

File of the Council of the City of Easton, Pa.

Ordinance No.

SESSION 2013

Bill No. 28

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Introduced by: Kenneth Brown – May 22, 2013
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Enacted by Council:
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AN ORDINANCE: Amending Chapter 285 – Fees of the Code of the City of Easton, PA.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Chapter 285 is hereby amended to read as follows:

285-11 (B) Schedule of attorney's fees. The collection of delinquent real estate taxes, **and removal of nuisances** shall be compensated for attorney's fees in accordance with the fee schedule set forth below:

<u>Legal Services</u>	<u>Fee for Services</u>
Initial review and sending first demand letter	\$160.00
File lien and mail second demand letter	\$175.00
Prepare writ of scire facias	\$175.00
Obtain reissued writ	\$ 30.00
Prepare and mail letter under Pa.R.C.P. No. 237.1	\$ 30.00
Prepare motion for alternate service	\$175.00
Prepare default judgment	\$175.00
Prepare writ of execution	\$800.00
Attendance at sale; review schedule of distribution and resolve distribution issues	\$400.00
Continue Sheriff Sale	\$ 50.00
Petition to assess damages	\$ 50.00
Petition for fee and clear sale	\$400.00
Prepare bankruptcy proof of claim	\$100.00
Handling fee for returned check	\$ 30.00
Handling fee to issue refund check	\$ 20.00
Bookkeeping fee for payment plan of less than three (3) payments	\$ 25.00
Services not covered above	At an hourly rate between (60.00 and \$225.00 per hour)

Abandoned Real Property and Blighted Real Property

(a) Annual registration fee per tax parcel or number of structures, whichever is greater:

<u>a.</u>	<u>Initial registration fee</u>	<u>\$250.00</u>
<u>b.</u>	<u>1 year vacant</u>	<u>\$500.00</u>

File of the Council of the City of Easton, Pa.

Ordinance No.

SESSION 2013

Bill No. 30

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Introduced by: Roger Ruggles – May 22, 2013
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Enacted by Council:
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AN ORDINANCE: CREATING AN ORDINANCE TO BE ENTITLED ABANDONED REAL PROPERTY AND BLIGHTED REAL PROPERTY

AN ORDINANCE OF CITY OF EASTON CREATING ARTICLE _____ OF CHAPTER _____ OF THE CITY OF EASTON CODE OF ORDINANCES, TO BE ENTITLED "ABANDONED REAL PROPERTY AND BLIGHTED REAL PROPERTY"; PROVIDING FOR PURPOSE, INTENT AND APPLICABILITY OF THE ORDINANCE; REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES AND OWNERS; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF ABANDONED AND BLIGHTED REAL PROPERTY WITHIN THE CITY OF EASTON; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of property vacancies and abandoned real properties; and

WHEREAS the City of Easton (hereinafter referred to as "City") recognizes an increase in the number of vacancies and abandoned properties located throughout the City; and

WHEREAS the City is challenged to identify and locate owners or foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

WHEREAS the City finds that the presence of vacant, abandoned and/or blighted properties leads to a decline in property values, creates attractive nuisances and leads to a decrease in neighborhood and community aesthetics and cohesion; and

WHEREAS the City has already adopted property maintenance and public health codes to regulate building standards for the interior and exterior of structures and the condition of the property as a whole; and

WHEREAS the City desires to amend the City of Easton Codified Ordinances in order to establish a foreclosed property and blighted property registration process that will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts and blighting conditions that occur as a result of the foreclosures and abandonment; and

WHEREAS the City has a vested interest in protecting neighborhoods against decay caused by vacant, abandoned and blighted properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned and vacant properties located within the City.

CHAPTER ____ . ABANDONED REAL PROPERTY AND BLIGHTED REAL PROPERTY.

SECTION ____ . PURPOSE AND INTENT.

It is the purpose and intent of the City to establish a process to address the deterioration and blight of City neighborhoods caused by an increasing amount of abandoned, blighted, foreclosed or distressed real property located within the City, and to identify, regulate, limit and reduce the number of

abandoned or blighted properties located within the City. It is the City's further intent to establish a registration and inspection program as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned and foreclosed properties.

