

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

Ordinance No.

SESSION 2012

Bill No. 9

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Introduced by: **Elinor Warner – March 14, 2012**
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Enacted by Council:
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AN ORDINANCE: Providing for the vacation of a portion of Terrace Street, a portion of Rockdale Street and a portion of Grant Street.

THE CITY OF EASTON HEREBY ORDAINS:

WHEREAS, the City of Easton has deemed it necessary to vacate portions of the public streets for the purpose of consolidating its various parcels of land for the purpose of creating a public park;

SECTION 1. Terrace Street, with a right-of-way width of 50 feet, is hereby vacated as a public street from the southern right-of-way line of Bird Street for a distance of approximately 490 feet to the northern right-of-way line of Grant Street for its full width.

SECTION 2. Rockdale Street, with a right-of-way width of 50 feet, is hereby vacated as a public street from the northern right-of-way line of Grant Street in a northerly direction for a distance of about 320 feet along its eastern right-of-way line, thence in a north-easterly direction to the western right-of-way line of Terrace Street.

SECTION 3. Grant Street, with a right-of-way width 50 feet, is hereby vacated as a public street from the western right-of-way line of Rockdale Street in a westerly direction for a distance of about 120 feet to the eastern right-of-way line of a 20 foot wide alley in line with Ridge Street.

SECTION 4. The City retains all rights to maintain all existing city utilities which may be located within the affected areas.

SECTION 5. All facility owners and operators retain all rights to maintain all existing utilities, lines and facilities which are located within the affected areas.

SECTION 6. Upon passage of this ordinance, the City Engineer is directed to remove the vacated portion of the said street from the official map of the City.

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 All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 4. This ordinance shall take effect 30 days following adoption by Council.

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

Ordinance No.

SESSION 2012

Bill No. 10

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Introduced by: Elinor Warner – March 14, 2012
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Enacted by Council:
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AN ORDINANCE: Amending Sections 285-56 B (1) & (2), Season Pass, of Section 285-56, Pool Fees, of the Code of the City of Easton, Pa.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 285 B (1) be and it is hereby amended to read as follows:

(1) Before ~~June 1~~ May 1:

<u>City Residents</u>		<u>Non- City Residents</u>	
Family	\$110 \$110 <u>\$115</u>	Family	\$125 \$125 <u>\$130</u>
Individual	\$65 \$65 <u>\$ 70</u>	Individual	\$75 \$75 <u>\$ 80</u>
Youth	\$35 \$35 <u>\$ 40</u>	Youth	\$60 \$60 <u>\$ 65</u>
Senior	\$30 \$30 <u>\$ 35</u>	Senior	\$40 \$40 <u>\$ 45</u>

SECTION 2. Section 285 B (2) be and it is hereby amended to read as follows:

After ~~June 1~~ May 1:

<u>City Residents</u>		<u>Non-City Residents</u>	
Family	\$125 \$125 <u>\$130</u>	Family	\$140 \$140 <u>\$145</u>
Individual	\$80 \$80 <u>\$85</u>	Individual	\$90 \$90 <u>\$95</u>
Youth	\$40 \$40 <u>\$45</u>	Youth	\$70 \$70 <u>\$75</u>
Senior	\$40 \$40 <u>\$45</u>	Senior	\$45 \$45 <u>\$50</u>

SECTION 3. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 4. This ordinance shall take effect 30 days following adoption by Council.

Signed the day of , 2012

ATTEST: _____
City Clerk

Mayor

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

Ordinance No.

SESSION 2012

Bill No. 11

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Introduced by: Michael Fleck – March 14, 2012

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Enacted by Council:
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AN ORDINANCE: Approving a Ten Year Cable Franchise Agreement between the City of Easton, Pa., and Service Electric Cable TV, Inc.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Council of the City of Easton, Pa., has reviewed and approves a Ten-Year Cable Franchise Agreement, copy attached hereto, between the City of Easton, Pa. and Service Electric Cable TV, Inc.

SECTION 2. Council authorizes and directs the Mayor and City Controller to sign said Agreement and the City Clerk to attest to same.

SECTION 3. All Ordinances or parts of ordinances inconsistent herewith be, and the same are hereby repealed.

SECTION 4. This ordinance shall take effect 30 days following adoption by Council.

Signed the day of , 2012

ATTEST: _____
City Clerk

Mayor

Chapter 500, SOLID WASTE; RECYCLING

[HISTORY: Adopted by the Council of the City of Easton as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Fees -- See Ch. 285.
Property maintenance -- See Ch. 435.
Zoning -- See Ch. 595.

ARTICLE I, Recycling [Adopted as Art. 935 of the 1965 Codified Ordinances]

§ 500-1 Intent and purpose. [Amended 8-8-1989 by Ord. No. 3037]

- A. Recycling conserves valuable material resources and energy, promotes greater efficiency in the regional economy and provides local employment.
- B. Recycling will reduce the overall amount of solid waste presently generated, and thus, reduce storage, collection, transportation and disposal costs.

§ 500-2 Definitions. [Amended 2-28-1996 by Ord. No. 3421]

For the purpose of this article, the following list of defined items shall be included as recyclables for the mandatory separating of recyclables from garbage and rubbish in the City. The following words and phrases shall have the meanings respectively ascribed to them by this section:

AEROSOL CANS -- Any containers dispensing an aerosol spray.

ALUMINUM -- All aluminum containers and other aluminum products.

CORRUGATED CARDBOARD -- Any corrugated paper product, such as a cardboard box (no food contaminated items, i.e. pizza boxes, or boxes with waxy coating, i.e., frozen food boxes).^{iEN} [Amended 8-23-2006 by Ord. No. 4846]

GLASS CONTAINERS -- All containers made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various matter and all other material commonly known as glass, excluding, however, blue glass, float glass, plate glass and glass commonly known as window pane glass.

A. **CLEAR GLASS** -- That which has no discernible color or tint.

B. **BROWN GLASS** -- That which generally has a brown hue.

C. **GREEN GLASS** -- That which generally has a green hue.

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MIXED PAPER -- Magazines, colored newspaper or coupon inserts, office paper, junk mail, phone books, colored paper, and envelopes with or without plastic windows.
[Amended 8-23-2006 by Ord. No. 4846]

NEWSPAPER -- Includes paper of the type commonly referred to as newsprint and distributed at stated intervals, usually daily or weekly, having printed therein news and opinions and containing advertisements and other matters of public interest. Magazines and periodicals as well as other paper products of any nature are not considered newspaper.

PLASTICS -- Any food or beverage container constructed of plastic marked as #1 (PETE), #2 (HDPE), #3 (PVC), #4 (LDPE), #5 (PP), #6 (PS) #7 (OTHER).

RECYCLABLES -- Material having an economic value in the secondary materials market. The following materials have such economic value: aluminum cans and articles, tin cans, clear glass containers and newspaper. In addition, yard waste will be considered as recyclable.

SINGLE STREAM -- (also known as "fully commingled" or "single-sort") recycling refers to a system in which all paper fibers, plastics, metals, tin, and other materials are mixed in a recycling container instead of being sorted into separate commodities (newspaper, paperboard, Corrugated fiberboard, plastic, glass, etc.) by the resident.

YARD WASTE -- branches, twigs, leaves and other types of biodegradable materials and other mixtures of decayed or decaying organic matter.

§ 500-3 Program established. [Amended 8-8-1989 by Ord. No. 3037]

There is hereby established a resource recovery and recycling program for the mandatory separating of recyclables from garbage and rubbish in the City.

§ 500-4 Preparation of recyclables and placement for removal. [Amended 2-28-1996 by Ord. No. 3421; 8-23-2006 by Ord. No. 4846]

Clear, brown and green glass, aluminum and tin cans, newspapers, plastic food and beverage containers marked #1 thru #7 (per above description), magazines and colored newspaper inserts, cardboard, and office paper products may now be combined in a single blue recycling container as "single stream" recycling. All single-family dwelling units and hotels, restaurants, commercial establishment, and other businesses and institutions, and for apartment houses consisting of seven or more units or those with mixed commercial and residential use shall prepare for collection these materials in the following manner:

A. Clear, brown and green glass, aluminum and tin cans, and plastic containers #1 thru #7 (per above description) shall be empty and cleaned.

B. Newspapers and magazines, if placed out separately, may be bundled and tied with string, both across and lengthwise, in bundles no larger than 12" in height. These materials may also be placed in paper bags and kept dry.

~~B. Newspaper and colored newspaper inserts shall be tied both across and lengthwise in easy-to-manage bundles or placed within a brown paper bag and kept dry.~~

~~C. Magazines shall be kept separate and apart from newspapers. Magazines shall be tied~~

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~~both across and lengthwise in easy to manage bundles no larger than 12 inches tall or placed within a brown paper or plastic grocery bag.~~

~~C. Yard waste shall be stored separately, and if bagged, should be placed in clear bags.~~

~~D. Corrugated cardboard, if placed out separately, should be flattened and bound together neatly with string in easily managed bundles no larger than three feet by three feet by three feet. 2 feet x 2 feet.~~

§ 500-5 Collection by unauthorized person. [Amended 8-8-1989 by Ord. No. 3037]

A. From the time of placement of recyclables at the curb, items shall be and become the property of the City or its authorized agent. It shall be a violation of this article for any person unauthorized by the City to collect or pick up or cause to be collected or picked up any such items. Any and each such collection in violation hereof from one or more locations shall constitute a separate and distinct offense punishable as hereinafter provided.

B. It shall be unlawful for a person to collect, remove or dispose of solid waste which contains recyclables combined with other forms of solid waste.

C. The Mayor, or his agent, is empowered to designate the day(s) of the month on which recyclables shall be collected, removed and disposed of from a particular area.

§ 500-6 Authority; violations and penalties. [Amended 3-27-1996 by Ord. No. 3423]

A. The separation, placement, collection and disposal of recyclables in the City shall be under the supervision of the Director of Public Works. The Director shall have the authority to make and enforce regulations concerning days of collection, type of recyclables accepted, procedures for disposing of recyclables and such other matters pertaining to the separation, placement, collection and disposal of recyclables as he or she may deem advisable, and to change and modify the same after notice as required by law, provided that such regulations do not conflict in substance with the provisions hereof.

B. Whoever violates any provisions of this article shall receive a written warning from the City authorities. The person or persons shall be given ~~until the next regularly scheduled recycling pickup to comply with the provision(s) of the article.~~ If after such notice a second violation of the same provision of the article occurs, a person or persons shall, upon conviction by a Magisterial District Judge, be sentenced to pay a fine of \$100 and court costs. Persons convicted by a Magisterial District Judge for a third or subsequent violation of the same provision of the article shall be sentenced to pay a fine of \$300 and court costs or to imprisonment for 90 days, or both. [Amended 8-23-2006 by Ord. No. 4846]

C. Each violation of any provision of this article and each day the same is continued shall be deemed a separate offense.

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ARTICLE II, Solid Waste Storage and Collection [Adopted 8-9-2006 by Ord. No. 4844 (Art. 931 of the 1965 Codified Ordinances)]

§ 500-7 Definitions.

The following words, when used in this article, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

APPLICANT -- A person desirous of being authorized as a collector.

ASHES -- The residue from burning of wood, coal, coke and other combustible materials for the purposes of heating and cooking. It does not include the cinders produced in industrial or manufacturing plants.

BULK ITEMS -- Refers to single items that are larger than a standard thirty-two-gallon container; limited to one bulk item. Bulk items will include refrigerators, stoves, washing machines, water heaters, furniture, mattresses, rugs and other acceptable bulk refuse and will be collected on regular collection days throughout the year.

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CITY -- The City of Easton, Northampton County, Pennsylvania.

COLLECTOR -- A person authorized by the City of Easton to collect, transport and dispose of municipal waste.

COMMERCIAL ESTABLISHMENT -- Any establishment engaged in a nonmanufacturing or nonprocessing business, including, but not limited to, stores, markets, office buildings, restaurants, shopping centers and theaters.^{IVEN}

DISPOSAL -- The incineration, deposition, injection, dumping, spilling, leaking or placing of municipal waste into or on the land or water in a manner that the waste or a constituent of the waste enters the environment, is emitted into the air, or is discharged to the waters of the Commonwealth of Pennsylvania.

DISPOSAL SITE -- Any site, facility, location, area or premises to be used for the disposal of municipal wastes.

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GARBAGE -- All animal and vegetable wastes attending or resulting from the handling, dealing, storing, preparation, cooking and consumption of foods. This does not contain more than a minimum amount of free liquids.

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GARBAGE BAG -- refers to a minimum size 30-gallon black garbage bag of sufficient ply to resist tearing

ILL- PREPARED GARBAGE -- Any garbage that is placed curbside for pickup that is not completely contained or secured in a proper receptacle or proper garbage bag as defined within this section.

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INDUSTRIAL ESTABLISHMENT -- Any establishment engaged in manufacturing or processing, including, but not limited to, factories, foundries, mills, processing plants, refineries, and the like.

INSTITUTIONAL ESTABLISHMENT -- Any establishment engaged in service to persons, including, but not limited to, hospitals, nursing homes, orphanages, schools and universities.

MANAGEMENT -- The entire process, or any part thereof, of storage, collection, transportation, processing, treatment and disposal of municipal wastes by any person

engaging in such process.

MUNICIPAL WASTE -- Any garbage, refuse, industrial lunchroom or office waste and other material, including solid, liquid, semisolid or contained gaseous material resulting from operation of residential, municipal, commercial or institutional establishments and from community activities and any sludge not meeting the definition of residual or hazardous waste from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant, or air pollution control facility. (Pennsylvania Solid Waste Management Act 97, Section 103.)

