3/6/91)

531.11 PARKING PROHIBITED AT HANDICAPPED AREAS

No person shall park or leave unattended a vehicle at any place specifically reserved for handicapped parking, unless the parked vehicle has a state issued plate or placard (displayed in a conspicuous manner) for a handicapped person or severely disabled veteran, and is being used in the immediate service of a handicapped person or severely disabled veteran.

For the purpose of this section, a reserved handicapped parking place must be indicated by a PennDOT approved sign with universally accepted handicapped symbols. Each sign must indicate that a state issued placard or plate must be displayed at all times while parking in the space. (13194 §1 4/21/93)

531.12 PARKING, STOPPING, STANDING OR DRAFTING PROHIBITED IN A LOADING ZONE OR FIVE MINUTE ZONE

No person shall allow a vehicle to be parked, stopped, standing or drifted to conceal an officer's chalk mark without loading activity for more than twenty (20) minutes in a marked Loading Zone or more than five (5) minutes in a Five Minute Zone. (13389 §1 3/25/96)

531.13 WASHING VEHICLES ON STREETS AND SIDEWALKS

No vehicle shall stand on any street or sidewalk for the purpose of washing. (13389 §1 3/25/96)

531.99 NOTICE OF VIOLATION; WAIVER

Any police officer or duly authorized Parking Authority employee shall issue a violation notice to any vehicle ~~place on motor vehicles/conveyances~~ parked in violation of the provisions of the following sections, including a notice for the owner or operator to report to such place as may be designated by the Parking Authority in regard to the violation. (12659 §1 6/5/85)

A. For violation of Sections 531.02, Parking Limited in Designated Areas and ~~531.09, Parking of Inoperable or Illegally Registered Vehicles~~, the owner or operator within ten (10) days of the time when such violation was alleged ~~notice was attached to his motor vehicle/conveyance~~, pay as a penalty and in full satisfaction of each violation, the sum of Fifteen (\$15) Dollars, and after ten (10) days, but within Twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (12659 §1 6/5/85; 13069 §1 8/8/91; 13227 §1 12/1/93; 13389 §1 3/25/96; 13901 §2 4/19/01)

B. For violation of Article 531.03, Parking Prohibited in a Lane Ordinarily used by moving traffic or on the roadway side of any vehicle stopped or parked at the curb or edge of the highway, and 531.10, Parking Prohibited on Private Property, the owner or operator within ten (10) days of the time when such violation was alleged ~~notice was attached to his motor vehicle/conveyance~~, pay as a penalty and in full satisfaction of each violation, the sum of Thirty-five (\$35) Dollars, and after ten (10) days, but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. (12659 §1 6/5/85; 13069 §1 3/25/96; 13901 §1 4/19/01; 14025 §1 10/4/02; 14059 §1 2/21/03)

C. Violation of Section 531.03 J, Parking Prohibited (Double Parking) (15009 §1 8/15/12)

1. For violation of Section 531.03 (J), Parking Prohibited in a lane ordinarily used by moving traffic or on the roadway side of any vehicle stopped or parked at the curb or edge of the highway, the owner or operator, within ten (10) days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation, the sum of One Hundred (\$100) dollars, after ten (10) days, but within twenty (20) days of the violation, the sum of One Hundred Fifty (\$150) Dollars. On the second violation offense, the owner or operator, within ten (10) days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation, the sum of Two Hundred (\$200) dollars, after ten (10) days, but within twenty (20) days of the violation, the sum of Two Hundred Fifty (\$250) Dollars. On the third and subsequent violation offense, the owner or operator, within ten (10) days of the time when such notice was issued, pay as a penalty and in full satisfaction of each violation, the sum of Three Hundred (\$300) dollars, after ten (10) days, but within twenty (20) days of the violation, the sum of Three Hundred Fifty (\$350) Dollars. (15009 §1 8/15/12)

2. Lazy Parker Provision: If the violator of Section 531 J, is adjacent to an open space within ten feet of an available parking space, an additional \$100 shall be added to the penalty (14059 §1 2/21/03; 14490 §1 6/8/07; 14787 § 03/03/10' 15009 § 1 8/15/12)

D. For violation of Section 531.05, Greasing or Repair Work, the owner or operator, within ten (10) days of the time when such violation was alleged ~~notice was attached to the motor vehicle/conveyance~~, pay as a penalty, Fifty (\$50) Dollars and after ten (10) days, but within twenty (20) days of violation, the sum of One Hundred (\$100) Dollars. (13389 §1 3/25/96)

E. For violation of Section 531.11, Parking Prohibited at Handicapped Areas, the owner or operator, within ten (10) days of the time when such violation was alleged ~~notice was attached to his motor vehicle/conveyance~~, pay as a penalty in full

satisfaction of each violation, the sum of Fifty (\$50) Dollars and after ten (10) days, but within twenty (20) days of violation, the sum of One Hundred (\$100) Dollars. (13194 §1 4/21/93; 13389 §1 3/25/96; 13902 §3 4/19/01)

F. For violation of any other provision of this article, the owner or operator may, within ten (10) days of the time when such ~~violation was alleged notice was attached to his motor vehicle/conveyance~~, pay as a penalty the sum of Fifteen (\$15) Dollars after ten (10) days but within twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (13069 §1 8/8/91; 13194 §2 12/1/93; 13901 §2 4/19/01)

G. For violation of Section 531.12, Parking, Stopping, Standing or Drifting Prohibited in a Loading Zone or Five Minute Zone, the vehicle is subject to immediate towing and/or a notice placed on the vehicle. The owner or operator, within ten (10) days of the time when such ~~violation was alleged notice was attached to his motor vehicle/conveyance~~, will pay as a penalty, the sum of Fifteen (\$15) Dollars and after ten (10) days, but within twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (13069 §1 5/15/91; 13194 §1 4/21/93; 13389 §1 3/25/96; 13901 §2 4/19/01)

H. In all cases, failure of the owner or operator to make payment after twenty (20) days, shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars, and default of payment of fine and costs, imprisoned not more than ten (10) days. (13069 §1 5/15/91; 13194 §1 4/21/93; 13389 §1 3/25/96; 13901 §24/19/01)

I. For violation of Section 531.08, Storage of Vehicles on Street, the owner or operator may, within ten (10) days of the time when such ~~violation was alleged notice was attached to his motor vehicle/conveyance~~, pay as a penalty the sum of Thirty-five (\$35) dollars after ten (10) days but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. Any vehicle parked in violation of the provisions of this ordinance may be removed by any member of the Police Bureau, their designee, or a designated Allentown Parking Authority personnel. Any vehicle removed may be towed to and placed at any area designated by the Mayor or his duly designated representative or the Parking Authority, for impounding of vehicles. All fines and costs for removal, towing, storage or parking of any vehicle removed under the provisions of this section shall be paid by the owner of the vehicle and the vehicle shall remain impounded until all costs are paid. (13901 §2 4/19/01)

J. For violation of Sections 531.07, Parking Truck and Tractor Trailers, 531.09, Parking of Inoperable or Illegally Registered Vehicles, and 531.13, Washing Vehicles on Streets and Sidewalks, the owner or operator within ten (10) days of the time when such ~~violation was alleged notice was attached to his motor vehicle/conveyance~~, pay as a penalty and in full satisfaction of each violation, the sum of Twenty-five (\$25) Dollars, and after ten (10) days, but within twenty (20) days of the violation, the sum of Thirty-five (\$35) Dollars. (13901 §2 4/19/01)

K. For Violation of Section 531.03 (G), Parking Prohibited within fifteen (15') feet of a fire hydrant, the vehicle is subject to immediate towing. The owner or operator within ten (10) days of violation pay a penalty of Fifty (\$50) Dollars, and after ten (10) days, but within twenty (20) days of the violation, pay the sum of One Hundred (\$100) Dollars. In addition, the owner will be responsible for all towing and storage fees, and costs of the vehicle, and all must be paid prior to its release. (14025 §1 10/4/02)

L. Any vehicle that has been cited two (2) times within a one year period shall be towed upon the third citation for violating Article 531.11, Parking Prohibited at Handicapped Areas, and Article 531.12, Parking, Stopping, Standing or Drafting Prohibited in a Loading Zone or Five Minute Zone. The owner of said vehicle will be responsible for all towing and storage fees and the costs of the vehicle, and all must be paid, including all fines, prior to its release. (14514 8/2/07)

M. For violation of Sections 531.07, Parking Truck and Tractor Trailers, the owner or operator within ten (10) days of the time when such ~~violation was alleged notice was attached to his motor vehicle/conveyance~~, pay as a penalty and in full satisfaction of each violation, the sum of Thirty-five (\$35) Dollars, and after then (10) days, but within twenty (20) days of the violation, the sum of Fifty (\$50) Dollars. (13901 § 2 4/19/01; 14787 § 03/03/10)

SECTION TWO: That Article 532, Stopping, Standing, and Parking be amended to read as follows:

532.01 Purpose

Allentown City Council finds it necessary to regulate the parking of large vehicles and trailers to reduce public safety hazards and maintain the quality of residential neighborhoods, thereby preserving the value of property in those districts. The street grid in Allentown predates the manufacturing and licensing of large vehicles and trailers; over 90% of the streets are 36 feet wide, leaving 8 feet for parking and 10 feet for the flow of two lane traffic. Large vehicles and trailers create safety hazards by encroaching into the abutting lane and moving traffic across the center lane. Such parking and obstructions, besides being a public safety issue, impedes the free flow of traffic. Parked close to an intersection, such vehicles and trailers, negatively impact the distance for vehicles entering the street. Large vehicles and trailers parked in residential areas generate complaints from residential neighborhoods in regard to traffic impediments and safety hazards, as well as noise. (14421 §1 9/15/2006)

532.02 Definitions

Bus: A motor vehicle designed to transport 16 or more passengers, including the driver; or, a motor vehicle, other than a taxicab or limousine, designed to transport not more than 15 passengers, including the driver. The term does not include a vehicle used in a ridesharing arrangement, as defined in the Act of December 14, 1982 (P.L. 1211, No. 279), entitled, "An act providing for ridesharing arrangements and providing that certain laws shall be inapplicable to ridesharing arrangements, or a school bus.

Dual Wheel Motor Home: A motor vehicle designed or adapted for use as a mobile dwelling or office, except a motor vehicle equipped with a truck-camper.

Oversized Vehicle: A motor vehicle that has a Class 5 license or above, or any equivalent license or above, or with a Gross Vehicle Weight of over 11,000 pounds. (14468 2/8/07)

Owner: A person, other than a lien holder, having the property right in or title to a motor vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

Park or Parking: When permitted, means the temporary storing of a vehicle, whether occupied or not, off the roadway; and, when prohibited, means the halting of a vehicle, whether occupied or not, except momentarily for the purpose of and while actually engaged in loading or unloading property or passengers.

Recreational Trailer: A trailer designed or adopted and used exclusively for recreational purposes.

School Bus: A motor vehicle which is designed to carry 11 passengers or more including the driver and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.

The term does not include a motor vehicle used to transport preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities, which is designed to carry 11 to 15 passengers, including the driver, and which is registered in this Commonwealth as a bus prior to March 1, 1993; or, a motor vehicle which is designed to carry 11 to 15 passengers, including the driver, and which was titled to any public, private or parochial school on or before March 1, 1993, and which is registered to that public, private or parochial school in this Commonwealth as a bus prior to September 15, 1993.

Tractor Trailer: A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Trailer: Every vehicle, wagon or truck without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle.

Truck Camper: A structure designed, used or maintained primarily to be loaded or affixed to a motor vehicle to provide a mobile dwelling, sleeping place, office or commercial space. (14421 §1 9/15/2006)

532.03 Prohibitions

It shall be unlawful for any person to park, or allow to remain parked, on any street or parts of streets, the following vehicles: Buses, dual wheel motor homes, oversized vehicle, school buses, tractor trailers, trailers, truck campers within the districts listed below as defined and circumscribed in the City's Zoning Ordinance; and, on any street abutting such zone; and, that this prohibition shall apply to any designated district established in the Zoning Code except for I-2, Limited Industrial, and I-3, General Industrial Districts. (14500 §1 6/25/07; 14468 §1 2/8/07; 14500 §1 5/25/07; 14468 §1 2/8/07)

532.04 Exceptions

These provisions of this Ordinance shall not apply to:

Vehicles of the City of Allentown, such as fire apparatus and ambulances, or vehicles engaged in the work of a public utility;

Vehicles of service companies, contractors, repairmen, delivery trucks or others actually engaged in working operations in the vicinity during the actual period of such between the hours of 7:00 AM and 8:00 PM. (14421 §1 9/15/2006)

532.05 Permit for Loading or Unloading Recreational Vehicles or Truck Campers

Permits shall be issued by the Allentown Parking Authority to the owners of Recreation vehicles or truck campers for a twenty- four (24) hour permit to unload or load said vehicle with the option of a twenty-four hour renewal by notifying the Allentown Parking Authority. (14421 §1 9/15/2006; 14742 §1 9/16/09; 15082 §1 7/17/13)

532.99 Penalty

For violation of Section 532, Parking of Trucks and Trailers Prohibited In Residential Areas, the owner or operator, within ten (10) days of the time when such violation was alleged shall notice was attached to his motor vehicle/conveyance, pay as a penalty in full satisfaction of each violation, the sum of Fifty (\$50) Dollars and after ten (10) days, but within twenty (20) days of violation, the sum of One Hundred (\$100) Dollars. In addition to the fine, the Police Department may have the vehicle or trailer immediately towed if the vehicle is posing an immediate safety hazard. (14421 §1 9/15/2006)

SECTION THREE: That Article 533, Parking Meters, be amended to read as follows:

**ARTICLE 533
PARKING METERS**

- 533.01 Definitions
- 533.02 Parking Meter Zones Established; Traffic Control Maps
- 533.03 Sundays and Holidays Excepted
- 533.04 Time of Parking Limited by Zone; Hours of Operation
- 533.05 Marking of Spaces
- 533.06 Meter Signals
- 533.07 Manner of Parking
- 533.08 Deposit of Proper forms of currency or electronic payment Coins in Meter
- 533.09 No Parking Beyond Meter-Indicated Time
- 533.10 Use of Meter Funds
- 533.11 Slugs Prohibited
- 533.12 Injuring or Defacing Meters
- 533.13 Exceptions
- 533.14 Enforcement
- 533.15 Duty of Police
- 533.16 Verification of Meters
- 533.99 Notice of Violation; Waiver

533.01 DEFINITIONS

The following words, whether in the singular or plural, when used in this article shall have the meanings ascribed to them in this article except in those instances where the context clearly indicates otherwise.