SECTION _____. DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned Real Property - means any real property located in the City, whether vacant or occupied, that is in default on a mortgage, has had a lis pendens filed against it by the Lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the Lender, is subject to an application for a tax deed or pending tax assessors lien sale, has been transferred to the Lender under a deed in lieu of foreclosure, and/or has been declared and/or certified blighted in accordance with the Vacant Property Review Committee Ordinance. The designation of a property as "abandoned" shall remain in place until such time:

1. As the property is sold or transferred to a new owner and receives a Certificate of Occupancy from the City's Department of Planning and Codes; or
2. The foreclosure action has been dismissed; or
3. Any default on the mortgage has been cured; or
4. The property is removed from the Vacant Property determination and/or certification list and receives a Certificate of Occupancy from the City's Department of Planning and Codes.

Accessible Property/Structure - means a property that is accessible through a comprised/breached gate, fence, wall, etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

Applicable Codes - means to include, but not be limited to, the City's Zoning Code, Property Maintenance and Housing Standards Code, Public Health Standards Code, Solid Waste and Recycling Code, Construction Code, Rental Code, Buyer Notification Code, Vacant Property Review Committee of Ordinances ("City Code"), and the Pennsylvania Building Code.

Blighted Property - means:

1. As defined in Chapter 152. Vacant Property Review Committee § 152-4 Blighted Property Defined; or
2. Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or
3. Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or
4. Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the City and Zoning Codes.

Enforcement Officer - means any Law Enforcement Officer, Building Official, Director of Planning and Codes, Zoning Officer, Code Enforcement Officer, Fire Inspector or Building Inspector, or other person authorized by the City to enforce the applicable code(s).

Owner - means any person, legal entity or other party having any ownership interest whether legal or equitable, in real property. This term shall also apply to any person, legal entity or agent responsible for the construction, maintenance or operation of the property involved.

Property Management Company - means a local property manager, local property maintenance company or similar local entity responsible for the maintenance of abandoned real property. An adult individual designated by the owner of a regulated rental unit under this article.

Vacant - means any building or structure that is not legally occupied.

SECTION _____. APPLICABILITY.

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the City above and beyond any other state, county or local provisions for same.

SECTION ____ . ESTABLISHMENT OF A REGISTRY.

The City or designee shall establish a registry cataloging each abandoned real property and blighted real property within the City, containing the information required by this Article.

SECTION ____ . REGISTRATION OF ABANDONED REAL PROPERTY AND BLIGHTED REAL PROPERTY.

- a) Any owner or mortgagee who holds a mortgage on real property located within the City shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor. The mortgagee shall, within ten (10) days of the inspection, register the property with the Department of Planning and Codes, or designee, on forms or website access provided by the City, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.
- b) If the property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the City.
- c) Real property declared and/or certified blighted prior to the enactment of this ordinance shall be inspected by the Department of Planning and Codes within sixty (60) days of the enactment of the Abandoned Real Property and Blighted Real Property Ordinance and a copy of the City's inspection report presented to the Vacant Property Review Committee. The Vacant Property Review Committee shall review the City inspection reports and make a property-by-property recommendation to the Easton Planning Commission indicating inclusion or non-inclusion on the Abandoned Real Property and Blighted Real Property registration.
- d) Blighted real property resolved by the Easton Planning Commission to be included in the Abandoned Real Property and Blighted Real Property registration shall be subject to all applicable provisions of this Article.
- e) Registration pursuant to this section shall contain the name of the owner or mortgagee and the server, the direct mailing address (no post office boxes) of the owner or mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the Northampton County tax identification number, and the name and twenty-four (24) hour contact phone number of the property management company responsible for the security and maintenance of the property.
- f) If the owner or mortgagee is not a full-time resident of the City of Easton or lives within a thirty-mile radius of the City of Easton, then the owner shall designate a property management company to serve as manager who does reside or work on a daily basis within a thirty-mile radius of the City of Easton. If the owner is a corporation, a separate property management company shall be appointed unless an officer of the corporation is appointed as the property management company and such officer lives within a thirty-mile radius of the City of Easton. If the owner is a partnership, a property management company shall be required if a partner does not reside within a thirty-mile radius of the City of Easton. Said partner shall perform the same function as a property management company. The property management company shall be the agent of the owner for service of process and receiving of notices and demands, as well as for performing the obligations of the owner under this article.
- g) The property management company shall be authorized to accept service of process on behalf of the owner.
- h) In addition, an owner may designate a property management company to serve all of the same purposes of the owner. If a property management company is designated, then the City is not required to provide separate notice to the owner.
- i) A non-refundable annual registration fee as enumerated in City Fee Ordinance, shall accompany the registration form or website registration.

