

**TITLE THREE
LOCAL REGULATIONS**

1721 Incinerators
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**ARTICLE 1721
INCINERATORS**

1721.01 Scope
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1721.03 Chimney Inspection
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1721.01 SCOPE

The terms and provisions of this article are intended to cover all devices or apparatus used for the burning of rubbish, garbage or other waste materials, and which are not built or constructed as an integral part of a building. (7533 §1 6/29/54)

1721.02 PERMIT; FEE

No incinerator shall be installed in the City except after making application of such installation and securing a permit for the same from the Building Inspector and payment of the fee as prescribed in Section 1703.01. (7533 §2 6/29/54)

1721.03 CHIMNEY INSPECTION

No incinerator shall be installed except when the chimney to which such incinerator is connected is in good condition and free from cracks or other openings to a point above the roof line, and has been inspected and approved by the Building Inspector. (7533 §3 6/29/54)

1721.04 METAL BREECHING

All incinerators shall be provided with a metal breeching extending from the combustion chamber thereof to the chimney, of not less than No. 16 U.S. Gage. There shall be not less than twelve (12") inch clearance between all parts of the breeching and woodwork. Breeching shall be securely supported and tightly fastened into the flue. (7533 §4 6/29/54)

1721.05 FUEL SUPPLY SAFETY DEVICES

All incinerators arranged for automatic operation shall be provided with approved safety devices to regulate the fuel supply. (7533 §5 6/29/54)

1721.99 PENALTY

Any person violating the provisions of this article shall be fined not more than Three Hundred (\$300.00) Dollars or imprisoned not more than ninety (90) days or both. (11995 §1 2/21/73)

**ARTICLE 1725
SWIMMING POOLS**

1725.01 Permit Required
1725.02 Fee
1725.03 Plans and Specifications

1725.01 PERMIT REQUIRED

No person, corporation or other legal entity shall construct a pool to be used for swimming or bathing purposes without first having obtained a building permit from the Building Inspector. (9491 §1 5/16/61)

1725.02 FEE

The fee for such permit shall be based on the same scale as are other permits for buildings and structures which are established pursuant to Article 1703. (9491 §2 5/16/61)

1725.03 PLANS AND SPECIFICATIONS

Plans and specifications for the construction of pools used for swimming and bathing purposes must be submitted with the application for building permit and must be approved by the Bureau of Health, Water and Plumbing in addition to the Bureau of Inspections. (9491 §3 5/16/61)

ARTICLE 1727 TRAILER PARKS & TRAILERS

- 1727.01 Definitions
- 1727.02 Parking Trailer Coaches
- 1727.03 Parking on Streets
- 1727.04 Occupying Trailer Coach for Living Purposes; Storage of Trailers
- 1727.05 Operation of Trailer Parks
- 1727.06 Permit for Operation; Inspections; Revocation
- 1727.07 Trailer Park Plans
- 1727.08 Inspections; Issuance of Permit
- 1727.09 Lot Areas and Roads
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- 1727.13 Laundry Room
- 1727.14 Conformity to Building Code; Conflict
- 1727.15 Garage License Tax
- 1727.16 Disposal of Garbage and Rubbish
- 1727.17 Display of License
- 1727.18 Duties of Park Owner or Attendant
- 1727.99 Penalty

1727.01 DEFINITIONS

For the purpose of this article, the following terms shall have the meanings respectively ascribed to them in this section, unless from the particular context it clearly appears that some other meaning is intended:

1. **Trailer Coach** shall mean any structure which is mounted or designed for mounting upon wheels, and which includes accommodations designed for sleeping or living purposes for one or more persons, excepting a device used exclusively upon stationary rails or tracks.
2. **Trailer Park** shall mean any park, trailer park, trailer court, court, camp site, lot, parcel or tract of land designed, maintained or intended for the purpose of supplying a location or accommodations for any trailer coaches, or upon which any trailer coaches are parked. It shall include all buildings used or intended for use as part of the equipment thereof, whether a charge is made for the use of the trailer park and its facilities or not. Trailer park shall not include automobile or trailer sales lots on which unoccupied trailer coaches are parked for purposes of inspection and sale. (5717 §2 8/27/47)