1. **Public place** shall mean any municipal parking lot operated by the City or the Parking Authority of the City.
2. **Parking meter** shall mean a device intended to assist public authorities in enforcing ordinances limiting the time during which vehicles may be parked on any street or highway or other public place within a parking meter zone.
3. **Parking meter zone** shall mean streets or highways, or portions thereof, or municipal parking lots operated by the City or the Parking Authority of the City on which parking meters are installed, operated and used. (8024 §2 4/3/56)

533.02 PARKING METER ZONES ESTABLISHED; TRAFFIC CONTROL MAPS

All municipal parking lots operated by the City of Allentown or the Parking Authority of the City of Allentown. (8024 §3 4/3/56)

Parking meter zones shall be established and set forth by legend on the Traffic Control Maps of the City. (9844 §1 7/3/62; 14312 §1 8/18/05)

533.03 SUNDAYS AND HOLIDAYS EXCEPTED

Parking restrictions and limitations in any parking meter zone are exempted on Sundays and on the holidays of New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Martin Luther King, Jr. Day and Christmas. (8024 §4 4/3/56; 13201 §1 6/3/93; 14312 §1 8/18/05)

533.04 TIME OF PARKING LIMITED BY ZONE; HOURS OF OPERATION

On all days, other than those set forth in Section 533.03, parking in all zones is hereby limited not to exceed the maximum time stated in each meter. (8024 §5 4/3/56; 13201 §1 6/3/93; 14312 §1 8/18/05)

533.05 MARKING OF SPACES

In all parking meter zones a parking meter shall be installed for each parking space. All parking spaces may be placed either parallel, diagonal or perpendicular to the curb. Parking in other than designated parking spaces is prohibited in any parking meter zone. (8024 §6 4/3/56; 14312 §1 8/18/05)

533.06 METER SIGNALS

Parking meters shall be placed in such a way that each designated parking space is clearly marked as to show or display by a signal that the parking space controlled by such meter is or is not legally occupied. Each parking meter shall indicate by a proper legend the established legal parking time and, when in operation, shall also indicate on or by its display the duration of the period of legal parking or any illegal or overtime parking. (8024 §7 4/3/56; 14312 §1 8/18/05)

533.07 MANNER OF PARKING

Every vehicle parked parallel with the curb in any parking meter zone on a street or highway shall be parked with the front end of such parked vehicle at or immediately adjacent to the parking meter controlling such parking space. Every vehicle parked perpendicular to the curb of any street or highway or on any parking lot within a meter zone, shall be parked with the front end or the rear end of such parked vehicle, as the situation may be, at or immediately adjacent to the parking meter controlling such parking space. All vehicles shall be parked entirely within the lines of the designated parking space controlled by the meter situated adjacent thereto. (8024 §8 4/3/56)

533.08 DEPOSIT OF PROPER COINS IN METER

A. Upon parking any vehicle in any parking meter space, the operator shall immediately deposit, in the meter controlling such space, any legally acceptable form of currency or electronic payment ~~the proper coin of the United States as designated for such parking on the instructions for operations of such meter.~~ Upon the deposit of such coin and placing the meter in operation, such meter space may be lawfully occupied by any vehicle during the period of parking time as indicated on the meter. (9844 §2 7/3/62)

B. Pursuant to this section, Council is hereby authorized and empowered to designate the proper acceptable currency and electronic payment coin or amount to be placed in such meter and to amend the instructions on the meter to reflect the proper coin or amount required for the operation of such meter. The rate per hour shall be One (\$1) Dollars. (12161 §1 12/22/75; 14312 §1 8/18/05)

533.09 NO PARKING BEYOND METER-INDICATED TIME

No owner or operator of any vehicle shall cause, allow, permit or suffer such vehicle to be parked overtime or beyond the period of legal parking time as indicated or set forth on the instructions of such meter. (9844 §3 7/3/62)

533.10 USE OF METER FUNDS

The payments ~~coins~~ required to be deposited in parking meters are levied and assessed as fees to provide for the proper regulations and control of traffic upon the streets and highways and other public places of the City, including the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby, and the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters and municipal parking lots. The coins required to be deposited in parking meters shall be collected and accounted for under the direction of the Executive Director of the Parking Authority and deposited by the Director at least once a week. (8024 §11 4/3/56; 13201 §1 6/3/93)

533.11 SLUGS PROHIBITED

No person shall deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for legal coins of the United States. (8024 §12 4/3/56)

533.12 INJURING OR DEFACING METERS

No person shall deface, injure, tamper with or willfully break, destroy or impair the usefulness of any parking meter installed by authority of Council or by the Parking Authority of the City. (8024 §13 4/3/56)

533.13 EXCEPTIONS

Nothing in this article shall be construed as prohibiting the Authority from providing for free parking space for loading or unloading of commercial vehicles, for bus stops, taxicab stands or for other matters of a similar nature. The provisions of this

Ordinance shall not apply to Vehicles of the City of Allentown or to the Allentown School District which display a Municipal plate and are engaged in official business." (8024 §14 4/3/56; 14312 §1 8/18/05; 15053 § 1 1/16/13)

533.14 ENFORCEMENT

The duty of enforcing the provisions of this article shall be on the department of Police and the Allentown Parking Authority. In case of emergency, any of the provisions of this article may be temporarily suspended by such Director or Chief of Police, who shall then have the authority to adopt and enforce such other temporary rules and regulations as traffic conditions, during such emergency, may demand or required. (8024 §15 4/3/56; 13201 §1 6/3/93)

533.15 DUTY OF POLICE

It shall be the duty of police officers or Parking Authority Personnel or other duly authorized City employees of the City, acting in accordance with instructions issued by the Chief of Police or the Chief's designee, or the Executive Director of the Parking Authority, to turn in the violation ticket. The violation shall contain: (14312 §1 8/18/05)

A. The number of each parking meter which indicates that the vehicles occupying the parking space adjacent to such parking meter is, or has been, parked in violation of any of the provisions of this article.

B. The State license number of such vehicle.

C. The day and hour at which such vehicle is parked in violation of any of the provisions of this article at the time of his inspection.

D. Any other facts, a knowledge of which may be considered necessary to a thorough understanding of the circumstances attending such violation. (11813 §1 7/21/70; 13201 §1 6/3/93; 14312 §1 8/18/05)

533.16 VERIFICATION OF METERS

All parking meters located in the City of Allentown shall be checked for accuracy at least once a year. At the completion of each calendar year, a statement verifying that the annual inspection has been completed, shall be submitted to City Council. (13201 §1 6/3/93)

533.99 NOTICE OF VIOLATION; WAIVER

A. Any police officer or other duly authorized Parking Authority employee shall issue a violation notice to any vehicles ~~place on motor vehicles/conveyances~~ parked in violation of the provisions of this article a notice of said violation. (12786 §1 8/5/87)

Each such owner or operator may, within ten (10) days of the time when such violation was alleged ~~notice was attached to his motor vehicle/conveyance~~, pay as a penalty and in full satisfaction of each violation, the sum of Ten (\$10) Dollars; and after ten (10) days, but within twenty (20) days of the violation, the sum of Twenty-five (\$25) Dollars. (12660 §1 6/5/85; 12786 §1 8/5/87; 13227 §3 12/1/93; 13901 §3 4/19/01; 14312 §1 8/18/05)

Failure of the owner or operator to make payment after twenty (20) days shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars and, in default of payment of fine and costs, be imprisoned not more than ten (10) days. (12660 + 6/5/85; 12786 §1 8/5/87; 13901 §3 4/19/01)

SECTION FOUR: That Article 534, Residential Permit Parking, be amended to read as follows:

534.01 PURPOSE

The City Council of the City of Allentown considers it to be in the interest of the citizens of the City of Allentown to provide for the establishment of a Residential Permit Parking (RPP) Program in order to alleviate the hardship experienced by residents in obtaining on-street parking space to preserve the residential quality of neighborhoods and to provide for improvement in air quality. The powers and duties as contained in this article shall be performed by the Parking Authority. (12708 §1 5/7/86)

534.02 RESIDENTIAL PERMIT PARKING PROGRAM

The Parking Authority is hereby authorized to designate, subject to the approval by City Council, as herein provided, certain streets and other public areas within the City of Allentown as permit parking areas in which resident vehicles displaying valid parking permits may stand or be parked without limitation by parking time restrictions established by this article. Vehicles not displaying valid parking permits may stand or be parked for a limited time not to exceed the time specified upon adequately posted signs. (12708 §2 5/7/86)

534.03 DESIGNATION OF RESIDENTIAL PERMIT PARKING AREAS

A residential area, regardless of current zoning designation, shall be considered for designation as a residential permit parking area provided that designation criteria established by this article be satisfied and that City Council, through enactment of an ordinance, authorize the posting of appropriate signs specifying time limits and period of the day for its application. (12568 §1 9/7/83; 14702 §1 4/6/09)

534.04 DESIGNATION CRITERIA

A residential area shall be deemed impacted and thereby eligible for residential permit parking provided that the following criteria are satisfied:

A. In areas zoned other than Central Business District, the following criteria must be met:

1. At least fifty (50%) percent of the street level, front footage use is residential or non-business related. (12804 §1 11/4/87)
2. During any period between the hours of 8:00 AM and ~~9:00~~ 6:00 PM Monday through Saturday on weekdays, except holidays, the number of vehicles parked and/or standing, legally or illegally, at on-street parking spaces is equal to seventy (70%) percent or more of the legal on-street parking capacity of the area. For purposes of this evaluation, a legal parking space shall be twenty (20) linear feet. (12804 §1 11/4/87)
3. During the same time period as specified above, ten (10%) percent or more of the vehicles parking and/or standing, on the streets in the area are not registered in the name of a person residing within a three (3) block distance of the location at which the vehicle is parked. (12804 §1 11/4/87)
4. On streets where there are parking meters and/or time restricted parking in Section 534.04 (2) and (3) are not criteria for designation. (12804 §1 11/4/87)

B. In areas zoned Central Business District, the following criteria must be met:

1. At least eighty (80%) percent of the street level front footage abutting the street designated have a residential or non-business related use. (12804 §1 11/4/87)
2. During any period between the hours of 8:00 AM and ~~9:00~~ 6:00 PM Monday through Saturday on weekdays except holidays, at least eighty (80%) percent of all occupied on-street parking spaces are occupied by vehicles registered in the name of a person residing within a three (3) block distance of the location at which the vehicle is parked. (12804 § 11/4/87)
3. If the above criteria are not met at any time, the Allentown Parking Authority shall notify City Council. City Council may consider revoking the Residential Parking Permit status for that street. (12804 §1 11/4/87)

534.05 DESIGNATION PROCESS

A. If the area in question is not an approved Residential Permit Parking Zone and a sufficient number of residents have requested to be a residential permit parking zone then the Parking Authority will schedule and administer a public hearing. For this hearing, every resident and property owner of the proposed plan area shall be notified by mail. On the basis of testimony taken, City Council shall or shall not designate the areas as an Official Residential Permit Parking Area. (12708 §4 5/7/86)

B. On blocks or portions there within a Residential Parking Permit Zone where parking meters and/or time restricted parking already exists, the Parking Authority may designate the area as a residential permit parking block. (12708 §4 5/7/86)

C. On blocks or portions thereof within a Residential Parking Permit Zone where no parking meters and/or time restricted parking exists, the following process is to be followed:

1. A block or portion thereof may be considered as a potential residential parking block or portion thereof upon the receipt by the Parking Authority of verified petitions from the residents of that block or portion thereof. The petition process may be initiated at the resident's request by the Allentown Parking Authority. A separate petition must be filed for each block and in order for the petition to be valid, it must contain the signatures of the majority of households in that block. (12708 §4 5/7/86; 14702 §1 4/6/09)

2. The Parking Authority shall conduct surveys of potential residential parking areas to determine the following:

- a. The number of legal on-street parking spaces available on each block in the area. (12708 §4 5/7/86)

b. The number of legal on-street spaces occupied by parked vehicles during an average weekday on each block in the area. Two (2) surveys will be made on different days of the week and at different times of the day. One observation will be made in the early part of the day and the other later in the day. (12708 §4 5/7/86)

c. The number of parked vehicles in the area which are registered to addresses of persons who do not live in the area. (12708 §4 5/7/86)

3. If all designation criteria for a particular block has been satisfied, the Parking Authority shall direct the Bureau of Traffic Planning and Control to erect, or cause to be erected, signs on the designated block indicating that parking beyond the stipulated number of hours is by permit only. This restriction shall be considered a temporary traffic regulation subject to approval by City Council. (12708 §4 5/7/86)

534.06 ISSUANCE OF PARKING PERMITS

Following City Council's approval of the designation of a Residential Permit Parking area, the Parking authority may issue appropriate permits and shall cause parking signs to be erected in the area indicating the times and conditions under which parking shall be allowed. A permit shall be issued upon application and payment of the applicable fee, only to the owner or operator of a motor vehicle who resides in the appropriate Residential Permit Parking area. A separate permit shall be required for each motor vehicle. Commercial vehicles exceeding a gross weight of 10,000 pounds are not eligible for permits. Eligibility for a permit shall be as follows:

A. Residents: The resident must prove residency and vehicle ownership or evidence of having a leased or company-owned vehicle. The Parking Authority shall establish criteria for proof of residence. A separate application shall be required for each vehicle and each application shall be accompanied by a permit fee. (12708 §5 5/7/86)

B. Visitors: Special permits may be issued to visitors for a period of time not to exceed fourteen (14) days. No resident of a Residential Permit Parking area shall be issued more than two (2) visitor permits at any time. (12708 §5 5/7/86)

C. Residents living in the Central Business District have the option of purchasing a permit to park in an adjacent designated area. (12708 §5 5/7/86)

D. Caregiver: Caregivers may be issued a parking permit sticker provided the address of the resident receiving the care is within said parking area, and the resident requiring care forfeits a current, valid permit or does not possess a current Residential Permit Parking permit. The requirements to obtain a parking permit for a caregiver are:

- A completed application form in both the resident's and caregiver's name and address;
- A current DMV vehicle registration for the vehicle the applicant is requesting a permit for;
- Proof of residency in the permit area of the person receiving the care;
- A letter from the resident identifying the permit applicant as the caregiver;
- Photo identification and employment verification of the caregiver. (14702 §2 4/6/09)

534.07 DISPLAY OF PERMIT

Permits shall be displayed on the driver's side of the rear bumper so as to be readily visible to enforcement personnel. (12568 §1 9/7/83)

534.08 PERMIT PARKING EXEMPTION

A resident vehicle on which is displayed a valid parking permit as provided for herein shall be permitted to stand or be parked in the Residential Permit area for which the permit has been issued without being limited by time restrictions or meter requirements established pursuant to this article. However, said resident's vehicle shall not be exempt from parking restrictions or prohibitions established pursuant to authority other than this article including Article 531, Stopping and Parking, and Article 539, Street Sweeping, of the Codified Ordinances as well as loading zones, five minute parking zones, handicapped zones and other special parking restrictions. All other motor vehicles parked within a Residential Permit Parking area shall be subject to the time restrictions and meter requirements adopted as provided in this article as well as the penalties provided for herein. The provisions of this Ordinance shall not apply to Vehicles of the City of Allentown or to the Allentown School District which display a Municipal plate and are engaged in official business. A person shall not allow a vehicle to be parked, stopped, standing or drifted to conceal an officer's chalk mark. (12595 §3 2/15/84; 13901 §4 4/19/01; 15053 § 1 1/16/13)

A Residential Parking Permit shall not guarantee or reserve to the holder thereof an on-street parking space within the designated Residential Permit Parking area. (12568 §1 9/7/83)

534.09 APPLICATION FOR AND DURATION OF PERMIT

Each parking permit issued shall be valid for one (1) year from the date of issuance. Permits may be renewed annually upon reapplication in the manner required by the Parking Authority. Each application or re-application for a parking permit shall

contain information sufficient to identify the applicant, his residence address or address of real property owned or leased within a Residential Permit Parking area, and the license number of the motor vehicle for which application is made, and such other information that may be deemed relevant by the Parking Authority. If a resident sells or otherwise transfers a vehicle bearing a parking permit sticker, he shall remove the sticker before the transfer. If a resident transfers a vehicle bearing a valid permit parking sticker and acquires another vehicle, he shall provide the Parking Authority with proof of the transfer an affidavit attesting to the removal of the sticker. The Parking Authority shall then provide, at no cost, a new sticker which will expire at the same time as the original sticker. (12708 §6 5/7/86)