PERSON -- Any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution and agency, or any other legal entity whatsoever which is recognized by law as being subject to such rights and duties.

PROCESSING -- Any technology used for the purpose of reducing the volume or bulk of municipal waste or any technology used to convert part or all of such waste materials for off-site reuse. Processing facilities include, but are not limited to, transfer facilities, composting facilities, incinerators, recycling facilities, and resource recovery facilities.

REFUSE -- The collective term applying to all garbage, rubbish, ashes, leaves and grass trimmings from residential, municipal, commercial or institutional premises.

REFUSE RECEPTACLE -- a container made of metal, plastic or other durable material that is watertight with a tight-fitting cover and with a handle or handles and having a capacity of not more than 45 gallons.

RUBBISH -- All waste materials not included in garbage and ashes, such as nonrecyclable plastics, bottles, and other waste materials which result from the ordinary conduct of housekeeping. It does not include refuse from building construction, repairs, reconstruction or dismantling thereof, or street refuse, industrial refuse, dead animals, abandoned heavy or bulky machinery or vehicles or such other waste materials as do not normally emanate from or are not commonly produced in homes, stores and institutions.

SOLID WASTE -- Any waste, including, but not limited to, municipal, residual or hazardous wastes, including solid, liquid, semisolid or contained gaseous materials. (Pennsylvania Solid Waste Management Act 97, Section 103.)

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

TRANSPORTATION -- The off-site removal of any municipal waste generated or present at any time from the City of Easton.

Deleted: REGULAR -- At least three or more times per month. ¶

§ 500-8 Board of Policy.

There is created a Board composed of the Mayor or his designee and any other City employees the Mayor shall appoint, subject to the advice and consent of the City Council, and who shall serve at the pleasure of the Mayor. Such Board shall decide all matters of policy in connection with the carrying out of the intent of this article. The Mayor shall serve as Chairman of the Board, and appropriate records shall be kept. The Board shall meet at the call of the Chairman. All decisions rendered by the Board may be appealed to the Council, whose decision shall be final.

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§ 500-9 Administration.

A. Collection of garbage and refuse; exceptions.

- (1) All refuse accumulated in the City shall be collected, conveyed and disposed of by the City at the expense of the property owner, except as set forth hereinafter. The property owner shall abide by all ordinances and rules and regulations of the City for the regulation and control of the garbage collection for such premises. All property owners are subject to all conditions as imposed by the City. All garbage collection accounts shall be issued in the name of all property owners, who shall remain the account holders, responsible for all charges, until the accounts are properly and legally terminated upon notice of transfer or request for termination of services, as may be permitted under the law.
- (2) At least seven days prior to the change of ownership of any property with existing refuse service, the existing owner shall notify the City of the date of the impending transfer, the identity of the prospective owners and, if applicable, shall provide a list of all current tenants of the property.
- (3) Providing that the existing owner shall give notice as required herein to the City and payment in full of the existing account, the account of the existing owner shall terminate upon transfer of title. Thereafter, the new owner shall be responsible for all charges for refuse services.
- (4) Any person who undertakes ownership of a property with existing refuse service shall be subject to termination of services and/or the penalties set forth in § 500-20, Violations and penalties; remedies, and shall be liable for costs of all refuse service to the property, including any outstanding delinquency, penalties and costs.
- (5) In addition to any other provisions of this article and any other rule or regulation which may be adopted by the City, no refuse service shall be continued, authorized or approved to a property owner or prospective property owner who is delinquent or has been delinquent in the payment for refuse services to any property served by the City within the last two years from the date of the notice to the City for the transfer of title from the current owner of the property to the prospective purchaser, except upon a submission of a list of all current tenants of the property, if applicable, and upon payment to the ~~City Treasurer~~ **Director of Finance** of all outstanding accounts and a deposit to secure payment of future service in an amount equal to the average cost of refuse service to the property for 12 months. The average cost of refuse service shall be based upon the actual usage during the previous 12 months, or in the event of a new or changed use, the average shall be based on the standard average cost of service for such proposed use. The deposit shall be held by the ~~City Treasurer~~ **Director of Finance** in escrow; any interest earned will be credited to the account holder. The deposit account and any accumulated interest shall be paid to the account holder at the time the account is properly and lawfully terminated and all charges to said account have been paid in full, except that the deposit and/or interest may be paid to the account holder prior thereto at the sole discretion and approval of the

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City Treasurer **Director of Finance.**

- (6) Nothing contained in this article shall limit the City from pursuing any legal or other remedy.
- B. An account for the payment of all charges shall be established in the name of the property owner (referred to herein as "account holder"). The account holder shall be responsible for payment of all costs for garbage collection services for said account until the account is properly and lawfully terminated. The costs of such service shall be paid as provided in the schedule of fees set forth in § 500-12 by the owner(s) of the property upon which the refuse is produced, accumulated or from which it is collected or removed.
- C. No person, other than a private collector licensed as such by the City as hereinafter provided, shall collect, convey over any of the streets or alleys of the City, or dispose of any refuse accumulated in the City. Notwithstanding anything to the contrary above, no private collector shall be authorized to collect, convey or dispose of refuse generated by a residential property which consists of six units or less. However, this article shall not prohibit the actual producers of refuse or the owners of premises upon which refuse has accumulated from personally collecting, conveying and disposing of such refuse, if such producers or owners comply with all regulations for collection, conveyance and disposal prescribed in this article or made by Council or the Director of Public Works under the terms hereof. Collectors of refuse from outside of the City shall have the right to haul such refuse over City streets, if such collectors comply with the provisions of this section and all applicable laws and regulations as to their equipment and vehicles, the operation of such equipment and vehicles and also as to the disposal of such refuse.
- D. Director of Public Works to supervise. The collection and disposal of refuse in the City shall be under the supervision of the Director of Public Works. He shall have authority to make regulations concerning the days of collection, type and location of waste containers and such other matters pertaining to the collection and disposal as he may deem advisable, and to change and modify the same after notice as required by law, provided that such regulations do not conflict in substance with the provisions hereof.
- E. Appeals. Any person aggrieved by any regulations made by the Director of Public Works shall have the right of appeal there from to the Council, which may confirm, modify or revoke any such regulations.
- F. Individual collection and disposal. The producers of refuse or the owners of premises upon which refuse is accumulated who desire personally to collect and dispose of such refuse, and persons who desire to dispose of waste material not included in the definition of refuse, private collectors and collectors of refuse from outside of the City who desire to haul over these streets of the City shall use a watertight vehicle provided with a tight cover and so operated as to prevent offensive odors escaping therefrom and refuse from being blown, dropped or spilled. The Director of Public Works shall have the authority to permit the disposal of such material in the City dump. The Director shall have the authority to make such other reasonable

regulations concerning individual collection and disposal and relating to the hauling over City streets by collectors of refuse from outside of the City as he may deem necessary, subject to the right of appeal as set forth in Subsection E hereof.

§ 500-10 Precollection practices.

A. Preparation of refuse.

- (1) All garbage and refuse shall have drained from it all free liquids before being placed in garbage bags or cans for collection.
- (2) Grass clippings shall be placed in sealed bags or containers (and be drained of all free liquids.)
- (3) Tree trimmings, hedge clippings, branches and similar material shall be cut to lengths not to exceed three feet and securely tied in bundles not more than two feet in depth before being deposited for collection. Any single pile may not weigh more than 40 pounds.
- (4) No owner or tenant shall place out for collection any garbage that is hazardous in nature or that is ill-prepared so as to cause litter, odors or other nuisances. Such conditions will be subject to enforcement actions as defined herein.
- (5) The Director of Public Works and/or designee reserves the right to refuse pickup for any garbage placed out for collection that is deemed poorly prepared or that contains recyclable materials, hazardous substances, or that causes any nuisance.

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B. Garbage and Refuse Receptacles.

- (1) Refuse Receptacles shall be made of metal, plastic or other durable material, must be watertight, provided with a tight-fitting cover and with a handle or handles.
- (2) No person shall use for the reception of garbage and refuse any receptacle having a capacity of more than 45 gallons.
- (3) All receptacles shall be maintained in a sanitary, non-odorous and functional condition. All receptacles shall be thoroughly cleaned by the owner after garbage is removed by the collector. Any receptacle that does not conform to the provisions of this article or that may have jagged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice. Failure to comply may result in refusal to collect or the removal of the defective receptacle as refuse.
- (4) All receptacles shall be provided by the owner, tenant, lessee or occupant of the premises at his/her own cost.

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C. Storing of garbage and refuse.

- (1) No person shall place any garbage or refuse in any street, alley, or other public

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place, or upon any private property, whether owned by such person or not, within the City unless it is in proper receptacles **or bags** for collection or under an express approval granted by the Director of Public Works or designee. No person shall throw or deposit any refuse in any stream or other body of water.

- (2) Any unauthorized and unreasonable accumulation of refuse on any premises as determined by the Director of Public Works or designee is declared to be a nuisance and a violation of this article.
- (3) No person, other than the City, the occupants of the premises on which refuse receptacles are stored or a licensed private collector, shall remove the covers or any of the contents of refuse receptacles.
- (4) All garbage and refuse being stored on or near the exterior of any residence or business must be stored in **bags within** appropriate containers as defined in Subsection B hereof. Prior to the scheduled day of refuse collection, the refuse containers must be obscured from view from the street front of the property, and in the case of a corner dwelling, they shall be obscured from view from all street sides.

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D. Points of collection.

~~(1) Cardboard boxes, white kitchen garbage bags, and grocery store plastic bags may not be placed curbside for pickup with garbage or refuse in them unless they are secured within a proper garbage bag or a proper receptacle.~~

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~~(2) Refuse receptacles or proper black bags shall be placed for collection at the curb in the front, side or rear of the property, as determined by the Director of Public Works, and shall be so placed before 5:00 a.m. on the day of collection but not earlier than 5:00 p.m. of the preceding day, and any receptacles shall be removed within 24 hours after collection.~~

§ 500-11 Collection practices.

A. Frequency of collection.

- (1) Refuse will be collected on such days as shall be designated by the Director of Public Works.
- (2) All hotels, restaurants, commercial establishments, and other businesses and institutions, and for apartment houses consisting of seven or more units or those with mixed commercial and residential use shall schedule pickup on the same day as the municipal pickup for the particular district except in cases where more than one pickup per week is required or for other extenuating circumstances that may be approved in advance by the Director of Public Works.
- (3) Where necessary to protect the public health, the Director of Public Works may require that hotels, restaurants, multiple dwelling units and other businesses and institutions arrange for additional and/or more frequent collections.

(4) No owner or tenant shall place out for collection any garbage that is hazardous in nature or that is ill-prepared so as to cause litter, odors or other nuisances. Such conditions will be subject to enforcement actions as defined herein.

B. Limitation on quantity. Limits on materials collected for single-family residence per scheduled pickup day will be as follows. Note that the numbered sections below are independent of each other and may be placed curbside together.

(1) Garbage and refuse. Limited to four thirty-two-gallon containers or equivalent waste load per single-family dwelling unit. The City will allow substitution of appropriate garbage bags in a manner of equivalent weight and volume so that the entire amount of garbage and waste will equal that weight and volume which is reasonably generated by four thirty-two-gallon containers. No single bag or container may exceed 40 pounds and must be prepared in a manner so as to be handled by one person. The City will also allow the substitution of one thirty-two-gallon container with one thirty-two-gallon container of construction debris weighing no more than 40 pounds. This debris will be limited to materials common to routine residential construction and that are not regulated under the City's Recycling Ordinance. These materials will be limited to drywall, plaster, lath, roofing shingles, and lumber cut into no more than three-foot lengths.

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(2) Bulk items. Refers to single items that are larger than a thirty-two-gallon container; limited to one bulk item. Bulk items will include refrigerators, stoves, washing machines, water heaters, furniture, mattresses, rugs, large toys, and other acceptable bulk refuse and will be collected on regular collection days throughout the year. Porcelain household fixtures will also be collected at a limit of one per household per regular collection day. All refrigeration units, i.e., refrigerators, freezers, air-conditioning units, and water coolers, will be collected on a weekly basis as long as they have been certified as deactivated free of chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) as required under Section 608 of the EPA Clean Air Act.

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(3) Yard waste.

(a) Limited to two bundles of brush bundled together in no more than three-foot-by-two-foot piles and weighing no more than 40 pounds each. Garbage bags or garbage receptacles of any organic matter including leaves or grass clippings may be substituted for refuse in the manner described in Subsection B(1) above and will be counted as part of the limit.

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(b) The owner, tenant, lessee or occupant of a premises shall, within 24 hours of refusal, at their own expense make private arrangements for the lawful and permitted collection, transportation, and disposal of waste that has been refused for pickup due to exceedance of the limits specified herein or for any other valid reason allowed under this article.

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C. Special Refuse Problems.

- (1) Contagious disease refuse. The removal of wearing apparel, bedding or other refuse from homes or other places where highly infectious or contagious diseases have prevailed shall be performed under the supervision and direction of a Health Officer. Such refuse shall not be placed in containers for regular collections.
- (2) Inflammable or explosive refuse. Highly inflammable or explosive materials shall not be placed in containers for regular collection but shall be disposed of as directed by the Director of Public Works at the expense of the owner or possessor thereof.

§ 500-12 Schedule of fees.