1727.02 PARKING TRAILER COACHES

No person shall park any trailer coach on any street, alley or other public place, or on any tract of land owned by any person, occupied or unoccupied, within the City, except as provided herein. (5717 §3 8/27/47)

1727.03 PARKING ON STREETS

No person shall park any trailer coach on any public street or alley for any period of time longer than that allowed for the parking of automobiles upon such street or alley by the Traffic Code. (5717 §4 8/27/47)

**1727.04 OCCUPYING TRAILER COACH FOR LIVING PURPOSES;
STORAGE OF TRAILERS**

No person shall occupy any trailer coach for sleeping or living outside a duly permitted trailer park, unless such trailer coach conforms to, and complies with, all plumbing, electrical, sanitary and building codes applicable to stationary dwellings. The parking of only one unoccupied trailer coach in an accessory private garage building, or in a rear yard in any district, shall be permitted, provided no living quarters shall be maintained in such trailer coach while such trailer coach is so parked or stored. (5717 §5 8/27/47)

1727.05 OPERATION OF TRAILER PARKS

No person shall operate or occupy any trailer park within the City except as provided herein. (5717 §6 8/27/47)

1727.06 PERMIT FOR OPERATION; INSPECTIONS; REVOCATION

Any person desiring to operate a trailer park shall make application for a permit to the Building Inspector. The Building Inspector shall not issue any permit for the construction of a trailer park within the City. The permit issued by the Building Inspector shall expire one year from the date of issuance, but may be renewed under the provisions of this article for additional periods of one year each. The Building Inspector is specially charged with the enforcement of this article, shall make periodic inspections of the trailer parks at reasonable intervals and shall have the power to revoke permits to operate trailer parks for noncompliance with the provisions of this article. (5717 §7 8/27/47)

1727.07 TRAILER PARK PLANS

With each application for a permit to operate a trailer park, there shall be submitted three (3) sets of plans of the proposed park showing:

- A. The name and address of the applicant;
- B. The extent and area to be used for trailer park purposes;
- C. Location of sites for trailer coaches;
- D. Roadways and driveways;
- E. Location and number of proposed sanitary conveniences, including proposed toilets, washrooms, laundries and utility rooms;
- F. Method and plan of sewage disposal;
- G. Method and plan of garbage disposal;
- H. Plan of water supply;
- I. Plan of electric lighting. (5717 §8 8/27/47)

1727.08 INSPECTIONS; ISSUANCE OF PERMIT

Before any permit shall be issued, there shall be an inspection and approval in writing by the Building Inspector and the Bureau of Health of the premises upon which such trailer park is located, and of the plan of construction of such trailer park. If upon inspection of the application, plans and premises, as herein prescribed, the Building Inspector and the Bureau of Health determine that the proposed trailer park will be constructed and operated in conformity with the article and other ordinances of the City, the Building Inspector shall issue a permit to operate such trailer park. (5717 §8 8/27/47)

1727.09 LOT AREAS AND ROADS

Roads within a trailer park shall be not less than twenty (20') feet wide and shall be well drained. Such roads shall be clearly marked, adequately lighted at night and easily accessible to all trailer coaches. Lots for each trailer coach shall be indicated with corner markers and shall not be less than eight hundred (800) square feet. (5717 §9 8/27/47)

1727.10 WATER SUPPLY; DISPOSAL

In each trailer park a sufficient supply of pure, healthful drinking water from a source and of a quality approved by the Bureau of Health, not more than fifty (50') feet from any trailer coach, shall be provided in convenient locations. No common drinking vessel shall be provided. Waste from each outlet shall be emptied into a drain

connected to an approved disposal system. An abundant supply of hot water shall be provided at all times for bathing, washing and laundry facilities. (5717 §10 8/27/47)