534.10 PERMIT FEES

The initial cost for each Residential Parking Permit shall be Twenty-five (\$25.00) Dollars and each annual renewal cost will be Twenty (\$20.00) Dollars. The cost for visitor parking permits will be Two (\$2.00) Dollars. (12708 §7 5/7/86; 12827 §1 2/17/88))

534.11 REVOCATION OF PERMIT

The Parking Authority is authorized to revoke the Residential Parking Permit of any person found to be in violation of this article and, upon written notification thereof, the person shall surrender such permit to the Parking Authority. Failure, when so requested, to surrender a Residential Parking Permit so revoked shall constitute a violation of law and of this article. (12708 §8 5/7/86)

534.12 RESIDENTIAL PARKING PERMIT ZONES

The following areas are hereby designated as the Residential Parking Permit zones.:

A. Residential Parking Permit Zone #1

1. Area bounded by Turner Street on the south, Allen Street on the north, 7th Street on the east and 10th Street on the west, but not to include 7th Street or Turner Street from Hall Street to 7th Street. Along the boundaries of Turner, Allen and 10th Streets, both sides of the street shall be included in the program. In addition, the 100 block of North 8th Street from Linden Street to Turner Street is included in this zone, as well as the 400 block of North 9th Street. (12708 §9 5/7/86; 13889 §1 2/8/01; 14702 §2 4/6/09)

B. Residential Parking Permit Zone #2

1. Area bounded by Turner Street on the south, Allen Street on the north, 4th Street on the east and 7th Street on the west but not be include Turner Street from Morris Street to 7th Street. Along each of the four (4) boundaries, both sides of the street shall be included in the program. (12708 §9 5/7/86; 13889 §1 2/8/01)

C. Residential Parking Permit Zone #3

1. Area bounded by Turner Street on the north, Court Street on the south, 4th Street on the east and Penn Street on the west, but not to include Turner Street. Along the boundaries of Court Street, 4th Street, and Penn Street, both sides of the street shall be included in the program. (12708 §9 5/7/86)

2. Area bounded by Turner Street on the north, Linden Street on the south, Penn Street on the east, and Law Street on the west, but not to include Turner Street. Along the boundaries of Linden Street, Penn Street and Law Street, both sides of the street will be included. (12708 §9 5/7/86)

3. Area bounded by Walnut Street on the north, Law Street on the west, Union Street on the south, and 4th Street on the east. Along each of the four (4) boundaries, both sides of the street are to be included.

4. Area bounded by Maple Street on the north, Law Street on the west, Walnut Street on the south and College Street on the east. Along each of the four (4) boundaries, both sides of the street are to be included. (12804 §1 11/4/87)

D. Residential Parking Permit Zone #4

1. Area bounded by Maple Street on the north, Union Street on the south, 13th Street on the west and 10th Street on the east. Along each of the four (4) boundaries, both sides of the street are to be included. Also included is the unit block of South Jefferson Street. (12708 §9 5/7/86; 14702 §2 4/6/09)

2. Area bounded by Walnut Street on the north, Union Street on the south, 8th Street on the east and 10th Street on the west but not to include Walnut Street from 9th to 10th Streets, 9th Street from Walnut Street to Jackson Street and Jackson Street from 9th to 10th Streets and all areas included in the between these boundaries. (12708 §9 5/7/86)

E. Residential Parking Permit Zone #5

1. Area bounded by Chew Street on the north, Linden Street on the south, 10th Street on the east and 13th Street on the west but not to include 10th Street from Chew Street to Turner Street. Both sides of the street are to be included. Also included is the 200 block of North Poplar Street. (12708 §9 5/7/86; 14702 §2 4/6/09)

2. Area bounded by Turner Street on the north, Fountain Street on the east, Linden Street on the south and 10th Street on the west but not to include Turner Street. Both sides of the street are to be included. (12708 §9 5/7/86)

3. Area bounded by Linden Street on the north, Court Street on the south, Howard Street on the east and 13th Street on the west, to include both sides of the streets on the boundary streets. (12708 §9 5/7/86)

F. Residential Parking Permit - Zone #6

An area bounded by Gordon on the north from 13th to 16th Streets, 13th Street from Gordon to Turner, Turner on the south from 13th to West Street, inclusive of the north side of Turner and West Street on the west from Gordon to Turner. (13214 §1 9/2/93)

On the 200 block of North 19th Street, bounded by Turner on the south and Chew on the north. (1369 §1 2/5/98)

534.13 REGULATIONS AND PROCEDURES

A. Time Restriction on Parking - Except as otherwise designated, on-street parking will be restricted to a one to three hour time limit on streets that now have legal, on-street parking except for metered areas. Vehicle bearing valid Residential Parking Permit stickers for this area shall be exempt from the one to three hour time limit and meter requirements. The Bureau of Traffic Planning and Control will erect, or cause to be erected signs. These signs shall indicate the one to three hour time limit and the exclusion for vehicles with Residential Permit Parking stickers or shall indicate the exclusion of said vehicles from meter requirements. The one to three hour time limit shall be enforced from 8:00 AM to 9:00 6:00 PM Monday through Saturday on weekdays, excluding holidays. (12708 §10 5/7/86)

B. In areas with existing parking meters, operators with valid Residential Parking Permits will be allowed to be parked at meters within the designated area without the need to deposit coins. (12708 §10 5/7/86)

C. Existing Parking Regulations - All existing parking regulations shall remain in effect. These include but are not limited to: prohibited parking areas, street cleaning restrictions, five (5) minute parking areas, loading zones, and the seventy-two (72) hour parking rule. Holders of Residential Permit Parking stickers will not be exempt from these regulations. (12708 §10 5/7/86)

534.99 PENALTIES

A. It shall be unlawful and a violation of this article for any person to stand or park a motor vehicle for a period exceeding the time limitation established pursuant hereto. No person shall move and repark a vehicle on the same side of the street within the same block in order to avoid a parking time limit. For violation of any provisions of this article the owner or operator may within ten (10) days of the time when such notice was attached to his vehicle, pay as a penalty the sum of Fifteen (\$15) Dollars; after ten (10) days but within twenty (20) days of the violation the sum of Twenty-five (\$25) Dollars. In all cases, failure of the owner or operator to make payment within twenty (20) days shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars, and, in default of payment of fine and costs, imprisonment for not more than ten (10) days. (12708 §11 5/7/86; 12787 §1 8/5/87; 13227 §4 12/1/93; 13901 §4 4/19/01; 14702 §2 4/6/09)

B. It shall be unlawful and a violation of this article for a person to falsely represent himself as eligible for a parking permit or to furnish false information in an application therefor. (12708 §11 5/7/86)

C. It shall be unlawful and a violation of this article for a person holding a valid parking permit issued pursuant hereto to permit the use of display of such permit on a motor vehicle other than that for which the permit is issued. Such conduct shall constitute an unlawful act and violation of this article both by the person who so uses or displays the permit on a motor vehicle other than that for which it is issued. (12708 §11 5/7/86)

D. It shall be unlawful and a violation of this article for a person to copy, produce or otherwise bring into existence a facsimile or counterfeit parking permit or permits. It shall further be unlawful and a violation of this article for a person to knowingly use or display a facsimile or counterfeit parking permit in order to evade time limitations on parking applicable in a Residential Permit Parking area. (12708 §11 5/7/86)

E. For violation of any provision contained in Sections 534.14(b), (c) and (d) of this article, the person committing the unlawful act shall be subject to a penalty not to exceed Three Hundred (\$300) Dollars and/or imprisonment for not more than ten (10) days for each such violation. (12708 § 5/7/86)

SECTION FIVE: That Article 539, Street Cleaning, be amended to read as follows:

**ARTICLE 539
STREET CLEANING**

- 539.01 Definitions
- 539.02 Control Maps and Preparation
- 539.03 Parking Restrictions; Exception
- 539.04 Existing Parking Regulations; Emergencies
- 539.05 Year Round Street Cleaning
- 539.06 Reporting Requirements
- 539.99 Penalty

14437 §1 11/7/06 amending the Street Sweeping section by enacting cleaning throughout the year and added a sunset provision requiring Council review. 14656 §1 11/21/08 repealed the sunset provision on winter street cleaning and established an annual reporting requirement on Street Cleaning by May 15.

CROSS REFERENCES

Parking Prohibitions Generally -- See Traffic Article 531
Parking Meter Zones Established -- See Traffic Article 533.02

539.01 DEFINITIONS

Person means every natural person, firm, corporation, partnership, association, or institution. (14437 §1 11/7/06)

Street Cleaning shall include the year round sweeping, salting, plowing or snow removal of the designated streets. (14437 §1 11/7/06)

539.02 CONTROL MAPS AND PREPARATION

There are hereby established street cleaning control maps prepared and maintained by the Director of Public Works and kept on file in the office of the City Engineer. All street cleaning control maps shall be a matter of public record, but keeping these maps up to date shall not be a requisite condition for the prosecution to any violation of a legal regulation. (11863 §2 3/2/71; 14216 §1 10/8/04; 14437 §1 11/7/06)

539.03 PARKING RESTRICTIONS; EXCEPTIONS

A. No person shall stop, stand or park a vehicle, or cause or permit a vehicle to be parked or left unattended on a City street posted for "No Parking/Street Cleaning" during the designated days and hours chosen by regulations promulgated by the Director of Public Works or his designee. (14216 §1 10/8/04; 14437 §1 11/7/06)

B. The posted times designated on the "No Parking/Street Cleaning" signs shall remain in effect for the full length of time or until the street area has been cleaned. (11863 §3 3/2/71; 14216 §1 10/8/04; 14437 §1 11/7/06)

C. Enforcement shall be suspended during winter storms and for a reasonable period of time thereafter as determined by the Director of Public Works or designee. A reasonable period of time should be no less than 24 hours from the end of the winter storm event. (14437 §1 11/7/06)

539.04 EXISTING PARKING REGULATIONS; EMERGENCIES

Nothing herein shall be construed to permit any motor vehicle to be parked on any street or in any parking area where parking is prohibited by the terms of any other article.

Nothing in the section shall be construed as prohibiting physicians or emergency cars, or any other person, firm or corporation operating authorized emergency vehicles while engaged in their duties, from parking a vehicle in designated areas upon the occasion of any emergency.

Nothing in this section shall be construed to prohibit taxicabs or public buses standing in any established taxicab or bus stand, provided the same are attended by the drivers thereof. (11863 §4 3/2/71)

In all cases, failure of the owner or operator to make payment within twenty (20) days shall make the owner or operator subject to a penalty not to exceed Fifty (\$50.00) Dollars, and in default of payment of fines and costs, imprisoned for not more than ten (10) days. (13227 §5 12/1/93)

539.05 YEAR ROUND-STREET CLEANING

Street Cleaning will continue in the designated posted areas during the months of December through February. (14437 §1 11/7/06, 14656 §1 11/21/08)

539.06 REPORTING REQUIREMENTS

The Department of Public Works and the Allentown Parking Authority by or on May 15 of each year shall prepare and submit a report on year round street cleaning focusing on winter street cleaning to Allentown City Council's Public Works Committee for review at a public meeting. (14656 §1 11/21/08)

539.99 PENALTY

Any police officer or duly authorized Parking Authority employee shall issue a violation notice to any vehicles place on motor vehicle/conveyance parking in violation of the provisions of this ordinance, a notice of said violation.

A. For violation of "Prohibited Parking/Street Cleaning" the owner or operator may, within ten (10) days of the time when such violation was alleged notice was attached to his motor vehicle/conveyance, pay as a fine and in full satisfaction of each initial violation, the sum of Twenty (\$20) Dollars; and, after ten (10) days but within twenty (20) days of the violation, pay a penalty of Thirty (\$30) Dollars. Subsequent offenses will incur additional penalties when repeat violation occurs more than one time in a thirty (30) day period. For violation of "No Parking/Street Cleaning", the owner or operator may, within ten (10) days of the time when the subsequent notice was attached to his vehicle, pay as a fine and in full satisfaction of repeat violation, the sum of Fifty (\$50) Dollars; and, after ten (10) days but within twenty (20) days of the subsequent offense, pay a penalty of Sixty (\$60) Dollars. In all cases failure of the owner or operator to make payment within twenty (20) days shall make the owner or operator subject to a penalty not to exceed One Hundred (\$100) Dollars, and in default of payment of fines and costs, imprisoned for not more than ten (10) days. (13227 §5 12/1/93; 13901 §5 4/19/01) (11863 §5 3/2/71; 13227 §5 12/1/93; 13901 §5 4/19/01; 14216 §1 10/8/04; 14437 §1 11/7/06; 14787 3/19/2010)

SECTION SIX: That this Ordinance will take effect ten (10) days after final passage.

SECTION SEVEN: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

ORDINANCE NO.

BILL NO. 5 - 2014

March 19, 2014

AN ORDINANCE

Creating and amending the 2014 Capital Project Fund Budget to provide for a supplemental appropriation of Five Million Dollars (\$5,000,000) from the proceeds of the water/sewer lease project to various capital projects across the City.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That this ordinance establishes the 2014 Capital Fund.

SECTION TWO: That City Council authorizes an increase to the unappropriated balance of the Capital Project Fund in the amount of Five Million Dollar (\$5,000,000).

SECTION THREE: That City Council authorizes a supplemental appropriation from the unappropriated balance of the Capital Project Fund in the following manner:

<u>TO ACCOUNT</u>	<u>AMOUNT</u>
Police Department	
Surveillance Camera System	
001-04-1658-1412-72 Equipment	\$ 200,000
Public Works	
Downtown Traffic Improvements	
001-03-2000-1412-46 Contracted Services	\$ 300,000
001-03-2000-1412-76 Construction Contracts	\$ 1,100,000
Public Works	
Livingston Water Shed	
001-03-2001-1412-46 Contracted Services	\$ 50,000
Public Works	
Street Improvements	
001-03-2002-1412-54 Repair and Maintenance Supplies	\$ 100,000
Public Works	
Chew Street Improvements	
001-03-1248-1412-46 Contracted Services	\$ 25,000

001-03-1248-1412-76	Construction Contracts	\$ 75,000
Parks		
Park Land Acquisition		
001-08-1941-1412-74	Real Estate Acquisition	\$ 1,400,000
Parks		
Ice Skating Rink		
001-08-1698-1412-46	Contracted Services	\$ 200,000
Parks		
Alton Park Improvements		
001-08-2200-1412-76	Construction Contracts	\$ 100,000
Parks		
Dog and Skate Parks		
001-08-1682-1412-46	Contracted Services	\$ 100,000
001-08-1682-1412-76	Construction Contracts	\$ 200,000
Parks		
Pool and Spray Parks		
001-08-2201-1412-54	Repair and Maintenance Supplies	\$ 100,000
001-08-2201-1412-64	Pipe and Fittings	\$ 50,000
001-08-2201-1412-76	Construction Contracts	\$ 150,000
Parks		
WPA Structure Renovations		
001-08-2202-1412-76	Construction Contracts	\$ 25,000
Parks		
Stevens Park Renovations		
001-08-1670-1412-76	Construction Contracts	\$ 150,000
Parks		
Lights In The Parkway Improvements		
001-08-2203-1412-72	Equipment	\$ 75,000
Community Development		
Blight Removal and Remediation		
001-09-2400-1412-46	Contracted Services	\$ 600,000

SECTION FOUR: That this Ordinance will take effect ten (10) days after final passage.