A. Fees. The fees for curbside collection and disposal of garbage shall be as follows:

- (1) The rate for a single-family unit will be as specified in the Chapter 285, Fees, for the collection of garbage. The rate for senior citizens, specifically age 65 years or over, living alone or together as a couple in a separate housing unit, shall also be as specified in Chapter 285, Fees.
- (2) For hotels, restaurants, commercial establishments, and other businesses and institutions, and for apartment houses consisting of seven or more units, contractual arrangements with a licensed private hauler shall be made as necessary for the pickup of refuse from the property. Such entities will be required to remit an annual contract review fee in an amount as specified in Chapter 285, Fees. For the purposes of this article, any mixed use property which contains both commercial and residential units on the same property shall be considered a commercial account and be required to contract with a private hauler for the proper collection, transport, and disposal of garbage and refuse. Additionally, all hotels, restaurants, commercial establishments, and other businesses and institutions, and for apartment houses consisting of seven or more units or those with mixed commercial and residential use are required to recycle as per the provisions of the City of Easton Recycling Ordinance, Article I of this chapter.
- (3) Any hotels, restaurants, commercial establishments, and other businesses, institutions, and mixed use properties containing both commercial and residential properties, and for apartment houses consisting of more than six units which are required by City ordinances to enter into a private agreement for the proper and appropriate hauling and disposal of refuse in compliance with all applicable federal, state and local laws is responsible for providing to the City a fully executed and valid agreement with an approved and licensed hauler. Property owners shall also provide copies of any subsequent agreements, including renewals and/or new hauling agreements, to the City within 15 days of execution. Property owners must maintain private agreements in full force and effect at all times until such time as a current, valid account may be reestablished with the City. Any failure to comply with the provisions of this article shall be

subject to termination of services and/or the penalties set forth in § 500-20.

- B. Monthly or quarterly payment rate. All fees may be paid monthly at 1/12 or quarterly at 1/4 of the annual rate.
- C. Suspension of service; collection. Service to persons or premises for which the account is delinquent shall be subject to suspension or termination, without notice, upon direction of the Director of Public Works and the ~~City Treasurer~~ **Director of Finance**. Prior to reinstatement, a deposit to secure the payment of garbage collection service in the amount equal to the average cost of garbage collection service to the property for 12 months shall be paid to the City. The average cost of garbage collection shall be based upon the actual cost during the previous 12 months, or in the event of a new or changed use, the average cost shall be based on the standard average cost of service for such proposed use. The deposit shall be held by the ~~City Treasurer~~ **Director of Finance** in escrow, any interest earned to be credited to the account holder. The deposit account and any accumulated interest shall be paid to the account holder at the time the account is properly and lawfully terminated and all charges to said account have been paid in full, except that the deposit and/or interest may be paid to the account holder prior thereto if approved by the ~~City Treasurer~~ **Director of Finance**, at the sole discretion of the ~~City Treasurer~~ **Director of Finance**.
- D. Delinquent accounts; penalties, interest, collection costs. All bills to owners for garbage collection service and/or for special service as hereinafter provided, which are delinquent, shall be subject to interest and collections fees. All bills to owners are payable immediately upon receipt of the bill. If not paid within 30 days after the date of the bill, a penalty equivalent to 10% of the face amount of the bill shall attach, and in the event of continued nonpayment, the City shall discontinue the service. To such delinquent usage amount due shall be added interest at the rate of 10% per annum and an additional fee of \$50. In addition, a delinquent account shall be subject to collection fees consisting of reasonable attorney's fees and other costs incurred by the City. An account shall be considered delinquent when payment in full on the account balance has not been received within 30 days of the initial bill. Prior to reinstatement of any services, all delinquent amounts including amounts of water, sewer and refuse must be paid in full. [Amended 7-10-2007 by Ord. No. 4983]
- (1) Payment on delinquent account(s) shall be credited as follows:
- (a) Collection fees and costs;
 - (b) Interest;
 - (c) Past-due usage; and
 - (d) Current usage.
- (2) Within a category, payments shall be credited in the following manner:
- (a) Refuse; and
 - (b) Sewer; Deleted: and

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~~(e) Water.~~

§ 500-13 Standards for collection vehicles.

The following standards and requirements are established as minimum for the sanitary transportation of refuse:

- A. Every vehicle used for the transportation of refuse shall be owned and/or operated under the supervision of a person holding an unrevoked operating permit to properly transport municipal waste.
- B. Every vehicle used for the transportation of refuse shall have a hauling body constructed of metal.
- C. All joints in the hauling body shall be effectively closed and smooth so that no drippage or leakage of draining water or liquid or any debris can occur.
- D. The hauling body shall be provided with a tight metal hood having adequate openings fitted with smoothly operating loading and unloading doors.
- E. Every vehicle shall be kept well-painted, clean and in good repair.
- F. Every vehicle used for carrying garbage or swill shall be steamed clean as often as may be necessary to prevent persistent odors and in any event shall be so cleaned once per week.
- G. Every vehicle used for transporting refuse shall carry a legend on the side wall of the hauling body as to name of hauler and cubic capacity of body and a current license plate.
- H. Vehicles shall not be used for other purposes than refuse, garbage and waste material hauling.
- I. Vehicles, when not in use, shall not be parked on public streets but shall be parked or stored on private land so as not to become a nuisance.
- J. Any vehicle used to transport municipal waste must meet all minimum requirements set by local, state and federal regulations governing the operation of such vehicles.

§ 500-14 Storage of municipal waste.

- A. General. It shall be the duty of every owner of property and every person occupying any dwelling unit, premises or place of business within the City where municipal waste is produced and is accumulated, by his own expense and cost, to provide and keep at all times a sufficient number of containers to hold all municipal wastes which may accumulate during the intervals between collection of such municipal waste by an authorized collector.

- (1) Garbage Receptacles. All municipal waste accumulated by owners of each property and/or the occupants of residential properties shall be placed in

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containers for collection by an authorized collector. The containers shall be durable, watertight, and made of metal or plastic. The size of each such container shall not exceed a ~~45~~-gallon capacity.

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- (2) Location of containers. Each municipal waste container shall be located so as to be accessible to the collector at ground level and at a point on the curblineline of the street or within not less than six feet of the public street or alley right-of-way from which collection from a vehicle can be made. Failure to place containers at such locations may result in discontinuance of service.

B. Storage on commercial, institutional and industrial properties.

- (1) Containers. Storage of municipal waste shall be done in the same type of containers as are required for residential properties except where the accumulation for each commercial, institutional or industrial property precludes their use, in which case such owner or occupant shall make special arrangements with the authorized collector for the storing of such additional quantities. The Director of Public Works and/or designee may require commercial, institutional and industrial property owners, tenants, occupants or lessees at their own expense to implement bulk storage containers including dumpsters, roll-offs, etc., to better control stored waste. Such special arrangements shall include the following:

- (a) The type of special bulk container to be furnished by the collector and as may be approved by the City.
- (b) The number of such containers as shall be agreed to between the collector and such owner or occupant of the commercial, institutional or industrial property to be used in any collection period.

(c) All refuse and garbage must be secured within a bag inside the bulk storage container. No garbage or refuse is to be stored anywhere outside of the container so as to cause litter or other nuisance. All bulk storage containers must be maintained in a condition so as to prevent odors, vector attraction, litter, or any other nuisance.

- (2) Location of containers. Containers for collection at commercial, institutional and industrial properties shall be located on such premises at a place agreed upon by such owner or occupant of the commercial, institutional and industrial property and the authorized collector and shall not be unsatisfactory to the City. Such locations shall not interfere with public or private sidewalks, walkways, driveways, roads, streets, highways or entrances and exits of public or private buildings.

§ 500-15 Authorization of collectors.

No person, other than such persons as are duly authorized and licensed by the appropriate governing entity, including but not limited to the City of Easton, County of Northampton,

and/or the Commonwealth of Pennsylvania, shall collect and transport solid waste of any nature as a regular hauling business within or from the City.

§ 500-16 Transportation of solid waste.

Any person transporting solid waste within the City shall prevent or remedy any spillage from vehicles or containers used in the transport of such solid waste.

§ 500-17 Disposal of municipal waste.

- A. All municipal waste produced, collected and transported from within the jurisdictional limits of the City shall be, to the extent permitted by law, disposed of at disposal facilities designated by the City and in accordance with any currently effective solid waste management plan of the City. In the absence of such designated facilities and/or such currently effective solid waste management plan of the City, the City reserves the right to designate a state-permitted facility of its choice or require that disposal be at a state-permitted facility of the authorized collector's choice.
- B. If the City designates the disposal facilities as provided for above, all authorized collectors and other interested persons shall be informed by the City of the location and other information pertaining to the designated disposal facilities to be used for the disposal of municipal waste collected, transported, removed and disposed of from within the City.

§ 500-18 Exclusions.

- A. Nothing contained herein shall be deemed to prohibit any person not regularly engaged in the business of collecting municipal waste from hauling his own municipal waste on an irregular and unscheduled basis to a state-permitted disposal facility.
- B. Nothing contained herein shall prohibit a farmer from carrying out the normal activities of his farming operation, including composting and spreading of manure or other farm-produced agricultural wastes.
- C. The provisions of this article do not apply to anything but the storage, collection, transportation and disposal of municipal waste and do not apply, therefore, to hazardous or residual wastes as defined by the Pennsylvania Solid Waste Management Act.

§ 500-19 Applicability of other regulations; amendments.

- A. This article shall be subject to all applicable federal, state and local laws, ordinances, rules and regulations, including the rules and regulations as set forth by the Department of Environmental Protection, Commonwealth of Pennsylvania.
- B. This article or any part thereof may be amended from time to time in accordance with

the procedures established by law.

§ 500-20 Violations and penalties; remedies.

- A. Any person violating any provision of this article shall, upon conviction by a Magisterial District Judge, be subject to a fine of not less than \$100 nor more than \$1,000, together with the costs of prosecution, and, in default of payment of fine and costs, imprisonment in the Northampton County Jail for a period of not more than 90 days. Every violator of the provisions of this article shall be deemed guilty of a separate offense for each and every day such violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.^{vi}EN
- B. In addition to the foregoing penalty, the City may require the owner or occupant of a property to remove any accumulation of solid waste, and should such person fail to remove such solid waste after three days following written notice, the City may cause the solid waste to be collected and disposed of with the costs for such actions and associated administrative expenses to be charged to the owner or occupant of the property in a manner provided by law.

ⁱ Editor's Note: The definition of "Director of Public Services," added 8-23-2006 by Ord. No. 4846, which previously followed this definition, was deleted during codification (upon enactment, adoption information will be inserted here).

^{iv} Editor's Note: The definition of "Director of Public Services," which previously followed this definition, was deleted during codification (upon enactment, adoption information will be inserted here).

^{vii} Editor's Note: Amended during codification (upon enactment, adoption information will be inserted here).

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

Ordinance No.

SESSION 2012

Bill No. 13

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Introduced by: Elinor Warner – March 14, 2012
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Enacted by Council:
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AN ORDINANCE: Amending Section 560-54, Parking Restrictions for Street Cleaning

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. Section 560-54 be and it is hereby amended to read as follows:

Street	Segment	Street Side	Posting Time
Wednesday			
Ferry Street	Fifth Street to Fifteenth Street	North	9:00 a.m.to12:00 p.m.
Ferry Street	Fifth Street to Seventh Street	North	7:30 a.m. to 8:30 a.m.
Ferry Street	Seventh Street to Fifteenth Street	North	9:00 a.m.to12:00 p.m.
Washington Street	Seventh Street to Fifteenth Street	North	9:00 a.m.to12:00p.m.
Washington Street	Seventh Street to Ninth Street	North	7:30 a.m. to 8:30 a.m.
Washington Street	Ninth Street to Fifteenth Street	North	9:00 a.m.to12:00p.m.
Friday			
Ferry Street	Fifth Street to Seventh Street	South	7:30 a.m. to 8:30 a.m.
Ferry Street	Walnut Street to Fifth Street	South	9:00 a.m.to12:00p.m.
Ferry Street	Walnut Street to Seventh Street	South	9:00 a.m.to12:00p.m.
Washington Street	Seventh Street to Fifteenth Street	South	9:00 a.m.to12:00p.m.
Washington Street	Seventh Street to Ninth Street	South	7:30 a.m. to 8:30 a.m.
Washington Street	Ninth Street to Fifteenth Street	South	9:00 a.m.to12:00p.m.



CITY OF EASTON PENNSYLVANIA

PROPOSED AMENDMENTS TO THE ZONING CODE AND OFFICIAL MAP
OF THE CITY OF EASTON PROPOSED TO CREATE EXPRESSWAY
TRANSITIONAL ZONING DISTRICTS FOR THE ACCOMODATION OF
CERTAIN HIGHWAY-ORIENTED USES AND SIGN TYPES,
ESTABLISHING DIMENSIONAL CRITERIA AND ASSOCIATED RULES
AND REGULATIONS.

DOCUMENT DATE – JANUARY 19, 2012

LEGEND

- ***PROPOSED NEW TEXT IS IN BOLD AND ITALICIZED***
 - ~~**TEXT PROPOSED TO BE DELETED IS IN BOLD AND STRIKETHROUGH**~~
- FORMATTING**
- TEXT WITHOUT ITALICS OR STRIKETHROUGH IS EXISTING LANGUAGE OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON AND INTENDED TO REMAIN

ZONING

CHAPTER 595 OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON

Amending Article II, Purpose and Objectives (§ 595-7. Statement of community development objectives; district purposes.), the following is proposed to be added:

§ 595-7. Statement of community development objectives; district purposes.

Easton's community development objectives are encompassed in the City's Comprehensive Plan as adopted by resolution of Council in 1997.