1727.11 SANITARY FACILITIES

A. Water closets connected to a sanitary sewer or approved septic tank shall be provided as follows: one water closet for each sex for each ten (10) trailer coach lots or fraction thereof, plus one (1) urinal for each water closet room provided for men. Separate facilities shall be maintained for each sex located not more than two hundred (200') feet from any lot. Such facilities shall conform to all sanitary regulations of the City. If any trailer is provided with an inside toilet facility not concerned to a sanitary sewer, there shall be available, within a room separate from other closet rooms, a hopper with flushing facilities for the disposal of contents of night waste containers. Adequate facilities for the washing of night waste containers shall be provided. The washings and hopper wastes shall be disposed of in such manner as shall be approved by the Bureau of Health.

B. Showers or tub baths and lavatories shall be provided in the same ratio as toilets are required to be provided, and shall be no greater distance from the respective lots which they are to serve than two hundred (200') feet.

C. Liquid wastes from baths, sinks, laundry rooms and lavatories shall be piped to a sewer or septic tank approved by the Bureau of Health. (5717 §11,12 8/27/47)

1727.12 COOKING FACILITIES

If cooking is done in any trailer coach which is not furnished with sewer connections and sinks, a hopper, kitchen or laundry sink shall be provided within one hundred fifty (150') feet of such trailer coach for the disposal of dishwater. The facilities for disposal of dishwater, the hopper for disposal of night wastes and the washings from night waste containers shall be separate. (5717 §13 8/27/47)

1727.13 LAUNDRY ROOM

A laundry room, with laundry trays or tubs and facilities for heating water, shall be provided. (5717 §14 8/27/47)

1727.14 CONFORMITY TO BUILDING CODE; CONFLICT

All plumbing, electrical building and other work on or at any trailer park located within the City shall be in accordance with the Building Code and its amendments. If there be any conflict between the Building Code and the provisions of this article, this article shall control. (5727 §15 8/27/47)

1727.15 GARAGE LICENSE TAX

In the event that motor vehicles are permitted to park in or upon any trailer park, any person conducting such trailer park within the City shall obtain a mercantile license to do so. He shall pay the license tax levied by the City for the privilege of conducting a garage business. Any such license shall be subject to revocation by Council for the violation by the licensee of any provision of this article or of any ordinances relating to the business for which such license is issued. Such license shall also be subject to revocation by Council if the licensee, under color of such license, violates or aids or abets in violating, or knowingly permits or suffers to be violated, any penal ordinances. (5717 §16 8/27/47)

1727.16 DISPOSAL OF GARBAGE AND RUBBISH

All ordinances relating to the collection, segregation and disposition of garbage, rubbish or other waste material, shall apply to each person maintaining, operating or occupying any trailer coach located in the City, and to each person operating or maintaining, either as principal or agent, any trailer park located in the City. (5717 §17 8/27/47)

1727.17 DISPLAY OF LICENSE

In every trailer or tourist camp there shall be an office building in which shall be located the office of the person in charge of the camp. A copy of the camp license and this article shall be posted therein. The camp register shall, at all times, be kept in the office. (5717 §18 8/27/47)

1727.18 DUTIES OF PARK OWNER OR ATTENDANT

It is made the duty of the attendant or person in charge, together with the licensee, to:

A. Keep at all times a register of all guests, which register shall be open at all times to inspection by officers of the City, showing for all guests:

1. Names and addresses;
2. Dates of entrance and departure;
3. License numbers of all trailers and towing or other automobiles;
4. States issuing such licenses;
5. Place of last location and length of stay.

B. Maintain the camp in a clean, orderly and sanitary condition at all times.

C. See that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to his attention.

D. Report to the Bureau of Health all cases of persons or animals affected or suspected of being affected with any communicable disease.

E. Prevent the running loose of dogs, cats or other animals or pets.

F. Maintain in convenient places, approved by the Bureau of Fire, hand fire extinguishers in the ratio of one (1) to each eight (8) units or cabins.