SECTION FIVE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Office of the Mayor

- **Summary and Facts of the Bill**

This ordinance moves a portion of the funds from the proceeds of the lease of the water/sewer plant to various capital projects throughout the City.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

There are some critical capital projects in need of funds so that projects can move forward. Projects include street improvements, repairs/renovations to pools and spray parks, development of a dog park, development of a skate park, acquisition of park land, development of an ice rink, improvements to Alton Park, downtown traffic enhancements, increased security cameras, continued streetscape improvements to Chew Street, Livingston Water Shed, WPA structure renovations, Lights In The Parkway Improvements, Stevens Park renovations and blight removal and remediation.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

This is an interfund transfer to fund various capital projects.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The 2014 Budget reflects a \$5,000,000 interfund transfer upon determination of the capital projects.

- **Priority status/Deadlines, if any**

As soon as funding is appropriated, projects can begin or continue.

- **Why should Council unanimously support this bill?**

Council should support this bill because new and existing capital projects have been on hold due to lack of funds necessary to proceed. These projects impact security, safety and quality of life throughout the City.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 9 - 2014

APRIL 2, 2014

AN ORDINANCE

Amending the Consolidated Plan One Year Action Plan for the Thirty-Fifth, Thirty-Sixth, Thirty-Seventh and Thirty-Eighth years of the Community Development Block Grant Program (CDBG) which re-programs Forty-Six Thousand Six Hundred Forty-Five (\$46,645) Dollars of unexpended funds.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: Federal Regulations require the City of Allentown to amend a Consolidated Plan One Year Action Plan whenever it decides not to carry out an activity, to add an activity, or to substantially change an activity. This legislation provides for the re-programming of unexpended funds from the Thirty-Fifth, Thirty-Sixth, Thirty-Seventh and Thirty-Eighth years of the CDBG program.

SECTION TWO: That the Mayor is authorized to reprogram the amounts in the accounts listed below.

700-01-7504-0111	Old Allentown Preservation Association	\$18,700
700-01-7601-0109	Self-Forgiving Loan Program	1,493
700-01-7603-0114	Turning Point	2,098
700-01-7605-0101	Allentown Redevelopment Authority	780
700-01-7605-0109	Planning	934
700-01-7703-0102	Family Answers	1,428
700-01-7803-0104	Lehigh Carbon Community College	1,212
700-01-7804-0110	Voluntary Relocation	<u>20,000</u>
TOTAL...	\$46,645

SECTION THREE: That the amount of Forty-Six Thousand Six Hundred Forty-Five (\$46,645) CDBG Dollars be added to the amount of funds available for the Fortieth year of the CDBG program year.

SECTION FOUR: That this Ordinance will take effect ten (10) days after final passage.

SECTION FIVE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Consolidated Grants Program - Ordinance #1 Reprogram Certain Funds

The Consolidated Grants Program (CGP) legislation consists of three ordinances and one resolution and originates in the Department of Community and Economic Development.

The attached legislation, from the Department of Community and Economic Development serves as the template for the City of Allentown's application for federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grants Program (ESG) funds. Each piece of legislation serves a specific purpose, which when combined, contain all the recommended regulatory steps need to apply for these federal funds. These are the same types of legislation presented to City Council every year. However, the actual dollar amounts, list of activities and funds available are different every year.

- **Summary and Facts of the Bill**

Consolidated Grants Program - Ordinance #1 Reprogram Certain Funds
Reprogram Certain Funds

Summary: This legislation is required to close unspent CDBG and HOME accounts and "roll the funds" over to be used for the upcoming program year (July 1, 2014 to June 30, 2015). These accounts represent activities which have been completed with funds remaining, or activities which were later deemed to be not feasible.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

This ordinance provides the City with the first step needed to allow the City to apply for and then access \$3,385,377 in grant funds for the July 1, 2014 to June 30, 2015 program year. All activities funded comply with the CDBG, HOME and ESG regulations as promulgated by HUD and allow the City to further its Community and Economic Development Initiatives. This bill provides the first step in the process which forms the basis to complete the strategies of the fifth and final year of the City of Allentown's Consolidated Plan for the period July 1, 2010 to June 30, 2015.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

Ordinance #1 Reprogram Certain Funds

This ordinance allows for \$ 46,645 in CDBG funds to be re-programmed as part of the funds available for the 2014-2015 program year. Funds are rolled over for a variety of reasons, but mainly because the program/activity is complete and costs were not as great as originally anticipated, or an alternative funding source may have been identified. At times, agencies decide to refuse their allocation if they have difficulty raising the additional funds necessary to run their program/activity. This legislation has no adverse financial impact on the City and the General Fund.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The funding source for this ordinance is the federal Community Development Block Grant Program (CDBG).

- **Priority status/Deadlines, if any**

This bill has a high priority status. Failure to submit the application to HUD by May 14, 2014 could result in the loss of this money.

- **Why should Council unanimously support this bill?**

This legislation allows additional funds to be available to complete the myriad of activities described in Ordinance #2. Furthermore, this allows old accounts, which are no longer active, to be closed.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 10 - 2014

APRIL 2, 2014

AN ORDINANCE

Providing for the expenditure of certain monies received by the City of Allentown under Title I of the Housing and Community Development Act of 1974, as amended; The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009; and Title II of the National Affordable Housing Act of 1990, as amended; for the purpose of undertaking programs of housing and community development within the City.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the Mayor is authorized to expend Three Million Three Hundred Eighty-Five Thousand Three Hundred Seventy-Seven (\$3,385,377) Dollars in Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME), and Emergency Solutions Grants Program (ESG) funds for the July 1, 2014 to June 30, 2015 grant year, for housing and community development programs pursuant to the approved Consolidated Plan, appropriate Federal Law and United States Department of Housing and Urban Development (HUD) regulations.

SECTION TWO: That the Mayor is directed to establish and maintain any and all accounts and records as are necessary and to make such transfers as may be required to expend and account for said CDBG, HOME and ESG Funds in accordance with the approved Consolidated Plan, appropriate Federal law, and HUD regulations.

SECTION THREE: That this act of the Council of the City of Allentown is undertaken pursuant to Act 292 of 1974 in accordance with the opinion of the Pennsylvania Attorney General (Opinion 72-75) which holds that CDBG, HOME, and ESG Funds are General Municipal Funds for the purpose of Act 292 of 1974.

SECTION FOUR: That, in accordance with the Action Plan, the Council of the City of Allentown authorizes the appropriation of Three Million Three Hundred Eighty-Five Thousand Three Hundred Seventy-Seven (\$3,385,377) Dollars in the following manner:

CODE ENFORCEMENT AND REHABILITATION (CDBG)

700-01-7001-0204	Acquisition.....	\$228,000
700-01-7001-0206	Property Disposition and Management	200,000
700-01-7001-0207	Site Clearance	200,000
700-01-7001-0212	Hazard Elimination Program	100,000

700-01-7001-0214	Lead Grant Rehabilitation	45,000
700-01-7001-0215	Program Delivery (Includes Salaries to be Apportioned).....	<u>145,000</u>
TOTAL	\$918,000	

PUBLIC SERVICES (CDBG)

700-01-7002-0201	Allentown YMCA and YWCA	\$9,567
700-01-7002-0202	Lehigh Valley Center for Independent Living	10,000
700-01-7002-0203	The Literacy Center	10,000
700-01-7002-0204	Lehigh County Conference of Churches – Daybreak.....	10,000
700-01-7002-0205	Grace Episcopal Church – Grace Montessori School	10,000
700-01-7002-0206	Youth Education In the Arts	10,000
700-01-7002-0207	The Baum School of Art.....	7,500
700-01-7002-0208	Communities in Schools of the Lehigh Valley.....	10,000
700-01-7002-0209	Community Action Committee of the Lehigh Valley – Community Action Financial Services	10,000
700-01-7002-0210	Neighborhood Housing Services of the Lehigh Valley – HOOP.....	10,000
700-01-7002-0211	Boys and Girls Club of Allentown.....	10,000
700-01-7002-0212	St. Luke's Neighborhood Center	10,000
700-01-7002-0213	Family Answers – Ways to Work	7,500
700-01-7002-0214	Community Bike Works.....	10,000
700-01-7002-0215	Embrace Your Dreams	8,888
700-01-7003-0203	Allentown Public Library.....	10,000
700-01-7003-0204	Lehigh Carbon Community College	9,684
700-01-7003-0206	Syrian Arab American Charity Association	10,000
700-01-7003-0207	Program for Women and Families	10,000
700-01-7003-0208	Allentown Economic Development Corporation – Securing Industrial/Commercial Properties.....	10,000
700-01-7003-0211	City of Allentown Bureau of Health – Alliance Summer Recreation	5,500
700-01-7003-0212	Valley Youth House	10,000
700-01-7003-0213	Focus Area Job Search Program.....	<u>25,000</u>
TOTAL	\$233,639	

NEIGHBORHOOD REVITALIZATION (CDBG)

700-01-7004-0201	Front Street Development Project.....	\$100,000
700-01-7004-0202	Neighborhood Housing Services of the Lehigh Valley – CPP Program	100,000
700-01-7004-0203	Syrian Arab American Charity Association – Building Restoration	10,000
700-01-7004-0205	Neighborhood Public Improvements	330,495
700-01-7004-0206	Habitat for Humanity	<u>150,000</u>
TOTAL	\$690,495	

CDBG – ADMINISTRATION AND ECONOMIC DEVELOPMENT

700-01-7005-0102	Community Action Development Corporation of the Lehigh Valley.....	\$25,000
------------------	-----------------------------------------------------------------------	----------

700-01-7005-0203	Allentown Economic Development Corporation – Economic Development.....	100,000
700-01-7005-0207	Administration	362,075
700-01-7005-0208	Fair Housing	25,000
700-01-7005-0210	Economic Development.....	<u>100,000</u>
TOTAL.....		\$612,075

HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

700-01-7007-0204	Administration	\$75,407
700-01-7007-0205	Alliance for Building Communities – CHDO Operating	15,000
700-01-7007-0206	Alliance for Building Communities – CHDO Activity.....	113,111
700-01-7007-0207	Affordable Housing Project (To Be Determined).....	<u>550,557</u>
TOTAL.....		\$754,075

EMERGENCY SOLUTIONS GRANTS PROGRAM (ESG)

700-01-7008-0201	Community Action Committee of the Lehigh Valley - Sixth Street Shelter.....	\$33,926
700-01-7008-0202	Allentown Rescue Mission.....	33,926
700-01-7008-0203	The Salvation Army.....	33,926
700-01-7008-0204	Administration	13,093
700-01-7008-0205	Lehigh County Conference of Churches – Rapid Re-housing.....	44,222
700-01-7008-0206	Lehigh County Conference of Churches – Linkage.....	<u>18,000</u>
TOTAL.....		\$177,093

SECTION FIVE: That this Ordinance will take effect ten (10) days after final passage.

SECTION SIX: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

The Consolidated Grants Program (CGP) legislation consists of three ordinances and one resolution and originates in the Department of Community and Economic Development.

The attached legislation, from the Department of Community and Economic Development serves as the template for the City of Allentown's application for federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grants Program (ESG) funds. Each piece of legislation serves a specific purpose, which when combined, contain all the recommended regulatory steps need to apply for these federal funds. These are the same types of legislation presented to City Council every year. However, the actual dollar amounts, list of activities and funds available are different every year.

- **Summary and Facts of the Bill**

40 Ordinance #2 Establish CDBG accounts

Summary: This legislation is required to establish expenditure accounts for the City budgeting system, in addition to listing all the activities/programs which will be funded for the 2014-2015 Consolidated Grants Program year. It provides the basis for the creation of the Action Plan which is submitted to HUD as the application for the CDBG, HOME and ESG program funds which the City receives every year.

- **Purpose – Please include the following in your explanation:**

- **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
- **What are the Benefits of doing this/Down-side of doing this**
- **How does this Bill related to the City's Vision/Mission/Priorities**

This ordinance provides the City with the second step needed to allow the City to apply for and then access \$3,385,377 in grant funds for the July 1, 2014 to June 30, 2015 program year. All activities funded comply with the CDBG, HOME and ESG regulations as promulgated by HUD and allow the City to further its Community and Economic Development Initiatives. This bill provides the second step in the process which forms the basis to complete the strategies of the fifth year of the City of Allentown's Consolidated Plan for the period July 1, 2010 to June 30, 2015.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

This ordinance provides the City the ability to expend \$ 3,385,377 in federal funds to complete a variety of activities including acquisition and disposition, public services, neighborhood improvements, administration of the programs, etc. This legislation has no adverse financial impact on the City and the General Fund.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The funding sources for this ordinance are the federal Community Development Block Grant Program (CDBG), the HOME Investment Partnerships Program (HOME) and the Emergency Solutions Grant Program (ESG).

- **Priority status/Deadlines, if any**

This bill has a high priority status. Failure to submit the application to HUD by May 14, 2014 could result in the loss of this money.

- **Why should Council unanimously support this bill?**

The City has again followed the scoring process approved by Council and used in the past to develop this budget. In addition, funding decisions were made by complying with HUD's regulations, which require the City to address concerns/needs noted in its five year Consolidated Plan.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 11 - 2014

APRIL 2, 2014

AN ORDINANCE

An Ordinance providing for the expenditure of certain monies received by the City of Allentown from the repayment of loans made through the Rental Rehabilitation Program.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the Mayor is authorized to expend Thirty Thousand (\$30,000) Dollars received from the repayment of loans made through the Rental Rehabilitation Program in accordance with regulations issued by the United States Department of Housing and Urban Development (HUD).

SECTION TWO: That the Mayor is directed to establish and maintain any and all such accounts and records as are necessary and to make such transfers as may be required to expend and account for said funds in accordance with HUD regulations.

SECTION THREE: That the funds be used for eligible HOME Investment Partnerships Program activities.

SECTION FOUR: That this act of the Council of the City of Allentown is undertaken pursuant to Act 292 of 1974 in accordance with the opinion of the Pennsylvania Attorney General (Opinion 75-23), which holds that Rental Rehabilitation Program Funds and its program income are General Municipal Funds for the purpose of Act 292 of 1974.

SECTION FIVE: That the Council of the City of Allentown authorizes the appropriation of Thirty Thousand (\$30,000) Dollars in the following manner:

HUD Supplemental Grants
Chart of Accounts

700-01-7009-0201-50	Rental Rehabilitation Program	<u>\$30,000</u>
	Total	\$30,000

SECTION SIX: That this Ordinance will take effect ten (10) days after final passage.

SECTION SEVEN: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

The Consolidated Grants Program (CGP) legislation consists of three ordinances and one resolution and originates in the Department of Community and Economic Development.

The attached legislation, from the Department of Community and Economic Development serves as the template for the City of Allentown's application for federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grants Program (ESG) funds. Each piece of legislation serves a specific purpose, which when combined, contain all the recommended regulatory steps need to apply for these federal funds. These are the same types of legislation presented to City Council every year. However, the actual dollar amounts, list of activities and funds available are different every year.