- j) All registration fees must be paid directly from the mortgagee, servicer, trustee, or owner. Third Party Registration fees are not allowed without the consent of the City and/or its authorized designee.
- k) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.
- l) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain vacant, in default and/or declared and/or certified as blighted and without a Certificate of Occupancy.
- m) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.
- n) Failure of the mortgagee and/or owner to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement.
- o) Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the City may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.
- p) If the owner is not a full-time resident of the City of Easton or lives within a thirty-mile radius of the City of Easton, then the owner shall designate a property management company to serve as manager who does reside or work on a daily basis within a thirty-mile radius of the City of Easton. If the owner is a corporation, a separate property management company shall be appointed unless an officer of the corporation is appointed as the property management company and such officer lives within a thirty-mile radius of the City of Easton. If the owner is a partnership, a property management company shall be required if a partner does not reside within a thirty-mile radius of the City of Easton. Said partner shall perform the same function as a property management company. The property management company shall be the agent of the owner for service of process and receiving of notices and demands, as well as for performing the obligations of the owner under this article.
- q) The legal name, mailing address, daytime physical address (not a post office box), and daytime and evening telephone number(s) of a property management company who is designated as the manager shall be provided in writing by the owner to the City, and such information shall be kept current and updated within ten (10) business days after it changes.
- r) The property management company shall be authorized to accept service of process on behalf of the owner.
- s) In addition, an owner may designate a property management company to serve all of the same purposes of the owner. If a property management company is designated, then the City is not required to provide separate notice to the owner.
- t) If a mortgage on a property is in default, or the property has been declared and/or certified blighted in accordance with the Vacant Property Review Committee Ordinance and, the property has become vacant or abandoned, a property manager shall be designated by the owner or mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the requirements of this article, and any other applicable laws.

SECTION ____ . MAINTENANCE REQUIREMENTS.

- a) Properties subject to this chapter shall be compliant with the City Property Maintenance and Housing Standards Ordinance.
- b) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law, discarded personal items including, but not limited to, furniture, clothing, large and small appliances, inoperable vehicles, printed material or any other items that give the appearance that the property is abandoned.

- c) Properties subject to this chapter shall be kept free of chipped or peeling paint, deteriorated windows, openings, walls, foundations and roofs and shall comply with the regulations set forth in the applicable code(s).
- d) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.
- e) Front, side, and rear yards, including landscaping and fencing, shall be maintained in accordance with the applicable code(s) at the time registration was required.
- f) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.
- g) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.
- h) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).
- i) Sheds, garages, outbuildings and other non-primary structures shall be maintained, and shall include, but not be limited to, kept free of pollutants, debris, clutter and hazards to the public health and safety, remain secure, free from peeling or chipping paint, deteriorated windows, openings, doors, walls, foundations and roofs and shall comply with the regulations set forth in the applicable code(s).
- j) Failure of the mortgagee and/or owner to properly maintain the property shall result in a violation of the applicable code(s) and issuance of a citation or Notice of Violation in accordance with the applicable code of the City. Pursuant to a finding and determination by the City, Magistrate or a court of competent jurisdiction, the City may take the necessary action to ensure compliance with this section.
- k) In addition to the above, the property is required to be maintained in accordance with all applicable code(s) of the City.

SECTION ____ . SECURITY REQUIREMENTS.

- a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.
- b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow human children or adults, felines, rodents, canines or other mammals to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow human children or adults, felines, rodents, canines or other mammals to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.
- c) Failure of the mortgagee or owner to properly secure the property shall result in a violation of the applicable code(s) and issuance of a citation or Notice of Violation in accordance with the applicable code of the City. Pursuant to a finding and determination by the City, Magistrate or a court of competent jurisdiction, the City may take the necessary action to ensure compliance with this section.
- d) In addition to the above, the property is required to be secured in accordance with all applicable code(s) of the City.