G. Prohibit the lighting of open fires on the premises.

H. Prohibit the use of any trailer or cabin by a greater number of occupants than that which it is designed to accommodate. (5717 §19 8/27/47)

1727.99 PENALTY

Any person violating the provisions of this article shall be fined not more than Three Hundred (\$300.00) Dollars or imprisoned not more than ninety (90) days or both. (11995 §1 2/21/73)

ARTICLE 1729 CENTER CITY HAMILTON MALL SIGN CONTROL

- 1729.01 Purpose and Basis of Sign Standards
- 1729.02 Mall Boundary Lines; Map Incorporated
- 1729.03 Conformance of New and Existing Signs
- 1729.04 Sign Definitions
- 1729.05 General Sign Installation and Maintenance Requirements
- 1729.06 Prohibited Signs
- 1729.07 Permitted Signs; Types and Placement
- 1729.08 Enforcement; Notice of Violations; Abatement Action Procedure
- 1729.09 Plan Details to Accompany Sign Permit Applications
- 1729.10 Mall Review Board Operation and Composition
- 1729.11 Board Powers; Limitation on Decisions
- 1729.12 Appeal Procedures; Hearing and Notice
- 1729.13 Public Notice Contents for Appeals and Special Exceptions
- 1729.14 Fee for Appeals
- 1729.15 Appeal of Board Decision to Court
- 1729.16 Permit Cancellation or Revocation
- 1729.17 Effect on Other Ordinances
- 1729.99 Penalty

1729.01 PURPOSE AND BASIS OF SIGN STANDARDS

The purpose of the standards for sign control of existing and proposed properties in the Center City - Hamilton Mall Project is to insure proper provisions for health, safety and orderly development of the Center City Area of Allentown and the elimination of signs and all encroachments which would be detrimental to and in conflict with the construction of the Center City - Hamilton Mall Project. These standards as well as the existing codes and ordinances of the City and any applicable State codes shall constitute the basis for satisfactory new construction, reconstruction and/or rehabilitation in the project area further described herein. (11935 §200 4/26/72)

1729.02 MALL BOUNDARY LINES; MAP INCORPORATED

The purpose of the standards for sign control of existing and proposed properties in the Center City - Hamilton Mall Project is to insure proper provisions for health, safety and orderly development of the Center City Area of Allentown and the elimination of signs and all encroachments which would be detrimental to and in conflict with the construction of the Center City - Hamilton Mall Project. These standards as well as the existing codes and ordinances of the City and any applicable State codes shall constitute the basis for satisfactory new construction, reconstruction and/or rehabilitation in the project area further described herein. (11935 §200 4/26/72)

1729.03 CONFORMANCE OF NEW AND EXISTING SIGNS

A. No sign shall be erected or maintained in the Center City - Hamilton Mall Project, as described herein, without the approval of the City.

B. Every property located within the project boundaries as described herein shall be required to remove all projection signs as defined herein and any other signs and encroachments determined to be detrimental to or in conflict with the construction of the Center City - Hamilton Mall Project.

C. Any signs found not to be in conflict with Mall construction except for projecting signs shall be permitted to remain and are not subject to the requirements of this article. New signs shall conform to the requirements set forth herein. (11935 §401-403 4/26/72)

1729.04 SIGN DEFINITIONS

As used in this article, "sign" means any name, identification, description, display, illustration or device which is affixed to or represented directly or indirectly upon a building, directs attention to a product, place, activity, person, institution or business. Further sign definitions are as follows:

1. **Business or identification sign** means a sign which directs attention to a business, profession, product, service or activity offered upon the premises where such sign is located.

2. **Commercial advertising sign or billboard** means a board, panel or tablet used for the display of printed or painted advertising matter which directs attention to a business, product, service, activity or entertainment not necessarily conducted, sold or offered upon the premises where such sign is located.

3. **Directional sign** means an advertising sign or device intended to direct or point toward a place and/or object.

4. **Flashing sign** means a sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effects. Illuminated signs which indicate the time, temperature, date or other similar information shall not be considered flashing signs.