- **Summary and Facts of the Bill**

40 Ordinance #3 Rental Rehabilitation

This legislation will allow the City to expend \$30,000 in funds on the rehabilitation of rental units in the City. This legislation has no adverse financial impact on the City and the General Fund.

- **Purpose – Please include the following in your explanation:**

- **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
- **What are the Benefits of doing this/Down-side of doing this**
- **How does this Bill related to the City's Vision/Mission/Priorities**

This ordinance provides the City with the third piece of legislation which creates the funding available for the 2014-2015 Consolidated Grants Program Year. It adds additional funds to be used for the rehabilitation of rental units in the City.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

This legislation will allow the City to expend \$30,000 in funds on the rehabilitation of rental units in the City. This legislation has no adverse financial impact on the City and the General Fund.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The funding source for this ordinance is the repayment of Rental Rehabilitation loan funds.

- **Priority status/Deadlines, if any**

This bill has a high priority status.

This resolution allows for the budgeting of funds to be used for the rehabilitation of rental units within the City.

- **Why should Council unanimously support this bill?**

Allows for additional funds to be budgeted/spent to provide low interest loans to rehabilitate rental properties in the City.

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 12 - 2014

April 2, 2014

AN ORDINANCE

Amending Article 400.05, of the **Department of Parks & Recreation Fees** by adopting a new fee schedule for daily admission and season pass fees, and adopting new categories for the same for the city's four public swimming pools.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

Amending Article 400.05, of the **Department of Parks & Recreation Fees** by updating swimming pool entry fees and season pass fees for the city's four public swimming pools.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That City Council authorizes the following schedule of fees for use of city public swimming pools for the 2014 season and thereafter.

400.05 SUMMER RECREATION FEES

SWIMMING POOLS RATES FOR 2005 2014

Daily <u>Adult</u> Rate at Cedar, Mack and Jordan Pools (18-59)	5.50
	<u>6.00</u>
Daily <u>Junior Youth</u> Rate at Cedar, Mack and Jordan (4-17)	3.50
	<u>4.00</u>
Daily Rate at Fountain and Irving	1.00
	<u>2.00</u>
Daily <u>Junior</u> Rate at Fountain and Irving	1.00
	N/A
Daily Rate for Children Under 5	Free
N/A	
Daily Rate for Children Under 3	N/A
Free	
(14270 §1 3/3/05)	
Junior Season Ticket at Cedar, Mack and Jordan	45
	N/A
Adult Season Ticket at Cedar, Mack and Jordan (18-59)	75
	<u>50</u>
Non-resident Adult Season Ticket at Cedar, Mack and Jordan (18-59)	N/A
	<u>80</u>

Children at same address at above pools	35	
	N/A	
Youth Season Ticket at Cedar, Mack and Jordan (4-17)	N/A	
	50	
Non-resident Youth Season Ticket at Cedar, Mack and Jordan (4-17)	N/A	
	80	
Senior Season Ticket at Cedar, Mack and Jordan (60+)	0	
	25	
Disabled Season Ticket at Cedar, Mack and Jordan	0	
	NA	
Veteran/Active Military Season Ticket at Cedar, Mack and Jordan	N/A	
	25	
Non-resident Senior Season Ticket at Cedar, Mack and Jordan (60+)	0	
	50	
Non-resident Disabled Season Ticket at Cedar, Mack and Jordan	0	
	N/A	
Non-resident Veteran/Active Military Season Ticket at Cedar, Mack and Jordan	N/A	N/A
	50	
Resident Family Pass at Cedar, Mack and Jordan	N/A	
	150	
Resident Family Pass (Additional Child) at Cedar, Mack and Jordan	N/A	
	25	
Non-resident Family Pass at Cedar, Mack and Jordan	N/A	
	300	
Non-resident Family Pass (Additional Child) at Cedar, Mack and Jordan	N/A	
	40	

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Department of Parks and Recreation, Recreation Board and the Controller's Office

- **Summary and Facts of the Bill**

Presenting a new schedule of swimming pool fees, including decreases and increases, streamlining, and inclusion of new categories.

Revenue Categories

- Include Veterans and Active Military members on the discounted \$25.00 season pass.
 - o This is a new initiative. City never discounted military personnel.
 - o Pass will only apply to individual not family.
- Impose a new flat charge of \$25.00 discounted season pass rate for seniors.
 - o This is a major change, since we have not charged seniors in the past.
 - o Comparable municipalities all charge seniors, except for Whitehall Township where only seniors swim for free.
- Include a family season pass to help families save money per a recommendation from the Board of Recreation.
 - o This is a new initiative. Resident family pass at \$150.00; non resident family pass at \$300.00.
- Include higher non-resident rates for all season pass categories. Research suggests that 69 percent of surveyed residents feel that non-residents should pay a higher rate.
 - o This is consistent with strategic plan of having non-residents pay more.

Other Important Changes

- Eliminate coin currency for all fees per suggestion from 2013 Controller's Office aquatic fee study.
- Simplify resident youth and adult season passes by making them the same rate (\$50.00).

- **Purpose – Please include the following in your explanation:**
 - o **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - o **What are the Benefits of doing this/Down-side of doing this**
 - o **How does this Bill related to the City's Vision/Mission/Priorities**

The goal of this Bill is to update categories for City pool daily admissions and season passes; and increase revenues associated with the four (4) public swimming pools operated by the Department of Parks and Recreation to meet increased expenditures.

The benefit of this Bill would be: increased revenue to the city to offset operating costs; streamlining of rates as recommended by the Controller's Office for fee collection at pool entrances (eg. a 'Youth' category, and rounding off all daily fees to greatly reduce coin currency). The downside in some cases, but not all, would be an increased cost to the user. However, the fee for individual adult season passes would decrease from \$75 to \$50. As recommended by the Board of Recreation, this Bill also creates the opportunity for families to save money by purchasing a Family Pool Pass. The staff recommendations for

the base family pass would include four persons with a maximum of two adults. Additional children could be added to the family pass for a reduced rate.

This Bill relates to the city's priorities by increasing revenue while maintaining current aquatic expenditures and expanding opportunities for others.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

The initial and ongoing cost impact would vary based on the number of daily admissions and season passes sold. Generally, we would anticipate the new fee schedule to increase revenues annually (from daily and season admissions, alone) by some \$46.8K, or from \$162.6K to \$209.5K.

The initial and ongoing benefit would be additional revenue generated through minor increases in daily admission fees, expansion of the Youth Category to include 4- and 5-year olds; and a rise in the number of season passes sold (including a new discounted rate for seniors and new, same-discount rates for veterans and active military). Due to difficulties in determining handicap/disability, and based on conversations and inputs from disabled advocacy organizations, we are recommending elimination of the free season pass for persons claiming a disability.

This would also pass along some of the new, rising costs of pool mechanical maintenance and long-term capital improvements on to the end-user. Lastly, the increase in pool rates, and increased fees for intensely-managed recreational facilities is consistent with recommendations of the City's adopted Master Plan of 2006 and the Recreation Board.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

N/A

- **Priority status/Deadlines, if any**

We wish to implement these new fees for the 2014 swim season.

- **Why should Council unanimously support this bill?**

The fees have not been increased since 2005. Costs of pool maintenance, particularly mechanical systems, water chemistry, and lab testings per the PA Public Bathing Code are expected to increase substantially in 2014. A higher non-resident, season pass rate passes some of the capital costs of pool and adjoining park management on to pool users who are not city taxpayers but who benefit from these facilities.

ORDINANCE NO.

FILE OF CITY COUNCIL

Bill No. 14 – 2014

APRIL 2, 2014

AN ORDINANCE

Amending the 2014 Liquid Fuels Fund, the 2014 General Fund, the 2014 Trexler Fund, the 2014 Golf Fund and the 2014 Solid Waste Fund by appropriating funds from the unappropriated balances for partial restoration of the following accounts: premium pay, shift differential, repairs and maintenance, contracted services, repair and maintenance supplies, rentals, operating and materials and supplies due to unprecedented amount of expenditures for snow removal, plowing, materials and salting for the recent storms.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN;

SECTION ONE: The City Council authorizes the appropriation of **\$435,955.60** (Four Hundred Thirty Five Thousand Nine Hundred and Fifty Five Dollars and Sixty Cents) from the unappropriated balance of the Liquid Fuel Fund, **\$170,967.85** (One Hundred Seventy Thousand Nine Hundred Sixty Seven Dollars and Eighty Five Cents) from the unappropriated balance of the General Fund and **\$9,994.03** (Nine Thousand Nine Hundred and Ninety Four Dollars and Three Cents) from the Trexler Fund, **\$41,404.32** (Forty One Thousand Four Hundred and One Dollars and Thirty Two Cents) from the unappropriated balance Solid Waste Fund and **\$1,470.52** (One Thousand Four Hundred and Seventy Dollars and Fifty Two Cents) from the unappropriated balance of the Golf Fund to the following accounts:

<u>Department</u>	<u>A/C Description</u>	<u>Account</u>	<u>Amount</u>
General Fund			
Engineering	Overtime	000-03-0702-0001-06	\$8,406.62
Engineering	Shift Differential	000-03-0702-0001-11	\$327.30
Engineering	FICA	000-03-0702-0001-12	\$668.14
Fleet Maint Operat.	Repairs & Maint.	000-03-0704-0001-42	\$10,000.00
Fleet Maint. Operat.	Other Contract Ser.	000-03-0704-0001-46	\$33,716.49
Streets	Overtime	000-03-0716-0001-06	\$25,746.49
Streets	Shift Differential	000-03-0716-0001-11	\$1,602.83
Streets	FICA	000-03-0716-0001-12	\$2,092.22
Streets	Operating Mat & Sup.	000-03-0716-0001-68	\$7,726.13
Streets (Storm)	Overtime	000-03-0716-0002-06	\$28,991.73
Streets (Storm)	Shift Differential	000-03-0716-0002-11	\$99.29
Streets (Storm)	FICA	000-03-0716-0002-12	\$2,225.46
Traffic Engineering	Overtime	000-03-0807-0001-06	\$2,257.14
Traffic Engineering	Shift Differential	000-03-0807-0001-11	\$24.28
Traffic Engineering	FICA	000-03-0807-0001-12	\$174.53
Park Maintenance	Overtime	000-08-0709-0001-06	\$35,816.04
Park Maintenance	Shift Differential	000-08-0709-0001-11	\$1,312.01
Park Maintenance	FICA	000-08-0709-0001-12	\$2,840.30
Health (Injury Prev.)	Overtime	000-09-0908-0002-06	\$424.04

Health (Injury Prev.)	FICA	000-09-0908-0002-12	\$32.44
Health (Food Svc San.)	Overtime	000-09-0908-0006-06	\$402.91
Health (Food Svc San.)	FICA	000-09-0908-0006-12	\$30.82
Health (Env.. Protect.)	Overtime	000-09-0908-0007-06	\$390.22
Health (Env. Protect.)	FICA	000-09-0908-0007-12	\$29.85
Health (Aids Prev.)	Overtime	000-09-0908-0011-06	\$2,998.07
Health (Aids Prev.)	FICA	000-09-0908-0011-12	\$229.35
Health (Cancer Prev.)	Overtime	000-09-0908-0012-06	\$888.06
Health (Cancer Prev.)	FICA	000-09-0908-0012-12	\$67.94
Health (Maternal)	Overtime	000-09-0908-0017-06	\$1,344.30
Health (Maternal)	FICA	000-09-0908-0017-12	\$102.84
		Total General Fund	\$170,967.85

Liquid Fuels

Streets (PA Liq)	Overtime	004-03-4741-0001-06	\$39,646.47
Streets (PA Liq)	Shift Differential	004-03-4741-0001-11	\$1,538.71
Streets (PA Liq)	FICA	004-03-4741-0001-12	\$3,150.67
Streets (PA Liq)	Rentals	004-03-4741-0001-30	\$238,516.25
Streets (PA Liq)	Repair & Main Sup.	004-03-4741-0001-54	\$47,736.00
Streets (PA Liq)	Chemicals	004-03-4741-0001-66	\$105,367.50
		Total Liquid Fuels	\$435,955.60

Trexler Fund

Parks (Trexler Mem.)	Overtime	006-08-6761-0001-06	\$9,080.27
Parks (Trexler Mem.)	Shift Differential	006-08-6761-0001-11	\$203.55
Parks (Trexler Mem.)	FICA	006-08-6761-0001-12	\$710.21
		Total Trexker Fund	\$9,994.03

Solid Waste Fund

Solid Waste (Recy)	Overtime	085-03-8005-0001-06	\$6,139.83
Solid Waste (St Clean)	Overtime	085-03-8005-0003-06	\$31,025.83
Solid Waste (St Clean)	Shift Differential	085-03-8005-0003-11	\$1,296.32
Solid Waste (St Clean)	FICA	085-03-8005-0003-12	\$2,942.34
		Total Solid Waste Fund	\$41,404.32

Golf Fund

Golf Course	Overtime	091-08-9001-0001-06	\$1,289.12
Golf Course	Shift Differential	091-08-9001-0001-11	\$76.90
Golf Course	FICA	091-08-9001-0001-12	\$104.50
		Total Golf Fund	\$1,470.52

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

ORDINANCE NO. _____

FILE OF CITY COUNCIL

BILL NO. 15 - 2014

April 16, 2014

AN ORDINANCE

Amending Title Eleven of the Codified Ordinances of the City of Allentown, Pennsylvania, relating to AUTHORITES, BOARDS AND COMMISSIONS, by enacting a new Article 180 creating the Allentown Public Art Committee and setting forth its powers and duties.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That the following be added as Article 180 of the Codified Ordinances.

ARTICLE 180
ALLENTOWN PUBLIC ART ORDINANCE

Section 180.01	Title
Section 180.02	Findings and Purpose
Section 180.03	Definitions
Section 180.04	Establishment
Section 180.05	Composition
Section 180.06	Terms; Removal and Vacancies
Section 180.07	Powers and Duties
Section 180.08	Quorum of the Committee
Section 180.09	Meetings
Section 180.10	Rules and Regulations
Section 180.11	Annual Report

SECTION 180.01
TITLE

The title of this Article is the Allentown Public Art Ordinance.

SECTION 180.02
FINDINGS AND PURPOSE

The City of Allentown finds that Public Art strengthens and enriches the quality of life of its citizens. Commissioning new work and restoring and maintaining the existing Public Art creates a more vibrant city that integrates art and artists into the culture, fostering a community of creativity. Public art enhances public places and promotes Allentown's identity as a livable and creative city and a desirable place to live, work and visit. The City recognizes the importance of expanding the opportunities for its citizens to experience

Public Art resulting from the creative expression of artists in public places of the city. A planned Public Art program improves the local arts community and the entire City of Allentown.