- College Hill District's purpose is to protect the character of this unique hillside neighborhood adjoining Lafayette College, accommodating a mix of housing types and development intensities, neighborhood retail and commercial services, green space, and appropriate infill.
- South Side District's purpose is to enhance the character of this neighborhood by accommodating a mix of housing types and development intensities, green space, local and regional commercial, and appropriate redevelopment and infill that maintains or extends the existing network of streets and

alleys.

- C. West Ward District's purpose is to protect and enhance the character of this existing neighborhood located on a similar topographic plane as the Downtown by accommodating a mix of housing types and development intensities, green space, neighborhood retail and commercial services, and appropriate infill and redevelopment that maintains or extends the existing network of streets and alleys.
- D. River Corridors and Other Green Areas District's purpose is to accommodate appropriate development while providing for adequate protection and buffering of the City's waterways and other natural resources; assist in flood management; protection of environmentally sensitive areas; and meet the need for local and regional greenways, open space, and recreation within the City.
- E. Institutional-1 District's purpose is to accommodate the orderly development and expansion of Lafayette College.
- F. Institutional-2 District's purpose is to accommodate the orderly development needed to meet the institutional needs of Northampton County.
- G. Downtown District's purpose is to provide the highest intensity of development within the core of the City of Easton, while preserving the City's historic resources and context; to promote a mix of regional commercial and office space, with residential opportunity and neighborhood services; and to support mass transit and transit-oriented development.
- H. Adaptive Reuse District's purpose is to promote the redevelopment and revitalization of underutilized and underperforming areas of the City with mixed residential, commercial and light industrial development in an environmentally sensitive manner.
- I. Street Corridor Enhancement Overlay District's purpose is to accommodate medium- and high-intensity development at the gateways to the City and along the principal vehicular and pedestrian corridors, and to promote compact, walkable, mixed-use buildings with local and regional commercial services, compatibly scaled light industrial, and residential uses.
- J. Innovation Overlay District's purpose is to protect the existing residential neighborhood while accommodating the expansion and enhancement of compatible light industrial and commercial opportunities that meet rigorous design standards and review.
- K. Flood Hazard Overlay District's purpose is to establish basic performance standards to mitigate flood hazards in and adjacent to floodway, flood-fringe, and flood-prone areas of the City.
- L. Steep Slope Conservation District's purpose is to establish basic performance standards for development on and adjacent to steep slope areas to mitigate soil erosion, sedimentation and mass wasting (landslides).
- M. Expressway Transitional District's purpose is to accommodate uses that are suited ideally to areas adjacent to the City's major expressways, while limiting potential negative impacts of these uses to residential, commercial, mixed-use, natural and historic areas.**

ZONING
CHAPTER 595 OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON

Amending Article IV, Definitions (§ 595-10), the following definitions are proposed to be added:

CONTROLLED ACCESS HIGHWAY – See limited access highway.

LIMITED ACCESS HIGHWAY – A highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access except at points and in the manner determined by the authority having jurisdiction over the highway. Within the municipal and jurisdictional limits of the City of Easton, this shall include, but is not necessarily limited to, all portions of US-22 and I-78.

SIGN – A sign shall mean and include any permanent or temporary structure or part thereof, or any device attached, painted, or represented directly or indirectly on a structure or other surface that shall display or include any letter, word, insignia, flag, or representation, used as, or which is the nature of, an advertisement, announcement, visual communication, direction, or is designed to attract the eye, or bring the subject to the attention of the public. Flags of any governmental unit or branch of any charitable or religious organizations, interior signs not visible from a public right-of-way or adjoining property, and cornerstones (limited to dates and addresses) built into or attached to a wall of a building are excluded. Defined sign types include:

- (1) DEVELOPMENT SIGN – A type of freestanding sign, designed to identify a development.*
- (2) DIGITAL SIGN – An off-premise sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, comprised of a small number matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade. Digital signs shall include computer programmable, microprocessor controlled electronic displays.*
- (3) DIRECTORY SIGN – A type of freestanding or wall sign designed to identify the name and location of multiple occupants on the same lot, commercial or industrial in character, with or without an accompanying map, in order to aid in the internal circulation within the lot.*
- (4) FREESTANDING SIGN – A sign permanently supported by an upright pole(s), box and/or structure which is permanently anchored into the ground.*
- (5) FASCIA SIGN – A sign attached to, placed upon, or hung from any structure projecting from and supported by a building, and which extends beyond the facade of the building, such as a canopy, an awning, marquee, etc.*

- (6) **NAMEPLATE SIGN** – A sign indicating the name of the occupant of a dwelling. [Amended 9-24-2008 by Ord. No. 5120]
- (7) **OFF-PREMISE SIGN** – A freestanding, elevated sign advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured, or furnished at the site on which the sign is located (i.e. billboards or outdoor advertising). All off-premise signs shall be considered structures, and a principal use on its associated lot. Artwork, such as a painting or mural that is permanent (lasting the life of the building); original; created specifically for the site; and is not intended to advertise a product, service, business or institution, shall not be considered an off-premise sign.
- (8) **ON-PREMISE SIGN** – Any sign advertising an establishment, merchandise, service or entertainment which is sold, produced, manufactured, or furnished at the site on which the sign is located.
- (9) **PROJECTING SIGN** – A sign which is affixed to any building, wall or structure and extends more than 12 inches from the façade or place of the structure.
- (10) **TEMPORARY SIGN** – A sign which announces an event, meeting, sale, contractor, artisans, patrons, political candidates, etc., constructed in a manner that is non-permanent, and is displayed for a maximum of one (1) month per calendar year. With the exception of political signs, all temporary signs must relate to activities directly associated with lot on which the temporary sign is erected.
- (11) **WALL SIGN** – A sign mounted parallel to the face of a structure or wall and projecting not more than 12 inches from the face or façade of the structure wall.
- (12) **WINDOW SIGN** – A sign affixed to or within a window such that its message can be seen from the outside.

ZONING
CHAPTER 595 OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON

Amending Article IX, Use Regulations. (§595-36), the following Use Definition is proposed to be added:

§ 595-36. Use definitions.

K. Advertising.

(1) K1 Advertising. The use of off-premise signage.

ZONING
CHAPTER 595 OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON

Amending Article XI, Division into districts. (§595-51), the following is proposed:

ARTICLE XI, Districts Established

§ 595-51. Division into districts. [Amended 6-24-2009 by Ord. No. 5210]

All areas of the City of Easton are hereby divided into districts of different types, each type being of such number, shape, kind and area and of such common unity of purpose and adaptability of use that is deemed most suitable to carry out the objectives of this chapter and the City Comprehensive Plan. The following districts are hereby established:

Abbreviation	District
CH	College Hill
SS	South Side
WW	West Ward
RC	River Corridors and Other Green Areas
INS-1	Institutional-1
INS-2	Institutional-2
DD	Downtown
AR	Adaptive Reuse
SC	Street Corridor Enhancement Overlay
IO	Innovation Overlay
FH	Flood Hazard Overlay
SSC	Steep Slope Conservation Overlay
CH/INS-1 T	College Hill/Institutional Transition Zone
WW/INS-2 T	West Ward/Institutional Transition Zone
<i>ET</i>	<i>Expressway Transitional</i>

ZONING

CHAPTER 595 OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON

Creating a new article, Article XXI-I, Expressway Transitional (ET) Zone. (§595-121.01 – §595-121.07), defining a new zoning district, is proposed:

ARTICLE XXI-I, Expressway Transitional (ET) Zone

§ 595-121.01. Legislative intent; requirements.

A. Legislative intent.

- (1) *The purpose of the Expressway Transitional (ET) District is to accommodate industrial, commercial, mixed and advertising uses in areas adjacent to multi-lane, controlled-access roads, to promote better safety and welfare within the City of Easton. These areas have traditionally been geared toward industry and commerce, with a minimal residential base. As such, the Expressway Transitional (ET) District is ideal for uses which are incompatible with residential areas. Key among these considerations is off-premise signage and advertising. Large-scale advertising presents a number of concerns and complications to our community. By restricting such activities to the Expressway Transitional (ET) District, the City safeguards quality of life, property values, and public safety, while allowing advertising, where its negative impacts will be minimized.***

B. Requirements.

- (1) *Both new construction and redevelopment in the district shall comply with Article XXXV, Context Sensitive Design Standards.***

§ 595-121.02. Permitted uses.

A. Uses permitted by right in the Expressway Transitional Zone are as follows:

- (1) *B1 Cultural activities and exhibitions.***
- (2) *B2 Amusements.***
- (3) *B3 Parks.***
- (4) *C2 Hardware.***
- (5) *C3 General merchandise.***
- (6) *C5 Eating and drinking places.***
- (7) *C7 Furniture and other furnishings.***
- (8) *C8 Wholesale trade.***
- (9) *C10 Auto parts and accessories.***
- (10) *D1 Information and data processing establishments.***
- (11) *D2 Finance, insurance, real estate.***

- (12) D3 Personal services.**
- (13) D4 Business services.**
- (14) D5 Repair services.**
- (15) D6 Professional services.**
- (16) D7 Administrative offices.**
- (17) D8 Hotel/Motel.**
- (18) D9 Bed-and-Breakfast.**
- (19) E3 Hospitals.**
- (20) H1 Passenger depot.**
- (21) H2 Freight depot.**
- (22) H3 Parking lot/structure.**
- (23) J1 Timber activities (in accordance with Article XXXI, Supplemental Standards).**
- (24) J2 Timber harvesting operation (in accordance with Article XXXI, Supplemental Standards).**

§ 595-121.03. Special exception uses.

A. Special exception uses are as follows:

- (1) C1 Shopping gallery.**
- (2) C9 Motor vehicle sales.**
- (3) E1 Educational services.**
- (4) C11 Liquid fuels.**
- (5) F1 Trade contractors.**
- (5) F2 Food processing.**
- (6) F3 Furniture and other furnishings manufacture.**
- (7) F4 Publishing.**
- (8) F5 Textile mill products.**
- (9) F6 Apparel, finished products.**
- (10) F7 Lumber and wood products.**
- (11) F8 Warehouse and storage.**
- (12) H4 Utilities.**
- (13) H5 Communications facility.**
- (14) K1 Advertising.**

§ 595-121.04. Dimensional criteria.

The Table of Dimensional Criteria for the Expressway Transitional (ET) District is located at the end of this chapter.

§ 595-121.05. Accessory buildings and structures.

- A. The maximum height shall not exceed 15 feet.*
- B. Shall be set back five feet from any and all side lot lines.*
- C. Rear yard setback shall be four feet where no vehicular access exists and 10 feet otherwise.*
- D. Distance to other structures shall be five feet.*

§ 595-121.06. Design standards.

- A. The principal building shall have a minimum building height of 20 feet.*
- B. Primary entrances shall be located along a street front, not to include limited access highways. Secondary entrances may be located at the side or rear of building. [Amended 9-24-2008 by Ord. No. 5120]*
- C. In addition to other design standards of this article pertaining to lot area and width, build-to lines, side yards, rear yards, building height, and impervious surface, the following shall apply:
 - (1) The context sensitive design standards of Article XXXV.*
 - (2) Landscaping and buffering shall be in accordance with Article XXX.**
- E. The design standards above do not apply to off-premise signs, which are to be regulated in accordance with Article XXXIII - Sign Regulations, and the other provisions, standards and criteria herein which pertains to off-premise signs.*

§ 595-121.07. Standards and criteria governing special exception uses.

- A. All requirements of § 595-251, Special exceptions, shall be met.*
- B. All supplemental standards of Article XXXI shall be met.*
- C. Design standards in § 595-121.06 shall be met.*
- D. Communication facilities, including communications towers and communications antennas mounted on an existing public utility transmission tower, building or other structure and existing communications towers and communications equipment buildings, shall meet the requirements of Part 6, Communications Facility Regulations.*

ZONING
CHAPTER 595 OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON

Amending Article XXXIII, Sign Regulations (§595-191 – §595-205.01), the following is proposed:

ARTICLE XXXIII, Sign Regulations

§ 595-191. Purpose.

It is recognized that signs perform important functions in identifying residences and business. It is hereby found and declared, however, that control of signs is necessary to promote the health, safety and general welfare by lessening hazards to pedestrian and vehicular traffic, by preserving property values and by preventing signs from reaching such excessive size that they obscure one another to the detriment of all concerned.

§ 595-192. Scope and applicability.

In all zoning districts within the City, signs may be erected, altered, maintained, used or moved only when in accordance with the provisions of this article. Zoning approval for a sign does not preempt the requirements of the City Building Code.

§ 595-193. Signs exempt from zoning regulations.

The following signs to the extent indicated are exempt from zoning regulations:

- A. An official highway route number sign, street name sign, directional or other traffic sign. These may be erected and maintained on public roads and highways in the interest of public safety or for the regulation of traffic.
- B. A sign indicating the prohibition or control of fishing, hunting, trespassing, etc., or signs indicating the private nature of a road are exempt from this chapter, provided the area of any such sign does not exceed four square feet.
- C. A governmental flag or insignia, provided the area does not exceed 50 square feet.
- D. A legal notice, to be removed when legal requirements have been met.
- E. A Christmas tree, other holiday display, or window display of merchandise, except as specifically prohibited herein.
- F. Public service and information signs advertising the availability of rest rooms, telephones or similar public conveniences; also signs advertising meeting times and places of nonprofit service or charitable organizations. Any such sign shall not exceed four square feet. [Amended 9-24-2008 by Ord. No. 5120]
- G. Public monuments, banners, historic identification signs or plaques erected by a government agency.