SECTION ____ . PUBLIC NUISANCE.

All abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the City.

SECTION ____ . INSPECTIONS FOR VIOLATIONS.

Adherence to this article does not relieve any person, legal entity or agent from any other obligations set forth in any applicable code(s), which may apply to the property. Prior to the sale or transfer of title to the property, the owner shall be responsible to obtain a Buyers Notification Inspection. Properties that remain vacant, abandoned

and/or blighted for one year or more shall be inspected at least annually by the Department of Planning and Codes and as necessary, Police Department or other City Department having jurisdiction. Inspections may occur more frequently depending on complaints, necessity, violations to applicable City codes or other related to the public health, safety and general welfare.

SECTION ____ . ADDITIONAL AUTHORITY.

- a) If the enforcement officer has reason to believe that a property subject to the provisions of this article is posing a serious threat to the public health safety and welfare, the City may secure the property at the expense of the mortgagee and/or owner, and a municipal claim or lien for costs associated with the security activity shall be filed and a municipal citation filed for the violations, as soon as possible, to address the conditions of the property.
- b) The City or Magistrate shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measures including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.
- c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the City or Magistrate may abate the violations and charge the mortgagee with the cost of the abatement.
- d) If the mortgagee or owner does not reimburse the City for the cost of securing the property, or of any abatement directed by the City or Magistrate, within thirty (30) days of the City sending the mortgagee or owner the invoice then the City may lien the property with such cost, along with an administrative fee as outlined in Chapter 285. Fees to recover the cost of services.

SECTION ____ . OPPOSING, OBSTRUCTING ENFORCEMENT OFFICER; PENALTY.

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

SECTION ____ . IMMUNITY OF ENFORCEMENT OFFICER.

Any enforcement officer or any person authorized by the City to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this article.

SECTION ____ . PENALTIES.

- a) Any person who shall violate the provisions of this article may be cited and fined as provided in the Abandoned Real Property and Blighted Real Property Ordinance, City Fee Ordinance and Municipal Claim and Lien Ordinance.
- b) After the owner is given notice of the amount of the registration fee due, and owner fails to pay the amount due, said amount shall constitute a debt due and owing to the City, and the City may commence a civil action to collect the unpaid debt.
- c) After the owner is given notice of the amount of the registration fee due, and owner fails to pay the amount due, said amount shall constitute a debt due and owing to the City, and shall constitute a lien.
- d) The failure or refusal for any reason of any owner, or agent of an owner acting on behalf of the owner to register a vacant and/or blighted property or to pay any fees required to be paid pursuant to the provisions of this section, within thirty (30) days after they become due, shall constitute a violation punishable upon conviction thereof by a fine in the amount of not less than \$1500 for each failure or refusal to register, failure to maintain or secure vacant or blighted property or for each failure or refusal to pay a required fee(s). Fine shall not be subject to suspension or reduction for any reason.
- e) The failure or refusal for any reason of any owner, or agent of an owner acting on behalf of the owner to register a vacant and/or blighted property or to pay any fees required to be paid pursuant to the provisions of this section, within thirty (30) days after they become due, shall constitute a violation and the

**File of the
Council of the City of Easton, Pa.**

Ordinance No.

SESSION 2013

Bill No. 31

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Introduced by: Elinor Warner – June 12, 2013

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Enacted by Council:
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AN ORDINANCE Amending Sections in Chapter 294, Fire Insurance Escrow Fund, of the Code of the City of Easton, Pa.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 294-1 be and it is hereby amended by deleting the words “City Treasurer” and replacing them with “Director of Finance”.

SECTION 2. Section 294-2 A, be and it is hereby amended by deleting the words “Municipal Treasurer” and replacing them with “Director of Finance”.

SECTION 3. Section 294-2 B, be and it is hereby amended by deleting the words “Municipal Treasurer” and replacing them with “Director of Finance”.

SECTION 4. Section 294-3 be and it is hereby amended by deleting the words “Municipal Treasurer” and replacing them with Director of Finance, by deleting the words “Municipality” and replacing them with “City”.

SECTION 5. Section 294-3 A be and it is hereby amended by deleting the words “Municipal Treasurer with “Director of Finance”.

SECTION 6. Section 294-3 G, be and it is hereby amended by deleting the words “Municipal Treasurer” and replacing them with “Director of Finance”.

