

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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**CITY COUNCIL**

**FEBRUARY 13, 2020**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CONSENT AGENDA (RESOLUTIONS)**

**CONSENT AGENDA (ORDINANCES)**

**PRESENTATIONS BY COUNCIL MEMBERS**

**PUBLIC DISCUSSION**

**ADJOURNMENT**

CITY COUNCIL  
FEBRUARY 13, 2020

**CONSENT AGENDA (RESOLUTIONS)**

Temporarily suspending and not enforcing the Ordinance pertaining to the open consumption of alcoholic beverages for the Rockin' the River Event to be held July 10, July 17, July 24, July 31, 2020.

Proclaiming April 2020 as "Fair Housing Month".

**MINUTES**

Of the Wyoming Valley Sanitary Authority of December 17, 2020.

Of the Planning Commission of January 22, 2020.

Of the Traffic Committee of January 23, 2020.

Of the Regular Session of City Council of January 30, 2020.

**CONSENT AGENDA (ORDINANCES)**

**FILE OF COUNCIL NO. 1 OF 2020** – AN ORDINANCE AMENDING SEC. 7-19 OF CHAPTER 7 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "PERMITS AND INSPECTIONS." (FEES) (SECOND AND FINAL READING)

**FILE OF COUNCIL NO. 2 OF 2020** - AN ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES." (PAVE CUTS) (SECOND AND FINAL READING)

**FILE OF COUNCIL NO. 3 OF 2020** – AN ORDINANCE OF THE CITY OF WILKES-BARRE, PENNSYLVANIA ADOPTING THE MAYOR'S PROPOSED AMENDED GENERAL FUND BUDGET. (2020) (SECOND AND FINAL READING)



Resolution No. \_\_\_\_\_ Wilkes-Barre, PA \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

RESOLVED, that the City Council of the City of Wilkes-Barre hereby directs that the provisions of Section 20-4 of the Wilkes-Barre Code of Ordinances pertaining to the open consumption of alcoholic beverages be temporarily suspended and not enforced for the following events:

|                  |   |
|------------------|---|
| Event:           | Rockin' the River   |
| Sponsor:         | Luzerne County  |
| Designated Area: | To be determined and clearly identified by the Luzerne County Convention and Visitors Bureau                              |
| Dates:           | July 10, July 17, July 24 & July 31 of 2020   |
| Time:            | 5:00 p.m. until 10:00 p.m.  |
| Limitation:      | The suspension shall only apply to the area specifically designated by the Luzerne County Convention and Visitors Bureau. |

The within temporary suspension applies only to the above-referenced events and area. All other regulations related to intoxicating beverages in the City of Wilkes-Barre shall remain in full force and effect. A copy of this resolution shall be provided to the Wilkes-Barre Police Department.

Submitted by \_\_\_\_\_

**ROLL CALL**



Resolution No. \_\_\_\_\_ Wilkes-Barre, PA \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

WHEREAS, Fair Housing is a right emphasized by the U.S. Congress beginning with the Civil Rights Act of 1968 and most recently the amendments of 1988 to the Fair Housing Act; and

WHEREAS, this is the 52<sup>st</sup> anniversary of the enactment of the civil rights act of 1968, as amended and strengthened in 1988; title viii of which guarantees the right to be free from housing discrimination based on race, color, national origin, religion, sex, familial status, and disability (including AIDS/HIV).

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF WILKES-BARRE HEREBY proclaims the month of April 2020, as "Fair Housing Month" in the City of Wilkes-Barre and encourages its citizens and organizations to celebrate diversity and value the harmonious communities of neighbors to support the goal of equal opportunities for all people.

Submitted by \_\_\_\_\_

**ROLL CALL**

## FILE OF COUNCIL

Presented in City Council on January 30, 2020

No. 1 of 2020

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**AN ORDINANCE AMENDING SEC. 7-19 OF CHAPTER 7 OF THE WILKES-BARRE CITY CODE OF ORDINANCES ENTITLED "PERMITS AND INSPECTIONS."**

WHEREAS, it is the desire and intention of the City Council to pass legislation within the City of Wilkes-Barre by amending Sec. 7-19 of Chapter 7 of the Wilkes-Barre Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wilkes-Barre, and it is hereby ordained by the authority of the same that:

### **ARTICLE II. BUILDING REGULATIONS**

#### **Section 7-19. Permits and inspections.**

(8) *Expiration and Revocation of permits.*

(d) *Fees for permits.* The following fees shall be paid for all permits issued by the office of building inspection for construction, plumbing or mechanical, and electrical work, excluding the electrical work identified in subsection (e) below:

| <u>Cost of work involved</u> | <u>Fee</u> |
|------------------------------|------------|
| 0 to \$2,499.99              | \$55.00    |
| \$2,500 to \$4,999.99        | \$110.00   |
| \$5,000.00 to \$7,499.99     | \$165.00   |
| \$7,500.00 to \$9,999.99     | \$220.00   |

For each one thousand dollars (\$1,000.00) or portion thereof of work involved over and above the sum of nine thousand nine hundred ninety-nine dollars and ninety-nine cents (\$9,999.99) an additional fee of three and one-half (3.5) percent per one thousand dollars (\$1,000.00) of work shall be charged. Up to one and five hundredths percent (1.05%) of the fee contained herein shall be paid to the City's third-party agency certified by the Pennsylvania Department of Labor and Industry as a Construction Code Official and authorized to perform plan review, inspection services and related tasks.

(All fees listed above will require an additional fee per permit to cover the Commonwealth of Pennsylvania's fee under the Uniform Construction Code).

SEVERABILITY.

The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Wilkes-Barre that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

REPEALER.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.

Passed finally by the Council of the City of Wilkes-Barre on \_\_\_\_\_

February 13, 2020.

This ordinance shall become effective ten (10) days after final passage by the Council of the City of Wilkes-Barre.

Attest:

\_\_\_\_\_  
Jim Ryan, City Clerk

**FILE OF COUNCIL**

**Presented in City Council on January 30, 2020**

**No. 2 of 2020**

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**AN ORDINANCE AMENDING CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES."**

WHEREAS, it is the desire and intention of the City Council to pass legislation within the City of Wilkes-Barre by amending Chapter 26 of the City of Wilkes-Barre Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT CHAPTER 26 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES" IS HEREBY AMENDED AS FOLLOWS:

**CHAPTER 26. STREETS, SIDEWALKS AND OTHER PUBLIC PLACES**

**ARTICLE III. PAVE CUTS**

**DIVISION 1. GENERALLY**

**Sec. 26-49. Fee and Penalty Schedule**

The following fees are prescribed for this article:

Processing and issuing a permit, each \$100.00

Processing and issuing a permit to close a road \$150.00

Testing:

Direct cost of testing laboratory x 1.2 for review and administration

Inspection:

Direct cost of testing laboratory x 1.2 for review and administration

Cost of regular pavement cuts:

- |     |                           |        |
|-----|---------------------------|--------|
| (1) | Black Top per square foot | \$7.27 |
| (2) | Concrete per square foot  | \$3.65 |

|   |            |
|---|------------|
| (3) Tree lawn per square foot   | \$2.92     |
| Penalty for unauthorized cutting of new pavement, per square yard   | \$5,000.00 |
| Penalty for failure to obtain a permit, each  | \$1,500.00 |
| Penalty for noncompliance, per day per offense  | \$1,500.00 |
| Penalty for removal, alteration, burial of a limestone or monument, and failure to report same, per offense | \$1,500.00 |
| Penalty for failure to restore test borings, each   | \$150.00   |

#### SEVERABILITY.

The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Wilkes-Barre that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

#### REPEALER.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.

Passed finally by the City Council of the City of Wilkes-Barre on \_\_\_\_\_  
February 13, 2020.

This ordinance shall become effective ten (10) days after final passage by the City Council of the City of Wilkes-Barre.

Attest:

\_\_\_\_\_  
 Jim Ryan, City Clerk



**FILE OF COUNCIL**

**Presented in Council on January 30, 2020**

**NO. 3 of 2020**

**AN ORDINANCE**

**OF THE CITY OF WILKES-BARRE, PENNSYLVANIA ADOPTING THE  
MAYOR'S PROPOSED AMENDED GENERAL FUND BUDGET.**

NOW, THEREFORE, IT IS HEREBY ORDERED AND ENACTED BY THE  
CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT THE MAYOR'S  
PROPOSED AMENDED GENERAL FUND BUDGET FOR 2020 IS HEREBY  
ADOPTED AS FOLLOWS:

- Section 1.** The Mayor's proposed amended budget for calendar year 2020 is hereby adopted without changes. A copy of the proposed budget is available for review at the Office of the City Clerk during normal business hours or on the City's website.
- Section 2.** The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Wilkes-Barre that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.
- Section 3.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.
- Section 4.** Passed finally by the Council of the City of Wilkes-Barre on \_\_\_\_\_  
February 13, 2020.
- Section 5.** This ordinance shall become effective immediately upon final passage.

Attest:

\_\_\_\_\_  
Jim Ryan, City Clerk