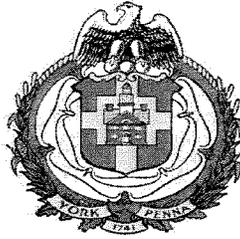


Council of the City of York, Pennsylvania

Carol Hill-Evans, President of Council
Henry Hay Nixon, Vice President of Council
Renee S. Nelson, Member of Council
Joanne Borders, Member of Council
Michael Helfrich, Member of Council

Dianna L. Thompson, City Clerk
Email: dthomps@yorkcity.org



Office of York City Council
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Website: www.yorkcity.org

AGENDA

February 21, 2012

Public Comment 6:30 p.m.

Legislative Session 7:00 p.m.

I. Public Comment: 6:30 p.m. to 7:00 p.m.

***Disclaimer:** Pursuant to the Sunshine Act, the City of York will only record citizens' names and the subject of testimony provided during the public comment period. Should you request information or desire a response to your testimony, you must provide the City Clerk or Council President with your contact information. Information you provide will be used by City of York agents to process your request. Your name, address and request for information may be entered into the City of York complaint tracking system.*

City Council welcomes public comment on agenda items and on City-related issues not on the agenda. Under Council's adopted Rules and Procedures, comment on agenda items occurs during Council's regular 7:00 p.m. meeting. Comment on non-agenda items begins at 6:30 p.m., with Council sitting as a General Committee. Persons wishing to speak on non-agenda items should sign up with the City Clerk before the 6:30 Public Comment committee meeting. Each speaker shall have up to five minutes to speak. To assure access to all participants, the presiding officer may reduce the time limit down to three minutes if the number of speakers who have signed up would extend the total comment period beyond 30 minutes and/or may resume public comment after Council's legislative session has adjourned. Council's Rules, available from the City Clerk, are also on display in Council Chambers and on Council's web page at www.yorkcity.org.

II. Call Legislative Meeting to Order: 7:00 p.m.

III. Roll Call

IV. Pledge of Allegiance

I pledge Allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation, under God, Indivisible, with Liberty and Justice for All.

V. Action on previous meeting Minutes of **February 7, 2012.**

VI. Correspondence and/or Announcements

VII. Presentations, Proclamations and Awards: None

VIII. Committee Meeting(s) Scheduled

- ▲ **Public Works Committee, Joanne Borders, Chair:** Meeting scheduled for **Tuesday, March 6, 2012 at 6:00 p.m.** in Council Chambers to discuss a proposed resolution to cooperate with the York Area Metropolitan Planning Organization (YAMPO) on resurfacing of Market St.

IX. Status of Prior Committee Referrals

- ▲ **General Committee, Carol Hill-Evans, Chair:** Council met in General committee on **Tuesday, February 14, 2012 at 6:30 p.m.** in Council Chambers to hear from the city's accounting firm Maillie, Falconiero & Company, LLP, a presentation on the City of York 2010 audit.

- X. Legislative Agenda: (Order of Business – Action on Subdivision/Land Development & HARB Resolutions; Final Passage of Bills/Resolutions; New Business.)

Subdivision / Land Development / HARB

1. Resolution No. 38 - A Resolution
Approving a final reverse subdivision plan submitted by CSP York LLC. (To consolidate parcels located at 625 E. Philadelphia St. - Thackston Charter School)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (Planning)
2. Resolution No. 39 - A Resolution
Approving a final land development plan submitted by CSP York LLC. (To expand the existing school facility known as Thackston Charter School - 625 E. Philadelphia St.)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (Planning)
3. Resolution No. 40 - A Resolution
Accepting the recommendations of HARB.
Introduced by: Henry Hay Nixon
Originator: Historic York
Notes: See Resolution for synopsis of project details.