SECTION 7. All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 8. This Ordinance shall become effective 30 days following adoption by Council.

Signed the day of , 2013

ATTEST: _____
City Clerk

Mayor

**File of the
Council of the City of Easton, Pa.**

Ordinance No.

SESSION 2013

Bill No. 33

=====
Introduced by: Michael Fleck – June 12, 2013

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Enacted by Council:
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AN ORDINANCE Amending Sections in Chapter 365, Moving of Goods, of the Code of the City of Easton, Pa.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 365-1 be and it is hereby amended by deleting the words “City Treasurer” and replacing them with “Director of Finance or their designee.”

SECTION 2. Section 365-2, be and it is hereby amended by deleting the words “City Treasurer” and replacing them with “Director of Finance”.

SECTION 3. Section 365-3, be and it is hereby amended by deleting the words “City Treasurer” and replacing them with “Director of Finance”.

SECTION 4. Section 365-4, be and it is hereby amended by deleting the figure “\$300” and replacing it with the figure “\$1,000”.

SECTION 5. All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 6. This Ordinance shall become effective 30 days following adoption by Council.

Signed the day of , 2013

ATTEST: _____
City Clerk

Mayor

File of the Council of the City of Easton, Pa.

Ordinance No.

SESSION 2013

Bill No. 34

=====
Introduced by: Michael Fleck – June 12, 2013
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Enacted by Council:
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AN ORDINANCE Amending Sections in Chapter 404, Parks, of the Code of the City of Easton, Pa.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 404-3 B, be and it is hereby amended by deleting the words “or the Hugh Moore Park Commission”.

SECTION 2. Section 404-3 E (1), be and it is hereby amended by deleting the words “except those under the jurisdiction of the Hugh Moore park Commission covered in Subsection E (2) hereof”.

SECTION 3. Section 404-3 E (2), be and it is hereby deleted in its entirety.

~~(2) The Hugh Moore Park Commission shall have the authority to issue a fee schedule for permits, set the amount of deposits and prescribe conditions under which deposits are collected or forfeited. Such revenue shall be used for recreations, park and conservation purposes within the Hugh Moore Park Fund.~~

SECTION 4. Section 404-4 D (1) be and it is hereby amended to read as follows:

- (1) Offer for sale any such article or thing, nor station or place any stand, cart or vehicle for the transportation, sale or display of any such article or thing except under the authority of the Director of Public Works or their designee by application and permit and approved by City Council. Such permit may, however only be issued to legitimate nonprofit and/or charitable organizations or their designees on the condition that the proceeds of such sales activities shall be used to benefit recreation or youth programs within the City.

SECTION 5. Section 404-4 D (4) be and it is hereby added and shall read as follows:

- (4) Notwithstanding the above, a sign that receives all required permits within a Zoning District which allows such use, shall be permitted, provided all proceeds from a lease to utilize an area within the City’s parkland are utilized only for continued maintenance or recreational activities within the park.

SECTION 6. Section 404-4 D (5) be and it is hereby added and shall read as follows:

- (5) Notwithstanding the above, any advertisement on the baseball fields along the out

**File of the
Council of the City of Easton, Pa.**

Ordinance No.

SESSION 2013

Bill No. 36

=====
Introduced by: Elinor Warner – June 12, 2013

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Enacted by Council:
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AN ORDINANCE Amending the 2012 Wastewater Operating Fund Budget.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. The 2012 Wastewater Operating Fund Budget, be and it is hereby amended as per Exhibit "A".

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 3. This Ordinance shall become effective immediately following adoption by Council.

Signed the day of , 2013

ATTEST: _____
City Clerk

Mayor

Resolution

of the
City of Easton, Pennsylvania

No. -2013

Date: June 12, 2013

Introduced by: Michael Fleck

WHEREAS John J. Mazzeo, hereinafter referred as the Claimant, formerly, employed as an Easton Police Officer, has instituted civil action against the City to term number CV-2011-8760, in the Court of Common Pleas of Northampton County, seeking payment of Seventy-four thousand, eight hundred and fifty-five dollars (\$74,855.00); and

WHEREAS at all relevant times the City was the owner and insured under a policy of insurance issued by the Scottsdale Insurance company which policy obligated Scottsdale to provide coverage for the defense of City employees; and