- H. One or more signs applied to a windowpane, giving store hours, showing the store open/closed or the name or names of credit or charge institutions, when the total area of any such sign or all signs together does not exceed two square feet. [Amended 9-24-2008 by Ord. No. 5120]
- I. A sign which is a permanent architectural feature of a building or structure, such as a cornerstone or identifying letters carved into or embossed on a building, providing the letters are not made of a reflective material nor contrast in color with the building. For the purposes of this section, permanent architectural feature shall be defined as integral to the structure, without such feature a building and/or structure would not stand.

§ 595-194. Prohibited signs.

The following signs are unlawful and are prohibited within the City:

- A. Signs that glare. A sign that uses any method of illumination that can cause ~~glare~~ **natural or artificial light to be focused with intensity toward observers' eyes** is prohibited, except in accordance with the following:
 - (1) It shall be so effectively shielded that glaring beams or rays of light are not directed to any portion of a main traveled highway.
 - (2) It shall not be illuminated so as to obscure and detract from the adjoining properties or impair the vision of any motor vehicle driver or otherwise interfere with a driver's operation of his motor vehicle. [Amended 9-24-2008 by Ord. No. 5120]
- B. Signs with prohibited words. No sign may use the words "stop," "look," "danger" or any other word, place, symbol or character which attempts or appears to attempt to direct the movement of traffic or which interferes with or resembles any official traffic signs, signal or device within 75 feet of a public right-of-way or within 200 feet of a traffic control device, whichever is greater.
- C. Banner signs. Any banner sign or signs of any other type are prohibited across a public street except for such signs which are approved by the Council to be of general benefit to the City or for public convenience, necessity or welfare.
- D. Pennants or spinners. Any permanent signs suspended between poles, which is either a pennant which blows in the wind or a spinner which spins in the wind, is prohibited.
- E. Red or green lights. Except for traffic control signs, red or green lights are prohibited within 75 feet of a public right-of-way or 200 feet of a traffic control signal, whichever is greater. ***This provision excludes approved digital signs comprised of a red-green-blue (RGB) display matrix.***
- F. Animated signs. No sign which displays movement by mechanical, digital, or other visual means shall be permitted.
- G. Rooftop signs. No sign erected on or above the eave of a structure shall be permitted.
- H. Internally or externally lighted (Illuminated) vending machine signs. No vending machines with incorporated signs that are internally lighted and/or externally lighted shall be permitted. For the purposes of this section, externally lighted shall mean an illuminating device incorporated into the design, operation, structure and/or adhered to the exterior of the vending machine.
- I. Back-lit signs. ***With the exception of approved off-premise signs***, back-lit signs are signs that are illuminated by a nonvisible light source consisting of nontranslucent lettering and where the only visible light is light reflected off the background creating a "halo" effect. [Added 9-24-2008 by

§ 595-195. Standard Signs.

There are ~~eight~~ *nine* standard signs: fascia, freestanding, projecting, wall, window, nameplate, development, ~~and~~ directory, *and off-premise*.

- A. Fascia signs. "Fascia sign" means a sign attached to, placed upon, or hung from any structure projecting from and supported by a building, and which extends beyond the facade of the building, such as a canopy, an awning, marquee, etc.
- (1) Requirements. A fascia sign shall have a minimum height clearance of eight feet from the sidewalk and shall not extend above the eaves or parapet of the building.
 - (2) Area and height. The area of a fascia sign shall be limited by the width of the occupant's building facade and a maximum height of two feet. No copy of a fascia sign shall extend within two feet of the party or end wall of a building. The maximum height of a fascia sign shall be two feet as measured from the canopy, awning or marquee.
- B. Freestanding sign. "Freestanding sign" means a sign permanently supported by an upright pole(s), box and/or structure which is permanently anchored into the ground.
- (1) Requirements. One freestanding sign may be erected on a lot, provided:
 - (a) The sign is set back a minimum of 15 feet from the street line.
 - (b) Such sign shall be set back at least 25 feet from the side property lines and 75 feet from any residential zone. When the seventy-five-foot setback from a residential zone cannot be achieved, the sign shall be placed to cause the least visible interference with adjoining residences.
- C. Projecting sign. "Projecting sign" means a sign which is affixed to any building, wall or structure and extends more than 12 inches from the facade or place of the structure.
- (1) Requirements. One projecting sign may be erected on a lot fronting onto a public right-of-way if that premises has a minimum of 20 lineal feet of frontage onto the public right-of-way.
 - (a) No such sign shall be located within two feet from a side property line.
 - (b) A projecting sign under which a pedestrian walkway passes shall have at least eight-foot vertical clearance and shall not extend above the eaves or parapet of the building. Also, the sign may only extend into the right-of-way to a point equal to 50% of the width of the sidewalk. [Amended 9-24-2008 by Ord. No. 5120]
- D. Wall sign. "Wall sign" means a sign mounted parallel to the face of a structure or wall and projecting not more than 12 inches from the face or facade of the structure wall or above the roofline or eaves of the structure. No such sign shall be located within two feet from a side property line.
- E. Window sign. "Window sign" means a sign affixed to or within a window such that its message can be seen from the outside:
- (1) Requirements.
 - (a) A window sign shall consist of words or logo, or both.
 - (b) No permanent window sign shall have flashing lights.
 - (2) Area calculation for a window sign(s). A window sign(s) may not occupy more than 30% of the total area of each window or glassed area, whichever is larger, in which it is displayed, except in

the Downtown District, where no more than 20% of the total window area may be occupied by window signs. [Amended 9-24-2008 by Ord. No. 5120]

F. Nameplate sign. "Nameplate sign" means a sign indicating the name of the occupant of a dwelling. [Amended 9-24-2008 by Ord. No. 5120]

(1) Requirements.

- (a) The size shall not exceed 288 square inches in overall area on one face.
- (b) Not more than one such sign shall be erected for each dwelling unit unless such property fronts on more than one street, in which case one such sign may be erected on each street frontage.^{XEN}

G. Development sign (permanent). "Development sign" means a type of freestanding sign, designed to identify a development.

(1) Requirements. A permanent development identification sign may be erected upon application and final approval and recordation of the subdivision and/or land development plans in accordance with the following regulations: [Amended 9-24-2008 by Ord. No. 5120]

- (a) When considering such signs, the location of public utilities, sidewalks and future street widenings shall be considered.
- (b) Signs and entrance structures shall be solely for identification purposes, provide only the name of the development, and shall be located only at an entrance to a development. If more than one entrance is located on the same street, such signs shall be no closer than 100 feet apart.
- (c) Only one identification sign or structure may be erected at the entrance to a development or subdivision from each abutting street. Such a sign shall be a single sign with two faces or may be a single-faced sign located on each side of such entranceway.
- (d) Such signs must be set back at least 25 feet from the side property lines and 15 feet from the front property line.

(2) Area and height. The maximum area of a permanent development sign shall not exceed 16 square feet or a height of seven feet. The maximum height of a development sign shall be measured from the elevation of the shoulder of the road to the highest point of the sign structure. In the case where there is a sidewalk, the height of the sign shall be measured from the elevation of the sidewalk.

H. Directory. "Directory sign" means a type of freestanding or wall sign designed to identify the name and location of multiple occupants on the same lot, commercial or industrial in character, with or without an accompanying map, in order to aid in the internal circulation within the lot.

(1) Requirements. For each lot, only one directory sign may be erected for each major parking area or each main entrance to a building, under the following conditions: [Amended 9-24-2008 by Ord. No. 5120]

- (a) Directory signs shall conform to all requirements for freestanding signs.
- (b) Freestanding directory signs shall not be permitted where a freestanding sign is erected.

(2) Area and height. The maximum area of a directory sign shall not exceed one square foot for each lineal foot of building facade or 20 square feet, whichever is less. The maximum height shall not exceed nine feet in height. The maximum height of a directory sign shall be measured from the elevation of the sidewalk to the highest point of the sign structure. [Amended 9-24-2008 by Ord. No. 5120]

I. Off-premise sign.

(1) Requirements: An off-premise sign may be erected on a lot, provided:

- (a) Location relative to road network. Off-premise signs shall be located no more than 200 linear feet from the edge of right-of-way of a controlled access, divided Interstate or US highway.**
- (b) Right-of-way. No portion of an off-premise sign shall be located in any vehicular right-of-way.**
- (c) When an off-premise sign is proposed on a given lot, and off-premise sign(s) is/are proposed or existing on any adjacent lot, the signs shall be separated by a distance in feet at least one-half (½) the combined area of the two signs in square feet, with a minimum distance of 200 feet. (For example, if a 300 square foot off-premise sign were proposed, and an adjacent lot contained an existing 200 square foot off-premise sign, the proposed sign shall be located at least 250 feet from the existing sign.) In addition, no proposed off-premise sign shall be placed in a location that obstructs an existing off-premise sign.**
- (d) Line-of-sight. No off-premise sign shall obstruct line-of-sight within any vehicular right-of-way.**
- (e) Orientation. Off-premise signs shall be oriented roughly perpendicular to the flow of traffic of the adjacent controlled access, divided Interstate or US highway, so that the sign face is directed towards oncoming traffic on these roads.**
- (f) Historic resources. No off-premise sign shall be visible from any Local, State and/or Federal Historic District, Local, State and/or Federal Scenic Byway, or any resource listed on the National Register of Historic Places.**
- (g) Residential structures. No off-premise sign shall be within 300 feet of a residential structure.**
- (h) Structural support. Off-premise sign shall be free-standing, and not connected to other structures.**
- (i) Buffering. All off-premise signs must be adequately buffered from surrounding uses, as determined by the Easton Planning Commission. All off-premise signs shall also be buffered to minimize any visual impacts to residential structures.**
- (j) Lot size. No off-premise sign shall be located on lots smaller than 1 acre (43,560 square feet).**
- (k) Lot frontage. No off-premise sign shall be located on a lot with less than 400 feet of frontage that is adjacent to a limited access, divided highway.**
- (l) Pedestrians and utilities. No off-premise sign shall obstruct the flow of pedestrians on sidewalks or trails, or the safe operation of utilities.**
- (m) Number of signs. No more than one (1) off-premise sign shall be permitted on a single lot.**
- (n) Sign faces. No off-premise signs shall have more than two faces.**
- (o) Structural soundness. Any applicant proposing an off-premise sign shall submit documentation from a Pennsylvania-registered professional engineer certifying that the proposed installation will be structurally sound, considering factors such as wind**

and other loads associated with the off-premise sign location. In addition, signs shall only be built where ground conditions suitable for this form of development.

- (p) City approval. All proposals for off-premise signs shall be accompanied by a detailed Site Plan to be reviewed by the Easton Planning Commission as part of its Special Exception review process. In considering whether to recommend approval, the Easton Planning Commission may also set forth requirements, prior to installation, for approval by the City Engineer, Chief Codes Administrator and/or Building Inspector to confirm public safety and structural soundness, including, but not limited to, analysis of impacts on vehicular travel and geotechnical reports.*
- (q) Sign standards. All off-premise signs shall also meet the requirements for freestanding signs, per § 595-195 B.*
- (r) Environmental hazards. No off-premise sign shall be erected within the FEMA-defined 100- or 500-year floodplain, NWI-defined wetland, or upon slopes greater than 25%.*
- (s) Other governing bodies. All off-premise signs shall conform to any regulations and permitting set forth by the State and/or Federal government, in addition to any and all requirements of the City of Easton.*
- (t) Digital signs. All digital and transitioning signs shall conform to the following:*
 - 1. All regulations regarding off-premise signs.*
 - 2. Each sign may display only a series of still images, each of which is displayed for at least eight (8) seconds.*
 - 3. Still images displayed on signs may not move or present the appearance of motion and may not use flashing, scrolling, twirling, twinkling, oscillating, rotating, scintillating, blinking, or traveling lights or any other means not providing constant illumination.*
 - 4. Any portion of a message or still image must have a minimum duration (hold time) of eight (8) seconds and must be a static display. Messages may change immediately or fade in and out only.*
 - 5. Transition or blank screen time between one still image and the next may not exceed one (1) second. Transitions shall occur simultaneously on the entire sign face.*
 - 6. Illumination and/or intensity of the sign shall be controlled so as to not create glare, hazards or nuisances. Such signs shall have a maximum nits level of 7,000 nits; provided the brightness of the digital sign does not exceed 0.3 foot-candles of light above normal ambient light levels.*
 - 7. Signs shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.*
 - 8. Sign luminance specification shall be determined by a foot-candle metering device held at a height of five (5) feet, and aimed towards the sign, from a distance of one-hundred-seventy-five (175) feet. Metering devices should be at a location perpendicular to the sign center (as seen in plan view) as this angle has the highest luminance. Signs shall have a display that is at least 50% white when luminance is measured. If the difference in luminance is 0.3 candles or less, as measured in the aforementioned manner, the sign is in compliance with this requirement.*
 - 9. Audio speakers and/or any form of pyrotechnics are prohibited.*