Final Passage of Bills / Resolutions

4. Final Passage of Bill No. 3 (Approved) – A Bill
Amending Article 155 “Appropriation” of the codified ordinances. (To reflect a decrease in funding for Martin Library.)
Introduced by: Michael Ray Helfrich
Originator: Business Administration
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
5. Final Passage of Bill No. 4 (Approved) – A Bill
Amending Article 541 “Dumpster Placement” of the codified ordinances. (To include provisions for dumpster bags.)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (PP&Z)
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
6. Final Passage of Bill No. 5 (Approved) – A Bill
Amending Article 717.10 “Removing Dog Excrements” of the codified ordinances. (To require excrements be removed from private and public property.)
Introduced by: Henry Hay Nixon
Originator: Police
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.

7. Final Passage of Bill No. 6 (Approved) – A Bill
Amending Article 729 “Litter in Streams and Waters” of the codified ordinances. (To include prohibitions from littering on public or private property.)
Introduced by: Henry Hay Nixon
Originator: Police
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
8. Final Passage of Bill No. 7 (Vote was tabled) - A Bill
Amending Article 1731 “Historic York” of the codified ordinances. (Subsection 1731.08 “Board Meetings” to change meeting schedule to once per month.)
Introduced by: Carol Hill-Evans
Originator: Historic York
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
9. Final Passage of Bill No. 8 (Approved) - A Bill
Amending Article 1761 “Licensing and Inspection of Tenant Occupied Residential and all Institutional Occupancies” of the codified ordinances. (To include provisions for student homes.)
Introduced by: Henry Hay Nixon
Originator: Fire/Rescue
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
10. Final Passage of Bill No. 9 (Approved) - A Bill
Amending the 2012 budget. (For the Memorial Park Improvement Project)
Introduced by: Joanne Borders
Originator: Public Works
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
11. Final Passage of Bill No. 10 (Approved) - A Bill
Amending the 2012 CDBG & HOME Budgets. (To reflect changes resulting from actual funds carried over from 2011 to 2012.)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (BHS)
Notes: This legislation was introduced at Council's February 7, 2012 meeting and was required to sit for at least one meeting. This will serve as the second reading of this legislation and Council will look to vote on this Bill tonight.
12. Final Passage of Resolution No. 35 - A Resolution
Amending fire alarm, false alarm and standby fees.
Introduced by: Henry Hay Nixon
Originator: Fire/Rescue
Notes: This resolution was introduced at Council's February 7, 2012 meeting but was required to sit for at least one meeting prior to consideration of final passage. This will serve as the second reading and Council will look to vote on this resolution tonight.

13. Final Passage of Resolution No. 36 - A Resolution Amending operational permits, construction permits and plan review fees. (Codified Ordinances Article 1501)
Introduced by: Henry Hay Nixon
Originator: Fire/Rescue
Notes: This resolution was introduced at Council's February 7, 2012 meeting but was required to sit for at least one meeting prior to consideration of final passage. This will serve as the second reading and Council will look to vote on this resolution tonight.
14. Final Passage of Resolution No. 37 - A Resolution Amending occupancy licensing fees and inspection fees. (Codified Ordinances Article 1761)
Introduced by: Henry Hay Nixon
Originator: Fire/Rescue
Notes: This resolution was introduced at Council's February 7, 2012 meeting but was required to sit for at least one meeting prior to consideration of final passage. This will serve as the second reading and Council will look to vote on this resolution tonight.

New Business

15. Resolution No. 41 - A Resolution Appointing Marakay Rogers as a member of the Fire Civil Service Commission.
Introduced by: Carol Hill-Evans
Originator: Council
16. Resolution No. 42 - A Resolution Appointing E. Hayden Mitchell as a member of the Fire Civil Service Commission.
Introduced by: Carol Hill-Evans
Originator: Council
17. Resolution No. 43 - A Resolution Awarding a contract to Kinsley Materials. (\$83,375.00 for purchase of asphalt mixes)
Introduced by: Joanne Borders
Originator: Public Works
18. Resolution No. 44 - A Resolution Awarding a contract to Stewart & Tate, Inc. (For equipment rentals)
Introduced by: Joanne Borders
Originator: Public Works
19. Resolution No. 45 - A Resolution Authorizing an agreement with E-Finity Distributed Generation, LLC. (\$519,475.00 for maintenance on the microturbine co-generation system)
Introduced by: Joanne Borders
Originator: Public Works (WWTP)
20. Resolution No. 46 - A Resolution Authorizing an agreement with Met-Ed. (To remove a streetlight at 121 Stevens Ave.)
Introduced by: Joanne Borders
Originator: Public Works
21. Resolution No. 47 - A Resolution Authorizing a budget transfer for Public Works. (\$20,500.00 for engineering services)
Introduced by: Joanne Borders
Originator: Public Works