WHEREAS the City submitted the bills paid by Claimant to Scottsdale; and

WHEREAS the Scottsdale disagreed as to which of the bills paid by Claimant were subject to coverage and indemnity by Scottsdale; and

WHEREAS the City, Scottsdale and Claimant have reached an agreement compromising and ending the aforementioned dispute with Scottsdale paying to the City the sum of Forty-nine thousand two hundred and sixty Dollars (\$49,260.00) and the City paying the balance of the sum aforementioned sought by Claimant, twenty-five thousand, five hundred and ninety-five Dollars (\$25,595.00).

NOW THEREFORE ON THE DATE ABOVE the duly elected and constituted Council of the City of Easton approves the compromise, settlement and ending of the litigation described in the foregoing and specifically approves the payment by the City of the aforementioned sum on account of the bills paid by the Claimant.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2013

Date: June 12, 2013

Introduced by: Sandra Vulcano

WHEREAS Subsection G of Section 560-61 of the Codified Ordinances provides, in part, that "No more than two handicapped signs shall be placed within one City block".

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa. accepts the recommendation of the Board of Health to waive the requirements of Section 560-61G and hereby approves the placement of a third sign on the 700 block of Wolf Avenue and the 500 block of Center Street because of a definite need for same.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2013

Date: June 12, 2013

Introduced by: Jeffrey Warren
Co-sponsored by Kenneth Brown, Michael Fleck, Roger Ruggles, Elinor Warner,
Sandra Vulcano, and Salvatore J. Panto Jr.

RESOLVED by the Council of the City of Easton, Pa. that it was with a feeling of deep sadness that we learned of the death of Evan H. Pleiss, on May 15, 2013.

Mr. Pleiss served the City and its Citizens as a Fire Fighter retiring after 20 years of service.

Mr. Pleiss served honorably in the United States Navy during World War II.

Mr. Pleiss was a member of religious, military, social and fire fighter organizations.

Mr. Pleiss was a dedicated, faithful citizen, and public servant. He performed his duties in an excellent and professional manner and was held in the highest esteem and affection by both friends and colleagues.

We join in expressing our deepest sympathy and condolences to his family in their time of bereavement.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2013

Date: June 12, 2013

Introduced by: Salvatore J. Panto Jr.

WHEREAS, on August 12, 2009, Council of the City of Easton, Pa., adopted Resolution 148-2009 which approved a Police in Neighborhood (PIN) Program; and

WHEREAS, the Program was to be in effect for 36 months; and

WHEREAS, one of the requirements was that after 36 months, the Council would review the program for its effectiveness.

NOW THEREFORE BE IT RESOLVED, that the Police in Neighborhood (PIN) Program is hereby extended for an additional 36 months at which time the Council will review the program for its effectiveness.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2013

Date: June 12, 2013

Introduced by: Sandra Vulcano

RESOLVED, that the Council of the City of Easton, has reviewed and approves a Construction Management Agreement, copy attached hereto, the City of Easton, the Easton Parking Authority, J.G. Petrucci Company and Iron Hill Construction Management Co.

BE IT FURTHER RESOLVED, that the Mayor and City Controller are authorized to sign said agreement on behalf of the City of Easton, and the City Clerk to attest to same.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____
City Clerk

Signed: _____
Mayor

Resolution
of the
City of Easton, Pennsylvania

No. 2013

Date: June 12, 2013

Introduced by: Salvatore J. Panto Jr.

RESOLVED, that the Council of the City of Easton, Pa. hereby approves the appointment of Mia McPeck-Hatzis, 113 N. 10th Street, to the Easton Planning Commission with a term of office to expire on the 1st Monday of January 2017.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____ Signed: _____
City Clerk Vice-Mayor

Resolution
of the
City of Easton, Pennsylvania

No. -2013

Date: June 12, 2013

Introduced by: Elinor Warner

RESOLVED, that the Council of the City of Easton, Pa., hereby approves the establishment of a budget, in the amount of \$2,600, for the Ethics Committee, with funding to come from the Contingency Fund in the City Administrator's Office.

This is to certify that the above Resolution was adopted by the City Council on the above date.

Attest: _____

City Clerk

Signed: _____

Mayor