10. All signs must be equipped with a properly functioning default mechanism that will stop the sign in one position should a malfunction occur.
11. Upon notification, the sign operators agree to coordinate with City Staff to display emergency information critical to the traveling public, such as AMBER ALERTS, SILVER ALERTS, and other similar alerts issued by authorized sources, as well as information including but not limited to terrorist or military attacks, environmental catastrophes, matters of Homeland Security, immediate risks to public health or safety, and natural disasters. Emergency messages are to remain in the display's rotation according to the designated issuing agency's protocols.
12. No existing, non-conforming sign may be converted to a digital sign.
13. Slat, panel, or blade twirl type signs are prohibited.
- (u) **Lighting.** For static display signs, lighting shall be focused directly on the sign face, and designed in a manner to limit excess light from illuminating non-sign areas. Lighting shall not be directed or focused as to shine directly onto adjacent properties or interrupt or create hazardous conditions on roadways.
- (v) **Owner.** All applications for off-premise signs must be signed and submitted by the property owner, in writing, on forms supplied the City. If the owner/operator of the sign is not the owner of the property upon which a proposed off-premise sign is to be erected, the owner/operator of the sign shall also be a signatory to application documents.
- (w) **Emergency access.** Access shall be provided to the off-premise sign by means of a public street or easement to a public street. All easements shall be a minimum of 20 feet in width and shall be improved to a width of at least 10 feet and remain sufficiently clear for the passage of emergency vehicles year-round. These conditions must be met prior to the sign's construction and continue until such a time that all sign equipment is removed. An approved emergency management system, such as Knox key accessibility, must be installed and fully operational for all fenced/secured components before installation of any off-premise sign may begin.
- (x) Sign is to be operated in such fashion that it does not disorient motorists.
- (y) The placement of off-premise signs shall be limited to the Expressway Transitional (ET) Zone.
- (2) **Area and height.** One off-premise sign may be erected on a lot, provided:
- (a) The maximum area of an off-premise sign face shall be no more than 800 square feet, with a width not greater than 50 feet, and a height not greater than 18 feet. Off premise signs shall be rectangular in shape, with the area considered to be the smallest rectangle enclosing all display elements of the sign.
- (b) No off-premise sign shall exceed the maximum building height of the underlying Zoning District.
- (3) **Periodic Reporting and Maintenance of Off-Premise Signs, Including Existing Non-Conforming Signs**
- (a) Owners of all properties on which off-premise signs are to be located shall be required to register with the City, as established in 595-201. Owners of properties with off-premise signs that are owned or leased by a third party shall provide tenant information (name, address, telephone number, and contact name) at the time of registration, and within fourteen (14) days of the following:

- (i) Ownership of the off-premise sign changes.*
 - (ii) Parties leasing or renting the off-premise sign change. (This applies only to the leasing of the physical sign and structure. Changes to parties related solely to the renting/leasing an off-premise sign's copy/advertising content are not required to report these changes.)*
 - (iii) A non-emergency request for this information by the City of Easton.*
- (b) The owner of any property on which an off-premise sign is located shall submit a periodic report by a registered engineer who has inspected the sign and its supporting structure to ensure that it is structurally sound. The Department of Planning & Codes and the City Engineer are authorized to adopt appropriate regulations for the content and format of such reports. Reports shall be submitted on the following schedule, or on such other schedule as the City shall promulgate:*
- (i) For off-premise signs erected prior to the date of adoption of these regulations, the owner shall submit a structural report within twelve (12) months of the adoption of these regulations, and in December of every fifth subsequent year.*
 - (ii) For off-premise signs erected on or after the date of adoption of these regulations, the owner shall submit a report five years after approval is granted by the Zoning Hearing Board, in the same calendar month in which such approval was issued; and in the same calendar month every fifth subsequent year.*
- (c) All off-premise signs shall be maintained in a structurally sound state, as determined by the City Engineer.*
- (d) Any existing, non-conforming signs shall be maintained in good condition, but it shall not be structurally altered so as to enlarge or extend the area or height of the sign. An existing, non-conforming sign shall not be reconstructed if for any reason it becomes necessary to replace the entire sign, including the face, the frame, and any supporting mechanism, but excluding the foundation.*
- (e) All burned-out bulbs or damaged panels must be replaced within fourteen (14) days of notification by the City.*
- (f) All sign copy shall be maintained securely to the face and all missing copy must be replaced within fourteen (14) days of notification by the City.*
- (4) Abatement**
- (a) Whenever any off-premise sign is erected and/or maintained in violation of this Chapter, or of the regulations promulgated under the Codified Ordinances of the City of Easton, the Department of Planning & Codes shall serve written notice of such violations upon the property owner on which said off-premise sign is located, directing compliance within thirty (30) days of receipt of the notice of violation. In the case where ownership cannot be determined or notice cannot be delivered, the Department of Planning & Codes shall place a violation notice upon the sign and/or sign structure.*
 - (b) After expiration of the time for compliance as stated on the notice of violation, if the violation has not been corrected, the City may itself or by contract remove the offending sign. The costs incurred by the City shall be charged against the person owning such offending sign. If the sign was abandoned, the property owner on whose premises the sign is located shall be responsible for the cost of removal.*
 - (c) If any condition and/or location of an off-premise sign results in an immediate peril to persons or property, the City may require immediate compliance to mitigate harm. If*

such compliance is not forthcoming, the City may without other notice, in addition to invoking any other sanction or remedial procedure provided, apply with the approval of the City Police to any Court with jurisdiction for relief by injunction or restraining order.

- (5) Compliance with Other City Obligations. No permit will be issued for an off-premise sign if the applicant or owner of the parcel upon which the off-premise sign is to be erected is not in compliance with any taxes, or Code compliance, or similar obligations.**

§ 595-196. Permitted temporary signs.

In addition to permanent signs, the following temporary signs may be erected on any lot for a maximum of one month in any calendar year, unless otherwise specified below, provided they are erected and displayed in conformance with the following regulations:

A. Temporary signs permitted in all districts.

- (1) One nonilluminated or indirectly illuminated bulletin or announcement board (i.e., sandwich board sign) or identification sign for a permitted nonresidential building or use, provided that the area of any such sign shall not exceed 12 square feet. The sign shall identify the building and use immediately adjacent to sandwich sign, shall be located within three feet of the building line, and shall be placed to provide safe and adequate pedestrian passage on the sidewalk.
- (2) One nonilluminated sign advertising the sale or rental of the premises upon which such sign has been erected or one sign indicating that such premises have been sold or rented, provided that the area of any such sign shall not exceed four square feet and such signs shall be removed within 20 days after an agreement of sale or rental has been entered into.
- (3) One temporary nonilluminated sign erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other person interested in such sale or development, provided that the area of any such sign shall not exceed four square feet and that the sign shall be removed within 20 days after the last structure has been initially occupied or upon expiration of the building permit, whichever is sooner.
- (4) Temporary nonilluminated sign of mechanics or artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided that such sign shall be removed upon completion of work by the mechanic or artisan and the total area of all such signs shall not exceed four square feet.
- (5) Nonilluminated signs used for directing patrons, members for audience to service clubs, churches or other nonprofit organizations, provided signs indicate only the name of the organization and the place, date and time of meeting and shall not exceed four square feet in area and shall be removed immediately after such event.
- (6) Temporary nonilluminated signs for yard sales may be erected and maintained during the period of and one week prior to yard sales, provided such sign shall be removed upon completion of sale and the total area of such sign shall not exceed three square feet.
- (7) Temporary signs advertising political parties, candidates for elected office or current ballot questions, provided that:
 - (a) Signs shall not be erected or displayed within the public right-of-way earlier than 90 days prior to the election to which they pertain. A person may display, at any time, signs regarding a candidate for public office and/or an issue advocacy poster at any time on their property so

long as it conforms to the City of Easton Zoning Ordinance.

- (b) The size of any such sign shall not exceed 32 square feet.
- (c) Where signs are permitted, other than on private property, signs must be fastened by use of tape or placed in the ground by a stake or wire.
- ~~(d) All complaints must be in writing, must include the name, address and phone number, and signed by the complainant who is a resident of the City of Easton, current on all City fees, and filed with the Zoning Officer or his staff. Only the Zoning Officer shall enforce this chapter. All written complaints will be referred to the responsible entity by the City.~~
- (ed) No election signs shall be posted in Centre Square. No signs shall be posted on the trees in the first three blocks of Northampton Street and the first block of South Third Street. Political signs can be displayed on non-City-owned property located in the aforementioned areas of this paragraph. Signs shall be prohibited from lands and rights-of-way which are owned by the City of Easton.
- (fe) All political signs shall be removed no later than 21 days after the date of the political election.
- (gf) A political sign shall not be placed on a public property except within the vicinity of the election poll.
- (8) Temporary nonilluminated signs directing persons to temporary exhibits, shows or events may be erected, subject to the following requirements:
 - (a) Signs shall not exceed four square feet in area.
 - (b) Signs shall not be posted earlier than two weeks before the occurrence of the event to which they relate and shall be removed within one week after the date of the exhibit, show or event.
- (9) A temporary sign or display within a window in conjunction with a promotion, special event, or seasonal sale, provided that:
 - (a) Such a sign may be erected only on a lot in commercial use.
 - (b) Only two such signs shall be permitted in any window.
 - (c) No such sign shall be illuminated.
 - (d) No such signs shall be placed where it restricts the view of a permanent window sign.
 - (e) No such sign shall exceed 15% of the total area of the window.

B. Compliance for temporary signs. The erector of temporary signs permitted under this section or an authorized agent or sponsor of an exhibit, show, event or proposed development shall comply with the temporary sign regulations. Failure to comply with this article to remove such signs within specified days after the date of the exhibit, show, event or proposed development to which such signs relate, or as otherwise specified in this article, shall constitute a violation of this chapter subjecting offenders to the penalties prescribed in Article VIII, Enforcement and Penalty. [Amended 11-14-2007 by Ord. No. 5028; 9-24-2008 by Ord. No. 5120]

C. All complaints must be in writing, must include the name, address and phone number, and signed by the complainant who is a resident of, landholder in, or a valid business licensee in the City of Easton, and filed with the Department of Planning and Codes. Only the Zoning Officer shall enforce zoning compliance relating to signs. All written complaints will be

addressed by the City regarding compliance by responsible entities including but not limited to owners of property upon which signage is located, owners of signage, or lessees of signage.

§ 595-197. Location of Signs.

A sign may be erected on a lot only if it conforms to this chapter.

- A. Public right-of-way. In no case, except for a permitted banner, shall any sign other than highway or traffic signs be erected within a street right-of-way.
 - (1) However, such a right-of-way shall not include a public right-of-way in front of homes or businesses.
 - (2) No temporary signs advertising political parties, referenda and/or candidates for election exceeding three feet in height shall be placed at an intersection within a sight triangle.
- B. Entrance or exit to a building. No signs shall be erected or installed in such a way as to block or obstruct any exit or entrance, including emergency exits or entrances, of any building or other structure, nor shall any sign obstruct or interfere with or be attached to any part of any fire escape or fire tower.
- C. On public property. No signs shall be erected or maintained on any property owned by the City except with the express permission of the City given by Council at its duly convened public meeting.
- D. In parking space or fire lane. No sign shall be erected or maintained in any parking space or any fire lane so as to obstruct or impede or impair the free use and access of such parking space or fire lane.
- E. Causing traffic or pedestrian hazards. No sign shall be placed in such a position that it will be a danger to traffic on a street or traffic entering a street. No sign, except as listed in Subsection A above, shall be placed in the required sight triangle of an intersection.
- F. Obstructing driveway sight distance. No sign shall obstruct the sight distance from any vehicle leaving a driveway. The minimum setback from a driveway shall be 25 feet from the nearest edge of the driveway or street to the nearest position of the sign.
- G. Off-premises signs. With the exception of permitted temporary signs, off-premises signs shall be prohibited **in all zoning districts with the exception of the Expressway Transitional (ET) Zone.**
- H. Adjacent to limited access highways. In order to facilitate the movement of traffic and to minimize the hazard on a limited access highway, in addition to the restriction of the use of signs in the various zones as hereinbefore provided, the use of signs, billboards, notices and other forms of presenting lettered and pictorial material for the purpose of attracting public attention is herewith restricted as follows:
 - (1) Within 50 feet of the edge of any part of the rights-of-way of the Delaware River Joint Toll Bridge Commission or limited access highways, within the limits of the City, only the following signs shall be permitted:
 - (a) Official signs, including traffic markers, directional signs or street nameplates.
 - (b) Nameplates not exceeding two square feet, identifying the owner or occupant of the property.
 - (c) In those cases where there is no open area adjacent to a building abutting the highway and bridge approach, a sign not exceeding four square feet in area pertaining to the sale or lease of the property and set back at least 25 feet, and placed so as not to obstruct a driver's

view of official signs.

(d) Approved off-premise signs conforming to the Codified Ordinances of the City of Easton.

- (2) Over 50 feet and within 100 feet of the edge of the rights-of-way referred to in the preceding subsection, only the following signs shall be permitted:
 - (a) All signs permitted in Subsection H(1) hereof.
 - (b) An unilluminated sign attached to the main wall of a building and projecting horizontally not more than 12 inches therefrom, erected at a height of not less than 10 feet or more than 20 feet above the ground; the signs shall not exceed 30 inches in height or bear an advertisement other than the name of the person, firm or corporation operating the place of business or owning the property and a description of the general character of the business.
 - (c) One illuminated projecting sign, excluding a flashing or animated illuminated sign, or unilluminated sign for each store unit not projecting over a street or other public space more than 10 feet from the face of the building or structure or in any case beyond a vertical plane two feet inside the curblin, nor shall it be so erected that its innermost edge shall be placed more than 12 inches from the building line, nor shall it bear an advertisement other than the name of the person, firm or corporation operating the place of business or owning the property and a description of the general character of the business, or be above the roofline.

§ 595-198. General sign design standards.