5. **Illuminated sign** means a sign which has characters, letters, figures, designs, or outlines illuminated by electric lighting or luminous tubes as part of the sign and illuminating the sign from the back of the sign.

6. **Indirectly illuminated sign** means an illuminated, nonflashing sign whose illumination is derived from an external artificial source so arranged that no direct rays of light are projected from such artificial source into public streets.

7. **Name plate sign** means a sign which states the name or address or both of the occupant of the lot where the sign is located.

8. **Pole or ground sign, free-standing sign** means a sign supported by, or suspended from, a free-standing column or other support located in or upon the ground surface.

9. **Wall sign (above canopy)** means a sign which is attached to the surface of a structure with the face in a plane parallel to such surface and not extending more than two (2") inches from the face of such surface and located between the lowest level of the sign band and the sidewalk.

10. **Wall sign (above canopy)** means a sign which is attached to the surface of a structure with the face in a plane parallel to such surface and not extending more than fifteen (15") inches from the face of such surface located between the highest point of the sidewalk canopy directly in front of a property and the roof line of the structure.

11. **Sign band** means a continuous area designated to accommodate advertising copy being thirty (30") inches in height and located in such a manner that the top edge shall not project above the lowest part of the lowest horizontal structural member of the sidewalk canopy. The sign may not project more than twelve (12") inches from the face of the structure.

12. **Projecting sign** means a sign which is attached directly to the structure wall and which extends more than fifteen (15") inches from the face of such structure. (11935 §501 4/26/72)

1729.05 GENERAL SIGN INSTALLATION AND MAINTENANCE REQUIREMENTS

A. Permanent signs may be painted on or attached to a window or similar opening but shall not exceed an aggregate area of ten (10%) percent of the total window or similar opening area.

B. All signs shall pertain only to the use permitted and existing on the premises to which they are attached. Signs advertising a use no longer in existence shall be removed within thirty (30) days after cessation of the original use.

C. Signs may be illuminated provided the illumination is limited to the sign itself without glare upon surrounding areas.

D. No sign shall be placed in such a position that it will cause danger to traffic on a street, or which is entering a street, by obscuring the view. In no case shall any sign, other than an official sign, be erected within the official right-of-way of any street unless specifically authorized by some other ordinance or regulation of the City.

E. Temporary signs advertising the sale or rental of the real estate upon which they are displayed may be used, provided that the total area of such sign or any combination of signs shall not exceed twelve (12) square feet in area on each street upon which the real estate abuts. (11935 §502 4/26/72)

1729.06 PROHIBITED SIGNS

The following signs are prohibited:

A. Signs which in any way simulate official, functional, directional or warning signs.

B. Flashing, blinking, twinkling, animated or moving signs of any type.

C. Advertising signs of billboards. (11935 §503 4/26/72)

1729.07 PERMITTED SIGNS; TYPES AND PLACEMENT

A. Each property having frontage upon Hamilton Street shall be permitted to place sign band as described herein across the entire property frontage and may be used by all occupants with the property.

B. Each property having frontage on Hamilton Street shall be permitted one (1) wall sign which states the name or address or both of the occupant(s) of the property where the sign is located. The sign shall be located between the lowest edge of the sign band and the sidewalk, shall not project more than two (2") inches from the face of the structure and the area shall be limited to one (1) square foot for each four (4) lineal feet of property frontage on Hamilton Street.

C. Each permitted upper level business or commercial use may have one (1) wall sign which is attached to the structure with the face in a plane parallel to such surface and not extending more than twelve (12") inches from the face of such surface located between the highest point of the sidewalk canopy directly in front of a property and the roof line of such structure. The sign area for each use shall not exceed an area equal to one (1) square foot for each two hundred (200) square feet of gross floor area of each use.

D. Each permitted business or commercial use below street level shall be permitted one (1) wall sign located between the lowest edge of the sign band and the sidewalk. Such sign shall not project more than two (2") inches from the face of the structure and the sign area for each use shall not exceed an area equal to one (1) square foot for each two hundred (200) square feet of gross floor area of each use.