SECTION 180.03
DEFINITIONS

The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

- A. Works of art may include, but not be limited to, the following:
- (1) Sculpture: in the round, bas relief, mobile, fountain, kinetic, and electronic, in any approved material or combination of material(s)
 - (2) Painting: all media, including portable and permanently affixed works, such as murals
 - (3) Graphic arts: printmaking, drawing, and banners
 - (4) Mosaics
 - (5) Photography
 - (6) Crafts: in clay, fiber, and textiles, wood, metal, plastics, stained glass, and other materials, both functional, and nonfunctional
 - (7) Mixed media; any combination of forms and media, including collage
 - (8) Earth works, environmental installations, and environmental art
 - (9) Decorative, ornamental, or functional elements which are designed by practicing artists or other persons submitting as artists, including but not limited to design professionals who are not participating members of the city's design team for the project (includes repetitive or serial art by the artist)
 - (10) Light or luminal art, lighting
 - (11) Sound art
 - (12) Portable art that may be displayed at locations other than its substantially permanent location at or adjacent to the project site
 - (13) Temporary performance, or time-based art, provided that it is documented, is tied to the project whose budget provided funding and produces a permanent work of art that is on substantially permanent display at or adjacent to the project site.

Directional elements, signage, objects which are mass produced in standard design, reproductions of artwork, or landscape gardening (except where the elements are designed by the artist or landscape architect and are an integral part of a work of environmental art) are not considered art.

- B. Public Art means art that is owned by the City and which is installed in public, accessible locations, including public land and buildings owned by the City and public land and buildings owned by Authorities, Boards and Commissions controlled by the City.

The provisions of this Article do not apply to land or buildings located within the City that are owned by the Commonwealth of Pennsylvania, the County of Lehigh or the Allentown City School District, or that are owned by an agency or instrumentality of the Commonwealth of Pennsylvania, of the County of Lehigh or of the Allentown City School District.

SECTION 180.04
ESTABLISHMENT

There is constituted for the City a body to be known as the Public Art Committee. By this ordinance, the City of Allentown's Public Art collection shall be under the direction of the Allentown Public Art Committee, whose composition is described in Section 180.05 and whose powers and duties are described in Section 180.07.

SECTION 180.05
COMPOSITION

A. The Committee shall consist of ten (10) persons who shall be appointed by the Mayor subject to the approval and confirmation of the Council. The ten (10) members shall include: two (2) experts in visual art, one (1) community representative, one (1) Council Member, two (2) representatives from the Allentown Arts Commission, the President & CEO of the Allentown Art Museum of the Lehigh Valley, one (1) engineer, one (1) landscape architect, and one (1) finance/accounting expert.

Together the Committee Members will concentrate on Public Art exclusively, gathering resources, making recommendations on the acquisition, placement, maintenance and conservation, marketing and siting of outdoor and other Public Art for or in the City of Allentown.

(1) The Allentown Arts Commission Members shall Chair or Co-chair the committee, relay important goals, policies and procedures to the Committee, advise on art element matters and share the history and knowledge of other Public Art projects with the Committee.

(2) The design professionals shall provide the Committee with architectural, structural, landscape or other design elements of the site or the facility; recommend opportunities for Public Art to be more integrated into the sites including ways to utilize electrical, structural, plumbing or other useful infrastructure.

(3) The artists and art professionals shall assist with conveying to the Committee the methods of interpreting and evaluating artistic craftsmanship, aesthetic design and meaning of Public Art design concepts; advise on methods for evaluating artists' background, experience and capacity for achieving successful project completion; and assist other Committee members with understanding art terminology and process.

(3) The community representative shall convey to the Committee the immediate and broader neighborhood desires and concerns about the site or how the art project will function in the area; cultivate stewardship responsibilities from the neighborhood for the resulting project; provide regular reports to other neighborhood members and or/organizations; establish local resources and network connections for creation and installation of work.

(4) The fundraiser/grant writer shall advise the Committee on where and how to seek funding for Public Art maintenance, conservation, restoration and acquisition.

(5) The finance or accounting professional shall assist the Committee in decision making about managing financial resources for Public Art.

(6) The President & CEO of the Allentown Art Museum of the Lehigh Valley shall advise the Committee concerning acquisition, maintenance, conservation, restoration and management of Public Art and shall advise the Committee on how the Public Art projects can generate excitement, interest and support from the citizenry, and how these projects can portray Allentown as an arts-friendly, creative, 21st century place.

(7) The City Council Member shall act as a liaison between the Committee and City Council.

B. The following City staff persons, or their respective designees, shall be *ex officio* members of the Committee and shall offer support and assistance to the Committee: the Director of Parks & Recreation, the Director of Public Works, the Planning Director, and the Special Events Coordinator.

(1) The Planning Director or his/her designee shall assist the Committee in understanding the City's goals, visions and initiatives outlined in various plans, including master plans, comprehensive plans, zoning plans, etc.

(2) The Director of Parks & Recreation and Public Works Director or their respective designees shall implement the recommendations of the Committee regarding siting, conservation and maintenance, and landscaping of Public Art.

(3) The City staff ex officio members shall also convey to the Committee the issues related to public use and interaction with City Departments and staff; cultivate relationships within the City agencies for the Public Art projects, providing regular project updates to various City Department Directors and other City staff, and shall also provide all required administrative functions to facilitate the meetings and site visits, including recording and distributing the actions of the Committee to members.

SECTION 180.06

TERMS; REMOVAL AND VACANCIES

A. The initial terms of the first ten (10) Committee members shall be as follows and until their successors are selected: Four (4) members shall serve until the first Monday of January 2015; three (3) members shall serve until the first Monday of January 2016; and three (3) members shall serve until the first Monday of January 2017. Members serving until January 2017 include the following: 1) one finance/accounting expert, 2) one representative from the Allentown Arts Commission, and 3) one City Council Member. Members serving until 2016 include the following: 1) one expert in visual art, 2) President and CEO of the Allentown Art Museum and 3) one engineer. Members serving until 2015 include 1) one expert in visual art, 2) one community member, and 3) one representative from the Allentown Arts Commission and 4) one landscape architect.

B. After the expiration of the initial terms successor Members shall serve a term of five (5) years.

C. The Mayor may remove any or all members of the Committee for official misconduct or neglect of duty.

D. In the case of any vacancies on the Committee the Mayor, with the approval and consent of Council, may appoint persons to fill the vacancy for the remainder of the predecessor member's term.

SECTION 180.07

POWERS AND DUTIES

A. General Powers and Duties.

The Allentown Public Art Committee shall have responsibility for the process and procedures undertaken by the City of Allentown for the maintenance, acquisition and de-accession of Public Art in the City of Allentown, in adherence to the definition of Public Art and the administration of such definition.

B. General Principles Governing Public Art.

The following guiding principles and values are intended to guide the Committee and the City of Allentown regarding Public Art. The Committee and the City adopt these goals and commit to these ideals and process.

(1) Public Art will represent a broad variety of styles and support community interests.

(2) Public Art will reflect the diverse spectrum of beliefs, cultural heritage and artistic expressions of the people of Allentown.

(3) Public Art will enhance the environment, creating tourism and economic development potential for Allentown.

(4) The Committee will adhere to all federal, state and local laws.

(5) The Committee will identify and pursue additional sources of funding for acquisitions, maintenance and conservation of the collection.

(6) The Committee will inform, include and invite the public to participate in all phases of the Public Art process.

- (7) The Committee will promote the visual arts of Allentown, working to increase understanding within the community about the purpose and meaning of the artwork and the collection.
- (8) The Committee will make the collection available to the public through a variety of media.
- (9) The Committee will document, maintain and conserve Public Art in Allentown.
- (10) The Committee will seek to develop opportunities for local artists.
- (11) The Committee will partner with other organizations to promote the arts.

C. Specific Powers and Duties.

(1) Recordkeeping, Cataloging, and Maintenance

(i) The Committee has the responsibility to document, maintain and conserve, and when appropriate, restore works of Public Art. By this Ordinance, stewardship of the Public Art collection is a mandate of the Allentown Public Art Committee. The Committee shall protect the value, integrity and authenticity of the work, by raising the necessary funds to return the collection to its original condition, and then provide for the prescribed annual maintenance. The Committee shall ensure that there is appropriate recordkeeping of maintenance and cataloging of the artwork.

(ii) The Committee and the Allentown Arts Commission shall be familiar with and comply with the Visual Artist's Rights Act of 1990, 17 U.S.C. § 106A, as amended.

(iii) Public Art can be affected by exposure to light (natural and artificial), wind, air-borne dust, temperature and humidity changes, vibration, precipitation and other conditions. On occasion, Public Art may also suffer physical damage as a result of accident or vandalism. Without long-term maintenance, the Public Art risks serious degradation as the collection ages. The overall policy of the Committee is to preserve as much of the Public Art collection as possible in the current locations of the various works. This typically means repairing and restoring as many works as available resources allow. The general order of priority is to repair and restore the works that have sustained serious damage and degradation first.

(iv) Maintenance and conservation are to be carried out only by qualified consultants. During planning for Public Art projects, maintenance issues will be identified and addressed regarding the use of materials, fabrication techniques, structural engineering, foundation and site design, and any other considerations related to longevity and durability.

(v) The conservation effort includes condition assessment reports for the collection, integrated into a database, maintained by the City of Allentown that is updated periodically and reviewed at least yearly by the Committee. In its joint report with the Allentown Arts Commission, the Committee shall report on the overall condition of the Public Art collection in their annual report to City Council pursuant to Section 180.11

(2) Artist Selection for Commissioned Artwork

The following methods of selection described in these guidelines may be used to select an artist or artists for projects. Curators or other organizations may be used to assist the Committee in acquiring appropriate artist services or works of art.

(i) Open Competition – An open call for artists to compete for commission or purchase for a work of art. There are no restrictions, other than the medium or the style.

(ii) Open/Invitational – An open call for artists that includes the possibility that certain, appropriate artists may receive invitations to compete. From this group, an artist(s) would be selected.

(iii) Invitational – An invitation to certain, identified, appropriate artists to submit materials for consideration on a project. From this group, an artist(s) would be selected.

(iv) Direct Selection – This is a direct identification of a specific artist (or artists such as a team) who has been identified by the Committee as being capable of providing the requirements of the

project as defined in the prospectus. With direct selection, the artist is providing sole source services. Direct selection may also be utilized in the acquisition of an existing, specific, work of art. Direct selection is only possible when it is determined that a site would be best served by commissioning artist(s) with specific backgrounds or qualifications or when there is a recognized time constraint to complete the project.

(v) Selection of a curator, organization, or project jury panel – For certain projects, the Committee may identify other entities or individuals to assist in development of the project.

(3) Development of the prospectus for the Public Art project

(i) The Committee shall develop project criteria such as site, theme, media, scale, method of artist or work of art selection, residency of eligible artists, determination of the selection process, and other appropriate parameters. The prospectus may take different forms, including but not limited to Request for Proposal (RFP), Request for Qualifications (RFQ), or a hybrid RFP/RFQ. A project evaluation criteria matrix will be established and used for rating the proposals.

(ii) The Committee shall present the prospectus to the Allentown Arts Commission for approval.

(iii) Upon acceptance by the Allentown Arts Commission, the prospectus will be forwarded to the Mayor.

(iv) Upon approval by the Mayor, the prospectus will be made available publically through various venues and in multiple formats, i.e. digitally, electronically, and in hard copy.

(v) Selection of artists or artwork may be made on evaluation of any or all of the following elements: Digital images of previous work; photographs; resumes; narrative or visual proposals; interviews, maquettes, or other appropriate materials. The artist selection process will be open to all artists regardless of race, color, creed, gender, gender variance, national origin, age, religion, marital status, political opinion or affiliation or mental or physical handicap. Beyond this, artists will be sought who work in all media, materials, and who have varying levels of experience.

(vi) The following are typical materials used in the selection of art: site plan showing location of proposed Public Art; minimum 1/4" scale drawings of the art concept or the art component, including at least one elevation; context drawings; material/color samples; model (optional); written proposal including the following information: a description and summary of final design proposal for the proposed Public Art; detailed maintenance requirements; a schedule for development, fabrication, completion; Artist resume/background; and evidence of assumption of liability by applicant or designee. Additional requirements may be requested by the selection committee. The selection process will be an open, fair and transparent competitive process.

(4) Artist Registry

The Committee shall establish an artist registry established for future commissions of Public Art in the City of Allentown.

(5) Art Donation Procedure

The Public Art Committee shall review requests to make donations of Public Art. Responsible ownership of Public Art requires a commitment of resources to conserve and protect it. With limited City resources for maintenance, the Committee will accept donations of Public Art only if a plan has been made for the costs of installation, and the conservation and maintenance of the Public Art for the expected life of the Public Art.

(i) Criteria used for review of requests to make donations of Public Art are: relationship to other existing Public Art in the vicinity, or future proposed Public Art; constructability of proposed Public Art,

and requirements regarding access to the site and accessibility to the site, including the federal Americans with Disabilities Act of 1990, as amended; artist's credentials and recognition; durability and craftsmanship in fabrication and production quality; appropriateness of Public Art location; appropriateness of Public Art scale to the proposed site; appropriateness of Public Art to other aspects of its surroundings; maintenance and conservation plan; and any applicable neighborhood design guidelines.

(6) Project and Site Selection

(i) The Committee, with approval from the Allentown Arts Commission, shall identify suitable locations for Public Art. The criteria for selecting locations include: the durability of materials used by the artist; the nature, size and configuration of the Public Art; configurations, intended uses and risk factors of various available locations; and aesthetic considerations

(ii) The City staff persons who are members of the Arts Commission shall present the Commission's selected site to the City Departments. When the Public Art is to be placed in property owned by or under the use and control of the City Right specific City staff from appropriate departments shall be invited to participate in Committee meetings to arrange for the installations.

(iii) Public Art shall be sited where it can best be appreciated and experienced by the site users or residents of the neighborhood in which it is situated.

(iv) The *ex officio* members of the Committee who are City staff persons shall endeavor to maintain a list of suitable locations for Public Art, updated from time to time and made available to the Committee on a regular basis.

(7) De-accession and Relocation of Artwork

(i) De-accession is the removal of an artwork from the permanent Public Art collection. Because disposal of artwork is generally irrevocable, de-accession shall be a deliberate procedure.

(ii) Reasons for de-accession of Public Art include but are not limited to: the condition or security of the artwork cannot be reasonably guaranteed; the Public Art requires extensive maintenance or has faults of design or workmanship and repair or remedy is unfeasible or impractical; the Public Art has been damaged or has deteriorated beyond the point where repair is practical or feasible; the Public Art endangers public safety; significant changes in the use, character or design of the site have occurred, which affect the integrity of the Public Art; extreme adverse public reaction over an extensive period of time; the quality of the Public Art is called into question; the Committee desires to replace the Public Art with a more appropriate work by the same artist; or written request from the artist has been received stating the artist requests removal or return or extensive repair of the Public Art

(iii) Relocation is the movement of a work of Public Art to a more suitable site because of changes to, or sale of, City property where the work is sited, or the original site is deemed unsuitable.

(iv) Reasons for relocation of artwork include but are not limited to: the Public Art endangers public safety in its current location; significant changes in the ownership, use, character or design of the site have occurred, which affect the integrity of the Public Art; a written request from the artist has been received; or a more appropriate site for the Public Art is determined

(v) The City of Allentown's Public Art collection shall be periodically reviewed by the Committee, with a joint report (in addition to yearly report) from the Committee and the Allentown Arts Commission to Allentown City Council. In the event that circumstances warrant, a written request may be submitted to the Committee for review for de-accession or relocation or disposal of a work of art.

(vi) A recommendation addressing the concerns which prompted the request for de-accession or relocation shall be reviewed by the Committee, with a decision forwarded to the Allentown Arts Commission. Should the Allentown Arts Commission's decision be unsatisfactory to the requesting party, the Allentown Arts Commission shall convene a competent independent third party to review the Committee's recommendation regarding the artwork.