- A. For lots with more than one frontage onto a public right-of-way, signs for each frontage shall be calculated separately.
- B. Each sign shall be erected so that it can be seen most easily from the public right-of-way for which it was intended.
- C. A freestanding or projecting sign having two sides back to back on a one-hundred-eighty-degree horizontal angle, or any V-shaped sign with a horizontal angle not greater than 90°, is entitled to 50% of the maximum permitted sign area on each side. ***This reduction factor does not apply to sign area calculations for off-premise signs.***
- D. A sign supported by more than one means (therefore, neither a freestanding, wall nor projecting sign) shall have its area and height calculation determined by that portion of the sign which has the more restrictive standards.
- E. The maximum sign area shall include all framing, border and trim, but it shall not include the structural supports.
- F. The maximum and minimum height of a freestanding sign shall be measured from the grade elevation.
- G. For a projecting or wall sign, the maximum height shall be determined by the height of the facade of the building or the maximum building height permitted in this chapter, whichever is smaller.
- H. The sign erected on a property shall relate to the use and advertise aspects of the property only, ***except for approved, off-premise signs erected in the Expressway Transitional (ET) Zoning District.***

§ 595-199. Copy area calculation.

The copy area of all signs, except those listed below, shall not exceed 75% of the total area of the sign unless otherwise restricted. The following signs are exempted from this copy area restriction:

- A. Window signs.
- B. Single occupancy residential signs.
- C. Wall signs consisting of single and separate letter or script without an enclosed background, so that the entire wall functions as the background of the sign.
- D. *Approved off-premise signs.***

§ 595-200. Maintenance.

- A. All signs shall be constructed of durable materials and shall be kept in good condition and repair at all times.
- B. Where a business has been abandoned, all signs shall be removed from the premises within 30 days of the cease of operation.

§ 595-201. Permit requirements for signs.

All new signs shall have a sign permit indicating compliance with the requirements and regulations of this chapter. No sign shall be erected or altered until such a permit has been issued.

A. *Off-Premise Signs*

In addition to other requirements of § 595-201, off-premise signs shall require:

- (1) Permit renewal every five (5) years coinciding with either reporting requirements or until ownership of the sign or property on which the sign is located changes.*
- (2) A \$50 fee for initial off-premise sign permitting or renewal.*

§ 595-202. Application requirements.

- A. To obtain a sign permit, an applicant shall make application on a form provided by the City.
- B. A sketch of the proposed sign(s), including the following information:
 - (1) Name and address of owner.
 - (2) Name and address of applicant.
 - (3) Date and scale (at least 1/8 inch per foot or greater).
 - (4) Location of the lot, building and proposed sign in relation to each public right-of-way, building and driveway.
 - (5) An elevation of the building facade (1/8 inch or 1/4 inch per foot), including the location, height and dimensions of the proposed sign(s).
 - (6) Copy area and ratio to sign area.
 - (7) All applicable sign requirements.
- C. *Each owner and applicant (if different than owner) shall be required as a continuing condition***

of any Permit issued under this section, to provide the City of Easton with written notice of a change of address within fourteen (14) days of such a change, to be sent to both the Zoning Officer of the City of Easton, and the Director of Finance of the City of Easton. Failure to comply with this requirement is considered grounds for revocation of his/her/its Permit. Moreover, each owner and applicant, by acceptance of the Permit, agrees that if a notice is returned because the party is no longer at that address, or otherwise is not signed for, that service requirement will be satisfied if the City mails a notice by first class mail to the last address provided to the City, as well as posting the Notice upon the property subject to the Permit.

§ 595-203. Nonconforming signs. [Amended 9-24-2008 by Ord. No. 5120]

Any sign existing and lawful at the time of the passage of this chapter that does not conform in use, location, height or size with the regulations of the district in which such sign is located shall be considered a nonconforming sign and may be continued in use in its present location. Nonconforming signs may be replaced, repainted or repaired so long as the business it advertises remains active and further provided that such replacement, repainting or repair does not increase the extent of the nonconformity existing on the effective date of this chapter. Illegal signs are not considered nonconforming signs. Should a structure to which a nonconforming sign is attached become abandoned, such sign shall lose its nonconforming status and may only be used as a special exception, subject to the provisions of § 595-251, Special exceptions. ~~Such sign must be granted special exception approval or be removed at the owner's cost, within 30 days of abandonment.~~ *Within thirty (30) days of abandonment, the sign shall be removed at the owner's cost, or the owner shall submit a new zoning application for the abandoned sign, with future use conditioned upon its approval. Should continued use of the abandoned sign be denied, the sign shall be removed at the owner's cost within thirty (30) days of the exhaustion of appeals.*

§ 595-204. Sign variances.

In addition to the variance requirements outlined in Article XXXVIII, Powers and Functions, the Zoning Hearing Board should consider elements of design and location when reviewing a sign variance and, where appropriate, attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this section. Oversized, projecting and crowded signs compete with each other and produce confusion. The building itself is the best sign. In general, signs on pedestrian shopping streets function to identify a business rather than to advertise products. A sensitively rehabilitated, well-maintained building is the best advertisement for a business's attention to detail and the quality of its products and services. The following ground rules for signage will create positive images for individual businesses, enhance the visual harmony of the shopping district, and create an environment that attracts customers. They may also dramatically cut signage costs.

- A. Use flat signs in consistent places. Place signs on the building's sign frieze, which is the horizontal flat area above the store windows. Original signs, either on flat signboards or made of individual letters, attached to the sign frieze were designed as an integral part of the building.
 - (1) Limit signs on other areas. Originally, many buildings used lettering applied to ground-floor show windows at a level visible to pedestrians. Lettering may also be applied to the front valances of awnings (the flap that hangs vertically). These are appropriate areas for limited lettering that may supplement or reinforce the information on the sign frieze.
 - (2) Signs above the sign frieze. Signs should never be placed above the sign frieze area, that is never above the lowest point of the sills of the second-story windows. This rule of thumb puts signs at a reasonable height above the sidewalk for good pedestrian viewing. Sometimes agencies or professional offices may be located on the second floor of a building, in which case decals or hand-painted lettering on the window glass are appropriate to identify the service and location.

- (3) Following these rules (placing signs flat on the buildings' sign friezes, on the storefront windows, and on the awnings) will improve a commercial district by restoring visual compatibility. Sign placement within these designated areas does not limit creativity; it simply organizes the information in a location and at a height where the shopper expects it to be. The signs should complement the building's architectural elements not cover them. Effective new signage can be created that will be unique to each business, convey its own image, and still be coordinated with and enhance the street as a whole.
- B. Projecting signs. Signs that hang over the sidewalk can be counterproductive to business because they often obscure individual buildings and interrupt the visual harmony of the street. If projecting signs are to be used, it is essential that they be small in scale and that they be coordinated with surrounding buildings and signs.
 - C. Limit the information on signs. The shortest message on a sign has the most impact on pedestrians. The name of the business and the street number are essential; a brief description of the product or service is optional. Use as few words as is necessary to project an image for the business that will interest shoppers. When more than one language is used on a sign, it is especially important to keep information brief.
 - (1) Symbols or cutouts of familiar objects, such as a pharmacist's mortar and pestle, can communicate a great deal of information without lettering at all.
 - D. Limit size of the sign. Do not allow signs to conceal any of the building's ornamental or architectural features. Signs and lettering should be only large enough to be clear and legible to pedestrians. Unfortunately, many signs are designed to be seen at great distances from automobiles at high speed. This is inappropriate for urban commercial districts which depend upon pedestrian traffic.
 - (1) Adjust the size of the message to the distance the shopper is from the store. The name should be large enough to be clear and legible as seen at a distance. The product or service and address can be smaller. Small lettering on the glass door can give more specific information such as hours of business. Sales can be communicated to the public with temporary paper signs displayed on the storefront glass. Like permanent signs, these must be brief and small. Do not leave temporary signs in place for too long, or they lose their effect and reduce the value of good window displays.
 - E. Use materials and colors that are compatible with the building and streetscape. The simple signs that were originally used on the buildings serve as the best example for new signs. Individual letters made of wood, metal or some type of plastic that can be mounted directly on the frieze are always appropriate, as are small letters painted on or applied to the window glass. Raised letters or painted letters can be applied to flat panels that can be mounted on the sign frieze. The panel can be made of wood or metal, but it is important that its size and shape correspond to the space it will occupy above the storefront without obscuring any significant architectural details.
 - (1) The number of colors used should be limited. Contrasting the lettering with its background is more important for legibility than using bright colors. Signs done in muted tones compatible with the building but contrasting with its brick or stone facade will enhance the building's character. Bright, loud and bold colors are unnecessary and distract from the building's unique architectural qualities. The colors of neighboring buildings and signage are important to the overall marketing impact of signs.
 - (2) Cooperation among neighbors is essential to create an attractive street.
 - (3) Mass-produced signs developed by distributors of consumer products are generally of insufficient quality and character to identify businesses. The emphasis is always on the product rather than the business. Most of these signs are made from plastic materials and project a feeling of impermanence, a feeling that cannot benefit business.
 - F. Use light judiciously. Lighted signs do identify businesses at night and can encourage evening

window-shopping. Consider the level of brightness though, because it takes very little light to illuminate a sign. Separate and brighter lighting can be placed on a building to identify business at night and to illuminate interesting architectural features.

- G. Preserve original and historic signs. Many older buildings display the names of their original owners on the upper part of the building or above doorways at the street level. Some are formed in the sheet metal of fascias or cornices, but most of them are incised in stone panels or molded in terra cotta relief. These should be preserved as part of the neighborhood's history and character.
 - (1) New signage is not always better. Old signs, if well-designed originally, may identify a store as an established anchor of the community, an identity that can be a business asset. Occasionally, even a well-designed projecting sign in good condition may be retained for its artistic or historic value. It may be worthwhile to repair and maintain real neon signs in windows. The resurgence of interest in these signs as an art form often makes them irreplaceable at today's prices.
- H. New window display to communicate information. A window display can project the store's image and tell potential customers more about available products than any number of signs. Simplicity generally ensures successful displays. Good color schemes and good lighting are essential. A display that changes periodically will attract people to come and see what is new. The window display should be a preview of what may be found inside the store and will attract customers inside.
- I. Awnings. Most small commercial buildings are designed to accommodate retractable canopies. They enhance the street by providing visual continuity. They protect pedestrians from sun and rain, decrease the damage direct sunlight causes the window displays and minimize the need for air conditioning by keeping stores cooler. Awnings help to create a festive and inviting atmosphere by reducing building facades to a more human scale and providing a sheltered environment. Valances provide an appropriate area for signage.
 - (1) Awnings are readily available and can have a dramatic revitalization impact. The latest technology has made new awning materials available. In contrast to older canvas awnings, newer materials are durable, easy to maintain, and generally do not suffer from fading or staining. As in paint and signage colors, cooperation among shopkeepers and building owners in coordinating color schemes will help to create continuity on the street. The store's facade, its signs and its awnings should work together, and each store should complement its neighbors. Avoid garish stripes and color combinations; a lively atmosphere is appropriate, a circus is not.

§ 595-205. Permitted signs by district.

- A. The Table of Permitted Signs by District is located at the end of this chapter.
- B. Requirements. [Added 6-24-2009 by Ord. No. 5210]
 - (1) Not more than one such sign shall be erected for each unit unless:
 - (a) Such property fronts on more than one street, in which case one such sign may be erected on each street frontage in all zoning districts except:
 - [1] Institutional 1 (INS-1), Institutional 2 (INS-2) and Adaptive Reuse (AR) Zoning Districts where two signs per frontage shall be allowed if the total area of all signs does not exceed 20 square feet.
 - [2] Downtown Zoning District and Street Corridor Enhancement Overlay District where two signs per frontage shall be allowed if:
 - [a] At least one of the signs per frontage is a projecting sign; and
 - [b] The total area of all signs does not exceed 20 square feet per frontage.

§ 595-205.01. Complaints.

A. All complaints regarding signs must:

(1) Be submitted in writing, include

(i) Name, address, phone number and signature of the complainant.

(ii) Proof that the complainant is a resident of, landholder in, or possesses a valid business license in the City of Easton

(2) Be filed with the Zoning Officer or his/her staff.

B. Only the Zoning Officer shall enforce this chapter.

C. All written complaints will be referred to the responsible entity by the City.

ZONING

CHAPTER 595 OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON

Amending Article XXXV, Context Sensitive Design Standards (§ 595-228. Signage), the following are proposed:

ARTICLE XXXV, Context Sensitive Design Standards

§ 595-228. Signage.