E. Display window and door signs are permitted for each use but shall not exceed an aggregate area of ten (10%) percent of the total window or similar opening area.

F. Temporary signs advertising the prospective or completed sale or rental of a nonresidential property may be permitted within the property lines not exceeding thirty-two (32) square feet in area provided that it shall be maintained and removed within seven (7) days after consummation of a lease or sale transaction.

G. Temporary signs, located on nonresidential properties only, announcing or advertising any political, educational, charitable, civic, professional, religious or like campaign or event for a period not to exceed thirty (30) days in any calendar year, providing they do not exceed thirty-two (32) square feet in area and are removed promptly after the conclusion of the campaign or event.

H. Non-illuminated temporary signs on new construction sites not exceeding one hundred thirty (130) square feet in total area and provided they shall be removed within seven (7) days after completion of the construction work and not more than one (1) sign shall be placed on each street frontage of the construction site. (11935 §504 4/26/72)

1729.08 ENFORCEMENT; NOTICE OF VIOLATIONS; ABATEMENT ACTION PROCEDURE

A. The provisions of this article shall be enforced by the City. It shall be its duty through proper City officials to keep a record of all applications for permits and a record of all permits issued, with a notation of all special conditions involved. All plans and documents filed in connection with any application shall become part of the record of its office.

B. If the City finds that any of the provisions of this article are being violated, it shall notify, in writing, the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. It shall order, discontinuance of illegal signs or encroachment; illegal work being done; or shall take any other action authorized by this article to ensure compliance with or to prevent violation of these provisions.

C. Where the City takes corrective action to abate any sign or obstruction deemed to be in conflict with the construction of the Center City - Hamilton Mall Project, the cost thereof, including any labor or materials supplied by the City, shall be charged to the owner and shall constitute a municipal lien against the real property upon which such cost was incurred. The Bureau of Law shall promptly file such lien and shall make every effort to collect it within six (6) months of the recording date. If the corrective action involves the removal or demolition of any structure, the City may sell the materials thereof by public sale and any amounts realized shall be credited against the cost of the corrective action, and any balance remaining shall be deposited with the City Treasurer in the name of the owner of record. In the event of dispute regarding the proper distributees of such balance, such account shall be disbursed to the persons found to be entitled thereto by final order or decree of the Court of Common Pleas of Lehigh County, and any City expenses, incurred for legal fees or court costs may be charged against such balance.

D. Any party in interest affected by any notice or order issued pursuant to this section, may, within twenty (20) days of the service thereof, appeal in accordance with the procedures outlined in Section 1729.12. Except in the case of emergencies, corrective action shall be stayed during the time an appeal is pending before the Center City - Hamilton Mall Review Board or the Court of Common Pleas of Lehigh County. (11935 §601 4/26/72)

1729.09 PLAN DETAILS TO ACCOMPANY SIGN PERMIT APPLICATIONS

Permits shall hereafter be obtained from the City, prior to the placement, erection or alteration of any sign, within the boundary prescribed herein. All requests for permits shall be accompanied by a certified plan drawn to scale showing the proposed sign in its exact relation to the lot lines, canopy location and building face. (11935 §602 4/26/72)

1729.10 MALL REVIEW BOARD CREATION AND COMPOSITION

The Center City - Hamilton Mall Review Board is hereby created to consist of five (5) members who shall be appointed by the Mayor, with the advice and consent of Council. The composition of the Board shall consist of two (2) members from the Hamilton Mall area and three (3) other citizen members. A member shall serve a term of three (3) years from the time of his appointment or reappointment or until his successor shall take office. (11935 §701 4/26/72)

1729.11 BOARD POWERS; LIMITATION ON DECISIONS

A. The Center City - Hamilton Mall Review Board shall have the following powers:

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

2. To hear and decide appeals where it is alleged there is error of any order, requirement, decision or determination made by the City in the enforcement of the provisions of this article or any other City ordinance that has a relationship thereto;