(vii) The following courses of action in order of priority may be followed if a work of Public Art must be removed from the City's collection: relocate the Public Art; sell or trade the Public Art; offer the artist(s) the opportunity to buy back the Public Art at the current appraised value, with the cost of the appraisal to be borne by the artist; advertise the sale of the Public Art by auction or other public sale; dispose of the Public Art or remainder of the Public Art in an appropriate and practical way when other options have not resulted in the disposal of work

(viii) Disposal of any means of any Public Art shall conform to legal requirements. Proceeds from the sale of any Public Art must be used in the maintenance, repair, or preferably, for the purchase of new Public Art.

SECTION 180.08 QUORUM OF THE COMMITTEE

Six (6) voting members of the Committee shall constitute a quorum and the votes of a majority of all voting members shall be necessary for any official action. In the event that the chairperson or co-chair is not present at a meeting, an acting chairperson will be selected from among those members of the Committee present at such meeting.

SECTION 180.09 MEETINGS

Meetings of the Committee may be called at the discretion of the Chairperson, or at the written request of five (5) Committee members, provided that such written notice is delivered to the Chairperson at least five (5) working days in advance of such special meeting. All meetings of the Committee must be open to the public as is required by the Pennsylvania Sunshine Act, 65 Pa.C.S. § 701 et seq. Executive Sessions may be called in conformance with applicable law.

SECTION 180.10 RULES AND REGULATIONS

Subject to the approval of the Mayor and Council, the Committee may enact its own rules and regulations pertaining to the carrying out of its duties.

SECTION 180.11 ANNUAL REPORT

The Committee, in cooperation with the Allentown Arts Commission, shall annually prepare a written report of the year's activities, a one (1) year plan and long term goals and scenarios to enhance the City's Public Art programs and facilities. The report shall be given to the Mayor and City Controller and shall be presented to Allentown City Council at a public meeting.

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Office of the Mayor. Initiative represents the final product of the 250th Legacy Project, which seeks to protect and enhance public art in the City of Allentown. The initiative was funded in large measure by the Trexler Trust.

Summary and Facts of the Bill

The bill amends Title 11 of the Codified Ordinances by enacting a new Article 180 creating the Allentown Public Art Committee and setting forth its powers and duties.

Forthwith the bill will be known as the Allentown Public Art Ordinance.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

Our City celebrated its 250th Anniversary in 2012. A lasting part of that 250th year celebration was the creation of a Legacy Project which aims to protect, enhance, expand and value our collection of public art in the City of Allentown.

The Legacy Project includes an inventory of all public art throughout the City: sculpture, murals and the like. All relevant information about the pieces has been recorded including the location and condition. The inventory also includes photographs. This catalog will help to serve as a critical resource as we move forward with implementing the Legacy Project itself.

Before City Council now is an ordinance to codify the guidelines used in developing a policy and plan for restoration, maintenance, placement and education for public art in Allentown. Such guidelines and procedures will help Allentown manage its public art collection.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

The Bill itself has no demonstrable financial impact, save for utilizing existing staff time.

The benefits, however, are immeasurable in both the quantitative and qualitative terms: expanding tourist dollars spent in Allentown; value of the art work itself and the improved look and appearance of the pieces themselves.

Funding Sources – Please include the following in your explanation:

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

Save for staff time devoted to the Committee, there is no funding necessary for the creation and continuation of the Public Arts Committee.

Funding sources for the work of the Committee will be a function of the Committee to deal with and identify.

- **Priority status/Deadlines, if any**

The Administration and the Trexler Trust would request consideration by City Council in April and May 2014.

- **Why should Council unanimously support this bill?**

City Council should support this Bill because it provides for the protection, enhancement, expansion, and marketing of the City's world class collection of public art.

ORDINANCE NO. _____

FILE OF CITY COUNCIL

Bill No. 16 - 2014

AN ORDINANCE

Extending and ratifying the previously authorized and organized Allentown Parking Authority as established under the Act of 1947, June 5, P.L. 458, as amended, including all powers necessary or convenient for the administration; supervision and enforcement of an efficient system of off-street and on-street parking; and further, providing for the delegation to the Allentown Parking Authority of certain municipal functions relating to off-street and on-street parking, under certain terms and conditions.

WHEREAS, the Allentown Parking Authority (the "Authority") was duly formed by the City of Allentown City Council (the "City Council") under the Pennsylvania Parking Authority Law of 1947, approved June 5, 1947, P.L. 458, as amended and supplemented, with the Articles of Incorporation having been filed and approved by the Department of State of the Commonwealth of Pennsylvania (the "Department") on November 30, 1984; and

WHEREAS, the Pennsylvania Parking Authority Law establishes an initial term of existence for parking authorities of fifty (50) years from the approval of the Articles of Incorporation, which in the case of the Authority would originally have expired on November 29, 2034; and

WHEREAS, the Authority owns and/or operates a variety of parking facilities within the City of Allentown, including, but not limited to, parking lots and parking structures and garages, serving the parking needs of businesses, residents, tourists and visitors to the City of Allentown and beyond; and

WHEREAS, from time to time, it is necessary to obtain financing to improve the current facilities and/or to construct or purchase additional facilities; and

WHEREAS, limiting financing to the remaining Authority life will result in substantially increased costs and higher rates to the public for capital projects; and

WHEREAS, the most appropriate and favorable financing is likely to have a term exceeding the remaining Authority life; and

WHEREAS, the Authority will need to have a thirty (30) year life to be able to achieve the most appropriate and favorable financing ; and

WHEREAS, the Authority has proposed, in accordance with the Pennsylvania Parking Authority Law, 53 Pa. C.S.A. § 5505 ("the Act"), that the Authority's existence be extended for a thirty (30) year period from the date such extension is approved by this Ordinance so that it may continue to provide capital improvements for the public at the most reasonable financing.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN :

SECTION 1. The foregoing WHEREAS clauses are incorporated herein as if set forth in their entirety.

SECTION 2. The City Council for the City of Allentown, in accordance with the Pennsylvania Parking Authority Law, 53 Pa. C.S.A. § 5505 ("the Act"), extends the existence of the Allentown Parking Authority from November 30, 2034 to November 30, 2064.

SECTION 3. It is confirmed and ratified that the Authority shall continue to provide efficient and equitable parking services to the public to meet the needs of the growing and changing City of Allentown and promote economic growth particularly in the downtown business area. That the purpose and powers of the said Parking Authority shall be as determined in the Parking Authority Law 1947, June 5, P.L. 458, as amended.

SECTION 4. The Authority shall continue to be empowered, subject to the provisions of this Ordinance, to exercise all powers necessary or convenient for the administration and enforcement of an efficient system of off-street and on-street parking regulations within the City of Allentown.

SECTION 5. It is ratified and confirmed that, in accordance with the general grant of authority contained in the "Parking Authority Law", Act of June 5, 1947, P.L. 458, as amended, and Section 2 of this Ordinance, and pursuant to the limitation of the "Parking Authority Law" that Authorities may not engage in the performance of municipal functions except such functions as are delegated to it by municipal ordinance, the Allentown Parking Authority is hereby delegated, subject to the provisions of Section 6 of this Ordinance, the power and right to exercise those municipal functions necessary or convenient for the administration, supervision and enforcement of an efficient system of off-street and on-street parking, including the power and right:

- (1) to conduct research and maintain data related to off-street and on-street parking programs;
- (2) to distribute, issue and process parking tickets;
- (3) to enforce parking regulations by the issuance of parking tickets and by booting, towing and impounding vehicles as provided by law, including the providing for and the establishment of procedures governing the removal and impounding of any vehicle parked on the highways or City property in violation of law;
- (4) to collect on behalf of the City of Allentown all revenue derived from on-street parking programs except fines and penalties from contested on-street parking violations and to pay to the City of Allentown said revenue in excess of:
 - (a) costs incurred by the Authority for on-street parking programs including the costs of administration, operation, (including a reasonable allowance for repair and replacement of equipment), and enforcement.
 - (b) costs incurred by the Authority for off-street parking programs in excess of revenues derived therefrom; off-street costs shall include administration, operation, (including a reasonable allowance for maintenance of facilities and debt service), and enforcement;

- (5) to acquire parking meters and related supplies and to locate, install and maintain such parking meters;
- (6) to administer a program of residential permit parking as provided by law; and,
- (7) to make, from time to time, such regulations as are necessary and convenient for the administration, supervision and enforcement of an efficient system of on-street parking, including the regulation or prohibition of stopping, standing or parking.

SECTION 6. The delegation of authority provided for it in Section 5 of this Ordinance shall not be construed as an authorization to the Authority to undertake any municipal function currently exercised by the executive and administrative branch of the City government unless and until the Mayor, or such other officers of the executive and administrative branch of City government as he shall designate, or as required by law, has reviewed, or caused to be reviewed, and has approved the transfer of any executive or administrative municipal function to the Authority; nor shall said delegation be construed in contravention, limitation or enlargement of any other Ordinance of the City of Allentown, relating to the regulation of off-street or on-street parking, unless specifically authorized herein or by Ordinances of City Council.

SECTION 7. That this Ordinance shall take effect twenty (20) days following its passage by City Council and approved by the Mayor.



CITY OF ALLENTOWN

CA-1

RESOLUTION

2014

Introduced by the Administration on April 16, 2014

Certificates of Appropriateness for work in the Historic Districts

Resolved by the Council of the City of Allentown, That

WHEREAS, Certificates of Appropriateness are required under the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania No. 167, June 13, 1961 (P.L. 282) and City of Allentown Ordinance No. 12314; and

WHEREAS, the following owners and/or applicants propose exterior alterations of the listed properties as indicated on the attached Case Reports:

Christian J. Brown
343 N. 9th Street

Christian J. Brown
345 N. 9th Street

Richard S. Kohn
38 N. 16th Street

WHEREAS, on April 7, 2014, the Allentown Historical Architectural Review Board recommended approval of the above applications or offered modifications, which were subsequently accepted by the property owners, to City Council; and

WHEREAS, after reviewing the above-mentioned HARB Case Reports, it is the opinion of City Council that the proposed work is appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Allentown that Certificates of Appropriateness are hereby granted for the above referenced work.

CITY OF ALLENTOWN
Historical Architectural Review Board
FINAL REVIEW SHEET
April 7, 2014

Case # HDC-2014-00003 - Proposal to demolish the rear addition and restore the façade.

Property located at: 343 N 9th Street

Property Owner: Christian J. Brown

Address: 347 N 9th St,
Allentown, PA 18102

Historic District: Old Allentown

Applicant: same

Meeting date: April 7, 2014

Applicant's Address: same

Building description, period, style, defining features: This 2½-story brick row house, ca 1880, is late Federal/early Victorian style. The asphalt shingles roof is gabled and has a centered single gabled dormer. The cornice is dentilated. All windows are 1/1 sash and all lintels are flat and rectangular with no design. The main entry has a single door with rectangular transom. The grocer's alley entrance is on the right side of the front façade and has a wooden paneled door with no transom.



Proposed alterations: It is proposed to demolish the rear addition and restore the façade. The façade restorations will include:

- Paint removal from all brick surfaces
- Window replacement with either 2 over 2 or 6 over 6 divided light quality windows.
- Door replacement with solid panel door of appropriate vintage and design for the era.
- Replacement of grocery alley doorway with either appropriate restored salvage or reconstructed period style doors.
- Brick repair and re-pointing
- Window sill replacement with solid wood with drip edges
- Window headers- tin covering will be removed and wood headers restored.
- All brick mould window and door trim/casing shall be replaced with solid wood and painted
- Shutters will be installed, wood solid panel on first floor and louvered on 2nd floor
- Period light fixtures will be installed

343 N. 8th St.
HDC-2014-00003

- Installation of date plaque
- Restoration of third floor dormer keeping with the style of 343 (with gable roof)

All façade restoration will be done to maintain the appearance of 2 separate houses although the properties are legally and soon to be physically consolidated into one.

Background: Per HARB Case #2010-25, heard on June 7, 2010:

1. Demolish the Allentown Porch Roof, concrete stoop and hand rail on main facade

Violations: None

Guideline Citation: **SIS 9.** New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. **SIS 6.** Deteriorated features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. **Allentown Guidelines for Historic Districts:** Chapter 5. Guidelines for Existing Buildings and Structures 2. Historic Masonry, 4. Walls, Siding and Trim, 5. Windows, 6. Doors, 9. Color, 12. Lighting and Chapter 3. Demolition.

Evaluation, effect on historic district, recommendations: The proposed work is historically appropriate as submitted. Demolition of the existing rear additions will not have an adverse effect on the historic district, but the treatment of the rear of the building should be reviewed when conditions and design direction determined. Preservation Briefs should be consulted for paint removal recommendations and proper neutralization after chemical removers are used. All brick repointing shall be done with a high lime content mortar to protect the soft historic brick (see Preservation brief #2). The existing pre-hung door should be replaced with a door installed within the historic frame and a transom. No pre-hung doors should be used. Either 6 over 6 or 2 over 2 double hung windows would be historically appropriate. If there is any physical evidence that indicates the original muntin configuration it should be followed. The proposed work will be a great enhancement for the district.

Discussion: There was a brief discussion of the proposed work because the work was historically appropriate as submitted. The treatment of the rear facades was discussed. Mr. Brown said the window and door openings still existed in the original exterior wall and that in some instances the windows were still in situ. He said he would return to the HARB with the details of the work on the rear facades where visible from the public right-of-way. Mr. Brobst asked about the window specification for the front façade. Mr. Brown said he would be using a wood, double-hung window. The windows would not be aluminum clad. Mr. Brobst also asked about the treatment of the walls of the abutting building were the rear additions were to be demolished. Mr. Brown said the abutting building wall would be appropriately repaired or refinished if needed. This would be part of a future submission if visible from the street.

Motion: The HARB upon motion by Mr. Brobst and seconded by Mr. Berner adopted the proposal that City Council issue a Certificate of Appropriateness for the proposed work described herein:

1. The proposal to demolish the rear addition and restore the façade at 343 N 9th Street was represented Christian Brown.
2. The front façade paint will be removed from all brick surfaces using non-abrasive, historically appropriate techniques.

3. Windows will be replaced with either 2 over 2 or 6 over 6 divided light wood windows. The existing wood frames will be retained and new windows installed so that the day light openings are reduced as little as possible.
4. The front door will be replaced with a solid panel door of appropriate vintage and design for the building style (1880 Federal Revival style). The door will not be pre-hung and must be installed in the original jambs.
5. The grocery alley door will be replaced with either an appropriate, restored, salvaged door or a reconstructed period style door.
6. The brick will be repaired and re-pointed using historically appropriate mortar mix.
7. The window sills will be replaced where necessary with solid wood with drip edges/grooves. Where ever possible the original wood sills will be repaired using epoxy consolidators and fillers.
8. The window header metal covering will be removed and wood headers restored.
9. Shutters will be installed, wood solid panel on first floor and louvered on 2nd floor.
10. Period light fixtures will be installed
11. A date plaque will be installed.
12. The third floor dormer will be restored in kind.
13. Once the rear additions are removed, applicant will return to HARB with the proposed treatment and finishes.
14. The proposal to recommend a COA was unanimously approved. (6-0; motion carried; *Berner, Brobst, Fillman, Jackson, Sell, Wheeler*)

CITY OF ALLENTOWN
Historical Architectural Review Board
FINAL REVIEW SHEET
April 7, 2014

Case # HDC-2014-00004 - Proposal to demolish the rear addition and restore the façade.