- A. Legislative intent. The City intends to promote small signs in scale with pedestrian activity and for wayfinding, **and to limit the potential negative impacts of off-premise signage.**
- B. Requirements
 - (1) Small, projecting or blade signs should be utilized to promote the specialty shops along pedestrian corridors.
 - (2) Simple, colorful signs should reflect the nature of the goods and services provided by the business.
 - (3) Freestanding signs should be minimized to reduce visual clutter.
 - (4) Where freestanding signs are desired, monument signs should be used.
 - (5) ***The use of off-premise signs shall be limited to the Expressway Transitional (ET) Zone.***

ZONING

CHAPTER 595 OF THE CODIFIED ORDINANCES OF THE CITY OF EASTON

Creating the Dimensional Criteria for Expressway Transitional (ET) District, the following is proposed:

Dimensional Criteria for Expressway Transitional (ET) District

[Amended ##-##-2011 by Ord. No. #####]

	Blocks			Minimum Lot Requirements		Build-To Line* (feet)	Minimum Yard Setbacks (feet)		Maximum Building Height** (feet)	Maximum Impervious Coverage (percent)
	A	B	C	Area (square feet)	Width (feet)		Side(s)	Rear		
<i>Single-family detached dwelling unit</i>	X			6,000	60	20	10	35	40	40%
		X		4,500	45	10	5	30	40	40%
			X	3,000	30	0	5	25	40	40%
<i>Single-family semidetached dwelling unit</i>	X			4,000	40	20	10	35	40	40%
		X		3,500	35	10	5	30	40	40%
			X	2,500	25	0	5	25	40	40%
<i>Single-family attached dwelling unit</i>	X			3,000	30	20	10	35	40	40%
		X		2,500	25	10	5	30	40	40%
			X	2,000	20	0	5	25	40	40%
<i>Residential midrise</i>	X			7,500	75	10	10	30	75	60%
		X		6,500	60	5	10	25	75	60%
			X	5,500	55	0	5	20	75	60%
<i>Residential highrise</i>	X			8,000	80	10	10	30	90	60%
		X		7,500	75	5	10	25	90	60%
			X	6,500	65	0	5	20	90	60%
<i>Mixed residential/business</i>	X			5,000	50	5	10	30	90	60%
		X	X	4,000	40	5	5	20	90	75%
<i>All nonresidential uses</i>	X			8,000	80	10	10	30	100	75%
		X		6,500	65	5	5	25	100	75%
			X	4,000	40	0	0	20	100	75%

Creating the Zoning Table Attachment of Dimensional Criteria for the Expressway Transitional (ET) District, the following is proposed:

ZONING

595 Attachment 11.1

City of Easton

Dimensional Criteria for Expressway Transitional (ET) District

[Amended ##-##-2011 by Ord. No. #####]

<u>Special Exception Use</u>	<u>Minimum Lot Area (square feet)</u>	<u>Minimum Lot Width (feet)</u>	<u>Build-To Line (feet)</u>	<u>Setback Line (feet)</u>	<u>Minimum Side Yard(s) (feet)</u>	<u>Minimum Rear Yard (feet)</u>	<u>Maximum Building Height (feet)</u>
<u>Advertising</u>	<u>43,560</u>	<u>400</u>	<u>200ⁱⁱⁱ</u>	<u>15^{iv}</u>	<u>25</u>	<u>25</u>	<u>100</u>

ⁱⁱⁱ Build-To Line measured from the edge of right-of-way of adjacent access controlled, divided, Interstate or US highway.

^{iv} Setback Line measured from the street line.

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Amending Attachment 14 Permitted Signs by District, the following is proposed:

ZONING
595 Attachment 14
City of Easton

Permitted Signs by District
[Amended ##-##-2011 by Ord. No. #####]

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District	Maximum Number of Signs/Use	Total Area of All Signs (square feet)	Type of Permanent Signs Permitted								
			Fascia Sign	Free-Standing Sign	Projecting Sign	Nameplate Sign	Wall Sign	Window Sign ^x	Development Sign ^{xi}	Directory Sign ^{xii}	Off-Premise Sign ^{xiii}
CH: SS: WW: CH/INS-1; CH/INS-2	1/frontage	2	N	N	N	P	N	N	P	N	N
RC	1/frontage	20	P	P	P	P	P	P	P	N	N
INS-1; INS-2	2/frontage	20	P	P	P	P	P	P	P	P	N
DD	1/frontage	20	P	N	P	P	P	P	P	N	N
AR	2/frontage	20	P	P	P	P	P	P	P	P	SE
ET	2/frontage	20/1,600 ^{xiv}	P	P	P	P	P	P	P	P	P

^x Refer to § 595-195E.

^{xi} Refer to § 595-195G.

^{xii} Refer to § 595-195H.

^{xiii} Refer to § 595-195I.

^{xiv} Approved, off-premise signs may have a total area of 800 square feet. All other types of signs are limited to a total area of 20 square feet.

SC Overlay	1/frontage	20	P	N	P	N	N				
I Overlay	1/frontage	20	P	N	P	N	N				

NOTES:

P = Permitted; *SE* = *Permitted by Special Exception*; N = Not permitted

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Residential midrise	X			7,500	75	10	10	30	75	60%
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		X		6,500	60	5	10	25	75	60%			
			X	5,500	55	0	5	20	75	60%			
Residential highrise	X			8,000	80	10	10	30	90	60%			
		X		7,500	75	5	10	25	90	60%			
			X	6,500	65	0	5	20	90	60%			
Mixed residential/business	X			5,000	50	5	10	30	90	60%			
		X	X	4,000	40	5	5	20	90	75%			
All nonresidential uses	X			8,000				80	10	10	30	100	75%

X 6,500 65 5 5 25 10075 %

X 4,000 40 0 0 20 10075 %

NOTES:

* See § 595-156.

** The principal building shall have a minimum height of 20 feet.

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¹ Refer to § 595-195E.

² Refer to § 595-195G.

³ Refer to § 595-195H.

⁴ Refer to § 595-195I.

⁵ Approved, off-premise signs may have a total area of 800 square feet. All other types of signs are limited to a total area of 20 square feet.

Resolution
of the
City of Easton, Pennsylvania

No. -2012

Date: March 28, 2012

Introduced by: Sandra Vulcano

WHEREAS, the City of Easton, Pennsylvania, has obtained grant funds from the Pennsylvania Department of Community & Economic Development (DCED) in the amount of \$250,000 for the Elm Street Residential Reinvestment Program; and

WHEREAS, the CACLV will continue to Act as the administrator of the Elm Street Program.

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Easton,, Pennsylvania, authorizes:

1. The Mayor and City Controller to sign a cooperation agreement, attached hereto, with the CACLV for the continued administration of the Elm Street Program.

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. -2012

Date: March 28, 2012

Introduced by: Elinor Warner

RESOLVED, that the Council of the City of Easton, Pa., has reviewed and approves a Management Agreement, copy attached hereto, between the City of Easton, Pa., and the Family YMCA of Easton, Phillipsburg and Vicinity for the management of Heil and Eddyside Swimming Pools.

Now therefore be it Resolved that Council authorizes the Mayor and City Controller to sign said Agreement on behalf of the City 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. -2012

Date: March 28, 2012

Introduced by: Elinor Warner

RESOLVED that the Council of the City of Easton, Pa., hereby grants an aerial easement to Metropolitan Edison Company for a primary wire crossing over a small section of the north side of the Eddyside Parcel (copy attached hereto) for the purpose of providing electric service to the adjoining parcel.

BE IT FURTHER RESOLVED that Council authorizes the Mayor and City Controller to sign said agreement on behalf of the City 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. -2012

Date: March 28, 2012

Introduced by: Roger Ruggles

WHEREAS the Easton Historic District Commission at its March 12, 2012 meeting reviewed the plans and specifications of Brian & Karina Turtzo, owner for 134 N. 2nd Street for installation of sign and replacement of handrails and stone treads at 134 N. 2nd Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated March 12, 2012 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 134 N. 2nd Street.

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. -2012

Date: March 28, 2012

Introduced by: Roger Ruggles

WHEREAS the Easton Historic District Commission at its March 12, 2012 meeting reviewed the plans and specifications of Salvage Goods LLC, Nancy Esposito, applicant for 24 S. 3rd Street for installation of a sign at 24 S. 3rd Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated March 12, 2012 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 24 S. 3rd Street.

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. -2012

Date: March 28, 2012

Introduced by: Roger Ruggles

WHEREAS the Easton Historic District Commission at its March 12, 2012 meeting reviewed the plans and specifications of Jamie Leisy, applicant for 245 Northampton Street for the installation of signs at 245 Northampton Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated March 12, 2012 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 245 Northampton Street.

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. -2012

Date: March 28, 2012

Introduced by: Roger Ruggles

WHEREAS the Easton Historic District Commission at its March 12, 2012 meeting reviewed the plans and specifications of Donald Steinmetz, applicant for 249 Northampton Street for the installation of sign at 249 Northampton Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated March 12, 2012 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 249 Northampton Street.

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. -2012

Date: March 28, 2012

Introduced by: Roger Ruggles

WHEREAS the Easton Historic District Commission at its March 12, 2012 meeting reviewed the plans and specifications of Juan J. Sanchez-Ordonez & Omar F. Sanchez, owners of 39 S. 6th Street for repairs to brick wall at 39 S. 6th Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated March 12, 2012 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 39 S. 6th Street.

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. -2012

Date: March 28, 2012

Introduced by: Roger Ruggles

WHEREAS the Easton Historic District Commission at its March 12, 2012 meeting reviewed the plans and specifications of Matthew Cascioli, applicant, for 513 Spruce Street for the installation of new windows, doors, roof, gutters and repairs to façade at 513 Spruce Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated March 12, 2012 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 513 Spruce Street.

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. -2012

Date: March 28, 2012

Introduced by: Roger Ruggles

WHEREAS the Easton Historic District Commission at its March 12, 2012 meeting reviewed the plans and specifications of Saral, Inc., owner of 185 S. 3rd Street for finish paint details at 185 S. 3rd Street.

WHEREAS the Commission recommended approval of the Certificate of Appropriateness; and

WHEREAS the report has been submitted to the Council of the City of Easton, Pa., for review and approval of the Certificate of Appropriateness.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Easton, Pa., accepts and approves the Certificate of Appropriateness Report dated March 12, 2012 and hereby authorizes the issuance of a Certificate of Appropriateness commensurate with report of the Commission for 185 S. 3rd Street.

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. -2012

Date: March 28, 2012

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

RESOLVED, by the Council of the City of Easton, Pa. that it was with a feeling of deep sorrow that we learned of the death of Nicholas E. Klausz on March 17, 2012.

Mr. Klausz served the City and its citizens as a member of the City of Easton Maintenance Department retiring in 1986.

Mr. Klausz served honorably in the United States Air Force during the Korean War.

Mr. Klausz was active in Religious Organizations and a life member of the American Federation of State, County and Municipal Employees Local 447.

Mr. Klausz was a dedicated faithful citizen and City employee. 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 at this the time of their 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. -2012

Date: March 28, 2012

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

RESOLVED, by the Council of the City of Easton, Pa. that it was with a feeling of deep sorrow that we learned of the death of Robert H. Moser on March 15, 2012.

Mr. Moser served the City and its citizens as a member of the Easton Police Department for 23 years.

Mr. Moser served honorably in the United States Navy.

Mr. Moser was also a former member of the Freemansburg Township Department and the Lehigh Northampton Airport Authority Police Department.

During his tenure with the Easton Police Department Mr. Moser received several Unit Citations and accolades from various City officials and Citizens.

Mr. Moser was a dedicated faithful citizen and City employee. 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 at this the time of their 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. -2012

Date: March 28, 2012

Introduced by: Kenneth Brown

WHEREAS the City of Easton is authorized to collect delinquent taxes pursuant to the Municipal Claims and Tax Liens Act, 53 P.S. Section 7101 et seq., as amended (the "Act"); and

WHEREAS the City of Easton has determined that it is in the best interest of all taxpayers and other residents to have vigorous enforcement of all delinquent and other unpaid charges, utilizing the procedures set forth in the Act; and

WHEREAS the City of Easton has contracted with a third party collector for the collection of delinquent real estate taxes for the year **2011** utilizing the procedures set forth in the Act; and

WHEREAS the Northampton County Tax Claim Bureau is an agent of the city of Easton as per 72 P.S. Section 5860.208 of the Real Estate Tax Sale law (RETSL); and

NOW THEREFORE BE IT RESOLVED THAT:

1. Until further notice, the City of Easton declares that it is collecting the delinquent real estate taxes utilizing the procedures set forth in the Act, exclusively and independently of any other statute governing the collection of taxes, including the act of July 7, 1947 (P.L. 1368, No. 542) known as the "Real Estate Tax Sale Law" and independent of any county tax claim bureau.
2. Until further notice, the City directs the Bureau not to take any action to collect the delinquent real estate taxes, except that when the Bureau is selling any property at Upset Sale, Private Sale, Judicial Sale or Repository Sale under the procedures set forth in the RETSL, the Bureau is directed by the City to include tax delinquencies being collected by the City's third party collector. The City further directs the Bureau not to incur any costs or liabilities for said delinquent taxes when the Bureau is selling properties at the Bureau's Upset Sale, Private Sale, Judicial Sale or Repository Sale pursuant to the RETSL.
3. Related Action. The Proper officials of the City are hereby authorized and

empowered to take such additional action as they may deem necessary or appropriate to implement this Resolution.

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. -2012

Date: March 14, 2012

Introduced by: Kenneth Brown

RESOLVED that the Council of the City of Easton, Pa., hereby allocates the following amounts to the organizations for their 20121 Special Events:

<u>ORGANIZATION</u>	<u>SPECIAL EVENTS</u>	<u>AMOUNT</u>
Arts Community of Easton	Riverside Fest. of the Arts	\$
Shad Festival	Shad Festival	\$
L.V. Soap Box Derby Assoc.	Easton Soap Box Derby	\$
Easton Heritage Day	Easton Heritage Day	\$
Veterans Memorial Day Council	Easton Memorial Day Parade	\$
Easton Holiday Decorating Committee	Peace Candle Lighting Ceremony	\$
Easton Main Street Initiative	Tunes At Noon	\$

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

Attest: _____
City Clerk

Signed: _____
Mayor

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

Ordinance No.

SESSION 2012

Bill No. 16

=====
Introduced by: Kenneth Brown - March 28, 2012

=====
Enacted by Council:
=====

AN ORDINANCE: Amending 560 Attachment 1- City of Easton Table 1: Meter-Zones of Chapter 560, Vehicles and Traffic, of the Codes of the City of Easton, Pa.

THE CITY OF EASTON HEREBY ORDAINS:

SECTION 1. 560 Attachment 1 be and it is hereby amended to include the following:

Location	Portion	Rate per Hour	Maximum Hours	Monday through Saturday 8:00a.m.to6:00p.m.
129 Northampton Parking Lot	Rear 15 spaces	\$0.50	10	X

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

SECTION 3. This ordinance shall take effect 30 days following adoption by Council.

Signed the day of , 2012

ATTEST: _____
City Clerk

Mayor