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

4. To grant a reasonable extension of time for the compliance of any order where there is a demonstrated case of hardship and evidence of an actual undertaking to correct the violation, together with a bona fide intent to comply within a reasonable time period;

B. In exercising the above-mentioned powers, the Board shall act with reasonable promptness and seek to prevent unwarranted delays prejudicial to the party involved and to the public interest. However, the Board shall file its decision within fifteen (15) days after the appeal hearing. The Board may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as justice would require, provided that the Board, in its determination, shall be bound by this article and shall not ignore the clear provisions and intent of this article. (11935 §702 4/26/72)

1729.12 APPEAL PROCEDURES; HEARING AND NOTICE

A. Any party in interest affected by a notice of violation or order may appeal to the Center City - Hamilton Mall Review Board for a review of the action by the City in accordance with the procedures prescribed by the Board, provided that such person files such appeal with the Board and delivers a copy of such appeal to the Board within twenty (20) days after service of violation or order.

B. An appeal stays all proceedings in furtherance of the action appealed from, unless the City certifies to the Board that in its opinion a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of competent jurisdiction.

C. The Board shall affix a reasonable time, not to exceed thirty (30) days from the date of application, for the hearing of an appeal, give public notice thereof as well as due notice at least six (6) days prior to the hearing by mail to the parties in interest at the address filed with the appeal, and decide the same within fifteen (15) days from the date of hearing completion. Upon the hearing, any party may appear in person, by agent or attorney. (11935 §703 4/26/72)

1729.13 PUBLIC NOTICE CONTENTS FOR APPEALS AND SPECIAL

Public notices of appeal and/or special exceptions shall include the names of the parties in interest, location, requested appeal and/or special exception, reference to a place within the City where the proposed appeal and/or special exception may be examined, in addition to the time and place of hearing. (11935 §704 4/26/72)

1729.14 FEE FOR APPEALS

All persons hereafter taking an appeal from the decision of the City to the Mall Review Board shall be subject to the payment of a reasonable fee for the filing, docketing, hearing and recording of such appeal, as well as for the service of notices thereof. The fee or charge shall be paid to the City prior to the entry or filing thereof. (11935 §705 4/26/72)

1729.15 APPEAL OF BOARD DECISION TO COURT

Any person or any officer, department, board or bureau of the City jointly or severally aggrieved by any decision of the Mall Review Board, may appeal to the Court of Common Pleas of Lehigh County. Such appeal must be presented to the Court within thirty (30) days after filing of the Board's decision. (11935 §706 4/26/72)

1729.16 PERMIT CANCELLATION OR REVOCATION

The Mall Review Board may cancel or revoke a permit previously granted by the Board for violation of this article or of any order of the Board. (11935 §707 4/26/72)

1729.17 EFFECT ON OTHER ORDINANCES

Any provision of this article shall be interpreted as superseding any restriction or regulation contained in any other ordinance of the City applicable to the area described in Section 1729.02. (11935 §900 4/26/72)

1729.99 PENALTY

A. Any person violating any of the provisions of this article or any lawful order issued pursuant thereto, shall, upon conviction thereof, be fined not less than One Hundred (\$100.00) Dollars nor more than Three Hundred (\$300.00) Dollars plus costs of prosecution, and/or may be imprisoned for not less than ten (10) nor more than ninety (90) days. Each day that a violation continues shall be deemed a separate offense for which a prosecution may be brought.

B. If, after any conviction for violation of this article or any lawful order issued pursuant thereto, such person continues in violation, then such person shall be liable for further prosecution, conviction, and punishment, without any necessity of the City to issue a new notice of violation or order and until such violation has been corrected.

C. In addition to prosecution of persons violating this article, the City or the Bureau of Law or any duly authorized agent of the City may take such civil or equitable remedies in any court of record of the Commonwealth of Pennsylvania, against any person or property, real or personal, to effect the provisions of this article. (1935 §603 4/26/72)