- 22. Resolution No. 48 - A Resolution Authorizing a budget transfer for Economic & Community Development. (\$19,786.00 for other professional services)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development
- 23. Resolution No. 49 - A Resolution Authorizing a budget transfer for the Bureau of Permits, Zoning & Inspections. (\$9,732.00 for other professional services & architectural/engineering/consultants.)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (PZ&I)
- 24. Resolution No. 50 - A Resolution Authorizing an agreement with the PA Dept. of Health. (\$46,330.00 for the dental sealant program)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (Health)
- 25. Resolution No. 51 - A Resolution Authorizing an agreement with the PA Dept. of Health. (\$275,000.00 for immunization services)
Introduced by: Renee S. Nelson
Originator: Economic & Community Development (Health)

- XI. Requests for Future Meetings
- XII. Council Comment
- XIII. Administration Comment
- XIV. Adjournment
- XV. Resumption of Public Comment Period (at the discretion of the presiding officer)



This agenda is subject to change before and during the meeting for consideration of such other business Council may desire to act upon including items of business deferred from previous Council meetings. If you are a person with a disability and plan to attend the public meeting, please call 849-2883 if any accommodations are needed to participate in the proceedings. Persons with hearing impairments may contact the Deaf Center at TDD 848-6765 for assistance.

Council of the City of York, PA
Session 2012
Bill No. 3
Ordinance No. 3

INTRODUCED BY: 
Michael Ray Helfrich

DATE: **February 7, 2012**

AN ORDINANCE

Amending Article 155.02 "APPROPRIATION" of the City of York Codified Ordinances to reflect a decrease in funding implemented in the 2012 budget for Martin Library.

RECITALS:

WHEREAS, the Council of the City of York has enacted the ordinances of the City of York and has the power to amend said ordinances to reflect changes,

WHEREAS, The Budget approved by City Council for 2012, Bill No. 45, Ordinance 46, of 2012, contemplated a decrease funding for the Martin Library

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of York, Pennsylvania, and it is hereby ordained by the authority of the same as follows:

That Ordinance Article 155.02 is amended to reflect the following changes:

155.02 APPROPRIATION.

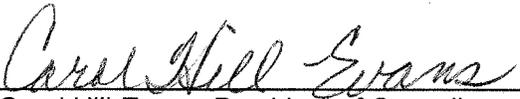
The City hereby agrees, beginning with the 2011 budget year, to maintain or assist in the maintenance of the Martin Library and each year shall appropriate from its budget in accordance with Section 401 of the Act of June 14, 1961, P.L. 324, No. 188, known as the Library Code at a level of financial support that will ensure the library will have an income from the City of not less than one-half dollar (\$.50) and not more than two dollars (\$2.00) per capita for the population of the City as established by the most recent census and Martin Library will then be able to qualify annually for state financial aid in accordance with Section 303 of the Act of June 14, 1961, P.L. 324, No. 188, known as the Library Code.

PASSED FINALLY: **February 21, 2012**

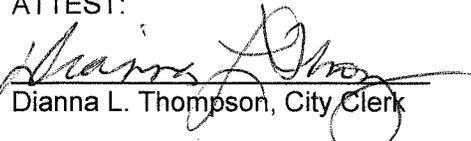
BY THE FOLLOWING VOTE:

YEAS: **Helfrich**, **Nixon**, **Borders**, **Nelson**, **Hill-Evans** - 5

NAYS: **None**.