Property located at: 345 N 9th Street

Property Owner: Christian J. Brown

Address: 347 N 9th St,
Allentown, PA 18102

Historic District: Old Allentown

Applicant: same

Meeting date: April 7, 2014

Applicant's Address: same

Building description, period, style, defining features: This 2½-story brick row house, ca 1880, is Federal/Victorian in style. The roof is gable with asphalt shingles. It has a dentilated cornice and a single dormer with a flat roof. The windows are 1/1 double-hung. There are flat lintels. The main entry is a single, glazed door. The exterior walls are painted brick.



Proposed alterations: It is proposed to demolish the rear addition, restore the façade and demolish 2/3rds of the garage. The façade restorations will include:

- Demo of part of rear garage
- Paint removal from all brick surfaces
- Window replacement with either 2 over 2 or 6 over 6 divided light quality windows.
- Restore original front door or replacement with new of same design.
- Replacement of grocery alley doorways with either appropriate restored salvage or reconstructed period style doors.
- Brick repair and re-pointing
- Window sill replacement with solid wood with drip edges
- Window headers- tin covering will be removed and wood headers restored.
- All brick mould window and door trim/casing shall be replaced with solid wood and painted
- Shutters will be installed, wood solid panel on first floor and louvered on 2nd floor
- Period light fixtures will be installed
- Installation of date plaques
- Restoration of third floor dormers keeping with the style of 343.

All façade restoration will be done to maintain the appearance of 2 separate houses although the properties are legally and soon to be physically consolidated into one.

Background: *Per HARB Case #2010-25, heard on June 7, 2010:*

1. Demolish the Allentown Porch Roof, concrete stoop and hand rail on main facade
2. Demolish 6' section of the garage with the exception of a 6' wall that will remain and be capped with brick.

Per HARB Case #1998-13, heard on March 30, 1998:

345 N. 8th St.
HDC-2014-00004

1. Installation of a stationary transom with either a wood or vinyl frame, to be glazed with either Plexiglas or glass over the storm door.

Violations:

Guideline Citation: **SIS 9.** New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. **SIS 6.** Deteriorated features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. **Allentown Guidelines for Historic Districts:** Chapter 5. Guidelines for Existing Buildings and Structures 2. Historic Masonry, 4. Walls, Siding and Trim, 5. Windows, 6. Doors, 9. Color, 12. Lighting and Chapter 3. Demolition. **Evaluation, effect on historic district, recommendations:** The proposed work is historically appropriate as submitted. Demolition of the existing rear additions and part of the garage will not have an adverse effect on the historic district, but the treatment of the rear of the building should be reviewed when conditions and design direction determined. Preservation Briefs should be consulted for paint removal recommendations and proper neutralization after chemical removers used. All brick repointing shall be done with a high lime content mortar to protect the soft historic brick (see Preservation brief #2). The existing door should be replaced with a door installed within the historic frame and a transom. No pre-hung doors should be used. Either 6 over 6 or 2 over 2 double hung windows would be historically appropriate. If there is any physical evidence that indicates the original muntin configuration it should be followed. The proposed work will be a great enhancement for the district.

Discussion: There was a brief discussion of the proposed work because the work was historically appropriate as submitted. The treatment of the rear facades was discussed. Mr. Brown said the window and door openings still existed in the original exterior wall and that in some instances the windows were still in situ. He said he would return to the HARB with the details of the work on the rear facades where visible from the public right-of-way. Mr. Brobst asked about the window specification for the front façade. Mr. Brown said he would be using a wood, double-hung window. The windows would not be aluminum clad. Mr. Brobst also asked about the treatment of the walls of the abutting building were the rear additions were to be demolished. Mr. Brown said he owned the abutting building to the north and the wall would be appropriately repaired or refinished as needed. This would be part of a future submission if visible from the street.

Motion: The HARB upon motion by Mr. Brobst and seconded by Mr. Berner adopted the proposal that City Council issue a Certificate of Appropriateness for the proposed work described herein:

1. The proposal to demolish the rear addition and restore the façade at 345 N 9th Street was represented Christian Brown.
2. Part of rear garage will be demolished as proposed. The treatment of the newly exposed wall should be reviewed by HARB if anything other than the restoration of an existing wall is needed.
3. The front façade paint will be removed from all brick surfaces using non-abrasive, historically appropriate techniques.

4. Windows will be replaced with either 2 over 2 or 6 over 6 divided light wood windows. The existing wood frames will be retained and new windows installed so that the daylight openings are reduced as little as possible.
5. The original front door will be restored or replaced with a new door of the same design. A new door will not be pre-hung and must be installed in the original jambs.
6. The grocery alley doorway will be replaced with either an appropriate, restored, salvaged door or a reconstructed period style door.
7. The brick will be repaired and re-pointed using historically appropriate mortar mix.
8. The window sills will be replaced where necessary with solid wood with drip edges/grooves. Where ever possible the original wood sills will be repaired using epoxy consolidators and fillers.
9. The window header metal covering will be removed and wood headers restored.
10. Shutters will be installed, wood solid panel on first floor and louvered on 2nd floor.
11. Period light fixtures will be installed
12. A date plaque will be installed.
13. Restoration of third floor dormer will be done keeping with the style of 343 (with gable roof)
14. Once the rear additions are removed, applicant will return to HARB with the proposed treatment and finishes.
15. The proposal to recommend a COA was unanimously approved. (6-0; motion carried; *Berner, Brobst, Fillman, Jackson, Sell, Wheeler*)

**CITY OF ALLENTOWN
Historical Architectural Review Board
FINAL REVIEW SHEET
April 7, 2014**

Case # HDC-2014-00006 - Proposal to retain alterations made to the rear of the property that include removing two window openings and installing vinyl siding over wood cedar shake siding.

Property located at: 38 N. 16th Street

Property Owner: Richard Kohn

Address: 38 N. 16th St.,
Allentown, PA 18102

Historic District: West Park

Applicant: same

Meeting date: April 7, 2014

Applicant's Address: same

Building description, period, style, defining features: This structure is a 3 story brick twin house with a Mansard roof, bracketed cornices, full front stone porch, second floor bay window, and third floor dormer with broken-scroll pediment. The house dates from c. 1912 and is Colonial Revival in style. At the rear of the house there is 2 story-ell with brick lower level with inset porch and a frame and shingle upper level. The upper level has been vinyl-sided.



Proposed alterations: It is proposed to retain alterations made to the rear of the property that include removing two window openings and installing vinyl siding over wood cedar shake siding.

Background: This case is in response to an outstanding violation letter dated October 24, 2013. No prior cases or staff approvals exist for this property.

Staff Approvals: n/a

Violations: Current violation

Guideline Citation: **SIS 9.** New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. **SIS 6.** Deteriorated features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. **Allentown Guidelines for Historic Districts: Chapter 5. Guidelines for Existing Buildings and Structures 4. Walls, Siding and Trim.**

38 N. 16th St
HDC-2014-00006

Evaluation, effect on historic district, recommendations: According to Allentown's Design Guidelines *The use of vinyl or aluminum siding as a substitute material on a primary facade is not recommended. The use of vinyl or aluminum siding as a substitute material on a secondary facade is not recommended, but may be acceptable.* The most historically appropriate option for the wood shingle siding would have been to repair the historic wood shingles which are uniquely shaped with outward flair at the bottom. The photograph shows some areas of deterioration, but much of the material would have been repairable. The plywood coverings in the two windows could have been replaced with a smooth board and painted a dark gray to simulate glass. However, the design guidelines do permit vinyl siding to be used on secondary facades. Since the vinyl siding matches the neighboring structure, is detailed to match, and is not highly visible from the front, approval might be considered in this case.

Discussion: There was a lengthy discussion of the proposal to retain the vinyl siding. The owner explained that three windows had been infilled many years ago (prior to the creation of the historic district) and that he spoke to 4 contractors and they all said the wood shingle was too deteriorated to save. He proceeded to have vinyl siding installed based on these evaluations. (He was pushed to do the work by code officials from the City enforcing the Property Maintenance Code.) The applicant also explained he owns the attached house that had vinyl siding installed prior to the creation of the historic district. The vinyl siding installation under current discussion matched the work done on the attached house. The window casings and rafter tails were not covered. It was conjectured that the wood shingle siding still existed under the vinyl siding and the work could be reversed. Several HARB members thought the vinyl siding would be acceptable in this case. Mr. Brobst said he was not in favor of permitting the vinyl siding to remain. Mr. Fillman said he thought the closed in windows, now covered by the vinyl siding, were not historically appropriate, and for that reason could support the retention of the vinyl siding. A poll of HARB members at this point indicated 3 in favor and 3 opposed to retaining the vinyl siding. In further discussion it was decided that the siding could remain if a stipulation was made that required the removal of the vinyl siding and restoration of the wood shingle if there was a request to replace the existing vinyl siding in the future.

Motion: The HARB upon motion by Mr. Sell and seconded by Mr. Wheeler adopted the proposal that City Council issue a Certificate of Appropriateness for the proposed work described herein:

1. The proposal to retain alterations made to the rear of the property that include removing two window openings and installing vinyl siding over wood cedar shake siding at 38 N 16th Street was represented Richard Kohn.
2. The existing vinyl siding installation may be retained because vinyl siding is acceptable in certain cases at the rear of properties as stated in the Allentown Design Guidelines.
3. There will be, however, a stipulation placed on the property that, if there is a request in the future to replace the existing vinyl siding, the wood shingles must be restored and infilled window openings appropriately detailed.
4. The proposal to recommend a COA was unanimously approved. (6-0; motion carried; *Berner, Brobst, Fillman, Jackson, Sell, Wheeler*)



CITY OF ALLENTOWN

No. 10

RESOLUTION

R - 2014

Introduced by the Administration on April 2, 2014

Approves the Submission of the Action Plan to the United States Department of Housing and Urban Development.

Resolved by the Council of the City of Allentown, That

WHEREAS, the City of Allentown is eligible to apply for funding through federal housing and community development programs for use within the City; and

WHEREAS, the United States Department of Housing and Urban Development requires the City to prepare an Action Plan to receive such funding; and

WHEREAS, the Action Plan serves as the application for Community Development Block Grant Program, HOME Investment Partnerships Program and Emergency Solutions Grants Program Funds, and describes how the City plans to use the federal funds.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Allentown hereby approves of the submission to the United States Department of Housing and Urban Development of the Action Plan for the period July 1, 2014 to June 30, 2015.

What Department or bureau is Bill originating from? Where did the initiative for the bill originate?

The Consolidated Grants Program (CGP) legislation consists of three ordinances and one resolution and originates in the Department of Community and Economic Development.

The attached legislation, from the Department of Community and Economic Development serves as the template for the City of Allentown's application for federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grants Program (ESG) funds. Each piece of legislation serves a specific purpose, which when combined, contain all the recommended regulatory steps need to apply for these federal funds. These are the same types of legislation presented to City Council every year. However, the actual dollar amounts, list of activities and funds available are different every year.

- **Summary and Facts of the Bill**

This legislation will allow the City to submit its annual One-year Action Plan for the use of federal Community Development Block Grant Program (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant (ESG) Program funds.

- **Purpose – Please include the following in your explanation:**

- **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
- **What are the Benefits of doing this/Down-side of doing this**
- **How does this Bill related to the City's Vision/Mission/Priorities**

This resolution authorizes the City to submit the One Year Action plan to HUD. This plan serves as the application for federal CDBG, HOME and ESG funds.

- **Financial Impact – Please include the following in your explanation:**

- **Cost (Initial and ongoing)**
- **Benefits (initial and ongoing)**

With the application to HUD, the City adds \$3,372,342 in funds to achieve Community and Economic Development goals, as described in the Five Year Consolidated Plan for the use of federal funds.

- **Funding Sources – Please include the following in your explanation:**

- **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

The funding sources for this resolution are the federal Community Development Block Grant Program, HOME Investment Partnerships Program and Emergency Solutions Grant Program.

- **Priority status/Deadlines, if any**

This bill has a high priority status.

With this resolution, City Council is authorizing the City of Allentown to submit its Consolidated Plan and One Year Action Plan for the use of federal CDBG, HOME and ESG dollars.

- **Why should Council unanimously support this bill?**

This resolution allows us to submit our One Year Action Plan- application to bring additional grant dollars into the City.



CITY OF ALLENTOWN

No. 8

RESOLUTION

2014

Introduced by City Council on March 19, 2014

Approves/Disapproves the Intermunicipal Transfer of Lower Milford Township Fire Company #1, 1601 Limeport Pike, Coopersburg, PA 18036 License CC-05168 to 1157 Union Boulevard, Allentown, PA 18109

Resolved by the Council of the City of Allentown, That

WHEREAS, the Pennsylvania Liquor Code (47 P.S. Sec. 4-461 (b.3) provides for the intermunicipal transfer of certain liquor licenses, under circumstances that include approval of the transfer from the governing body of the receiving municipality; and

WHEREAS, the City of Allentown (the "City"), Lehigh County, has received an application from American Citizens Slavonic Society of Allentown, Inc. for the transfer of a liquor license from Lower Milford Township Fire Co. #1, 1601 Limeport Pike, Coopersburg, PA 18036 to 1157 Union Boulevard, Allentown, PA 18109, Lehigh County, and has held a public hearing to receive comments and recommendations of interested individuals; and

WHEREAS, the City Council of the City of Allentown does not find that the requested liquor license transfer would adversely affect the welfare, health, peace and morals of the City or its residents.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Allentown, Lehigh County, Pennsylvania, hereby resolves as follows:

That the requested transfer of a Liquor License CC-05168 from the Lower Milford Township, Fire Co. #1, 1601 Limeport Pike, Coopersburg, PA 18036 to 1157 Union Boulevard, Allentown, PA 18109, Lehigh County, be approved/denied.



CITY OF ALLENTOWN

No. 11

RESOLUTION

R - 2014

Introduced by the Administration on April 16, 2014

Police Officer Appointment

Resolved by the Council of the City of Allentown, That

NOW THEREFORE BE IT RESOLVED THAT, Council appoints the following, as Patrolman, in the Department of Police, at a base salary of \$50,192 per annum. Appointment is contingent upon the candidate receiving Police Civil Service Approval, passing physical and psychological examinations as stipulated in the Police Civil Service Rules and Regulations and obtaining and maintaining a valid state certification from the Pennsylvania Municipal Police Officers Education and Training Commission.

James M. Nuskey, Jr.
Newark, DE

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Police Department

- **Summary and Facts of the Bill**

Hiring of one (1) Police Officer, as Patrolman, in the Department of Police, at a base salary of \$ 50,192 per annum. All appointments are contingent upon the candidate passing physical and psychological examinations as stipulated in the Police Civil Service Rules and Regulations and obtaining and maintaining a valid state certification from the Pennsylvania Municipal Police Officers Education and Training Commission.

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City’s Vision/Mission/Priorities**

Hiring of one (1) police officer:

James M. Nuskey, Jr. - Newark, DE

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

Funded through COPS Hiring Grant

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

Funded through COPS Hiring Grant from Department of Justice

- **Priority status/Deadlines, if any**

As soon as practical

- **Why should Council unanimously support this bill?**

Benefit City of Allentown with additional police presence