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson, City Clerk

Presented to the Mayor for approval this **22nd** day of **February 2012**.

Approved:  **2/22/12**
Mayor Date

Vetoed: _____
Mayor Date

Council of the City of York, PA

Session 2012

Bill No. 4

Ordinance No. 4

INTRODUCED BY:  Renee S. Nelson

DATE: January 17, 2012

AN ORDINANCE

Amending Article 541 "Dumpster Placement" of the Codified Ordinances of the City of York, Pennsylvania, to include provisions for dumpster bags.

BE IT ORDAINED, by the Council of the City of York, Pennsylvania as follows:

SECTION ONE: That Article 541 "Dumpster Placement" of the Codified Ordinances of the City of York, Pennsylvania, be amended as follows:

541.01 PERMIT REQUIRED.

No person shall place or cause to be placed upon any street, sidewalk, alley or public right of way within the City of York any trash or refuse containers commonly known and referred to as dumpsters or dumpster bags, without first having obtained a permit from the Bureau of Permits, Licenses and Inspections. It shall be the responsibility of the user of the dumpster or dumpster bags to obtain a permit and to provide a copy of such permit to the owner of the dumpster or dumpster bag before placement of any dumpster or dumpster bag. (Ord. 10-98. Passed 9-15-98.)

541.02 PERMIT APPLICATION.

A permit application shall be submitted to the City on an application form provided by the City for this purpose. (Ord. 13-1984 Sec. 1. Passed 5-15-84.)

541.03 PERMIT FEE AND DURATION.

Upon approval of the permit application by the City, a permit for placement of the dumpster or dumpster bag shall be issued by the City upon payment of the permit fee. Permits shall be good for a period of thirty days from the date of issuance thereof. Provided that the permit holder has complied with the requirements of this article and the permit issued hereunder, the permit may be renewed for additional periods of thirty days upon payment to the City of a renewal permit fee for each thirty day period. The permit fee and permit renewal fee shall be set by the Chief of Police. (Ord. 13-1984 Sec. 1. Passed 5-15-84.)

541.04 PERMIT CONDITIONS.

Upon issuance of a permit as set forth herein, the permit holder agrees to comply with the following requirements:

- (a) Any dumpster or dumpster bag for which a permit is issued as set forth in this article, shall bear reflectorized or illuminated marking in order to provide adequate warning of the placement of such dumpster or dumpster bag to pedestrians and motorists.
- (b) After any dumpster or dumpster bag is filled to capacity, the same shall be emptied or caused to be emptied within three calendar days thereof.
(Ord. 13-1984 §1. Passed 5-15-84.)

541.05 PERMIT REVOCATION.

Any permit issued or renewed by the City as provided herein may be immediately revoked by the City upon mailing of notice of revocation to the permit holder at the address stated in the permit application, for any of the following reasons:

- (a) Failure to comply with any provision of this article or any requirement as set forth in the permit or permit application.

- (b) The emission of any foul or noxious odor from material contained in the dumpster or dumpster bag, regardless of whether the dumpster or dumpster bag is filled to capacity or not.
- (c) The presence of any vehicular, pedestrian, fire, health or safety hazard or potential hazard arising after issuance of a permit or renewal thereof.
(Ord. 13-1984 §1. Passed 5-15-84.)

541.99 PENALTY.

Any person violating any provision of this article shall upon conviction thereof, be fined not more than one thousand dollars (\$1,000) and costs of prosecution, and in default of payment thereof, shall be imprisoned for not more than ninety days. Upon revocation of any permit granted or renewed hereunder by the City, failure to remove any dumpster or dumpster bag for which a permit has been revoked shall constitute a separate violation for each day after revocation. For each day that a dumpster is placed as provided herein without having obtained a permit therefor, a separate violation shall exist. (Ord. 1-2009. Passed 1-6-09.)

SECTION TWO: This ordinance shall become effective in accordance with the law.

PASSED FINALLY: **February 21, 2012**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson, City Clerk

Presented to the Mayor for approval this 22nd day of February 2012

Approved: 
Mayor

2/22/12
Date

Vetoed: _____
Mayor

Date

INTRODUCED BY: 
Henry Hay Nixon

DATE: February 7, 2012

AN ORDINANCE

Amending Article 717.10 "Removing Dog Excrements," of the Codified Ordinances of the City of York to require excrements be removed from private property in addition to public property.

RECITALS:

WHEREAS, the Council of the City of York has enacted the Code of the City of York, which contains, inter alia, provisions for the health, safety, and welfare of the residents and visitors to the City of York;

WHEREAS, the City has received numerous complaints about dog excrement not being picked up from private property;

WHEREAS, the current ordinance dealing with removal of dog excrement only requires removal from public property; and

WHEREAS, it is in the best interests of the health and welfare of the residents and visitors of the City of York to regulate the sanitation and cleanliness of the City's public and private areas.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of York, Pennsylvania, and it is hereby ordained by the authority of the same as follows:

That Article 717.10 of the Codified Ordinances is amended as follows:

717.10 REMOVING DOG EXCREMENTS. No owner or keeper of any dog shall allow or permit any such dog to excrement upon any public or private property of the City unless such owner or keeper removes the excrement and disposes of same in a sanitary manner.

PASSED FINALLY: **February 21, 2012** BY THE FOLLOWING VOTE:

YEAS: Nixon, Borders, Hill-Evans - 3

NAYS: Helfrich, Nelson - 2


Carol Hill-Evans, President of Council

ATTEST:

Dianna L. Thompson, City Clerk

Presented to the Mayor for approval this 22nd day of February 2012

Approved: A. Kim Bracey 2/22/12
Mayor Date

Vetoed: _____
Mayor Date

INTRODUCED BY: 
Henry Hay Nixon

DATE: February 7, 2012

AN ORDINANCE

Amending Article 729 "Litter in Streams and Waters," of the Ordinances of the City of York to include the prohibition from littering on public or private property within the city.

RECITALS:

WHEREAS, the Council of the City of York has enacted the Code of the City of York, which contains, inter alia, provisions for the health, safety, and welfare of the residents and visitors to the City of York;

WHEREAS, the City has received numerous complaints about littering and unauthorized dumping on public and private property;

WHEREAS, the current ordinance dealing with litter only applies to streams and waters; and

WHEREAS, it is in the best interests of the sanitation, health, and welfare of the residents and visitors of the City of York to prevent individuals from dumping trash and littering on the City's public and private areas.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of York, Pennsylvania, and it is hereby ordained by the authority of the same as follows:

That Article 729.02 of the codified ordinances is amended as follows:

729.02 LITTER IN STREAMS AND WATERS OR ON ANY PUBLIC OR PRIVATE PROPERTY

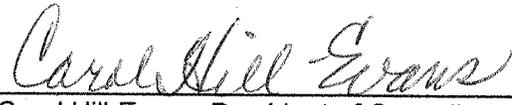
No person shall throw or dump, or permit to be thrown or dumped into any lake, stream, creek, fountain or public body of water within the City, or on the banks adjacent thereto, or onto any public or private property within the City, any garbage, bottles, cans, rubbish, wire, glass, cardboard, paper, wood cartons, boxes, cinders, ashes, vehicles or parts of vehicles, building material, dirt, sinks, tubs, washers, dryers or other abandoned or discarded materials and devices. (Ord. 21-1970 §1.)

PASSED FINALLY: **February 21, 2012**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

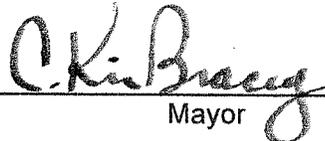
NAYS: None.


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson, City Clerk

Presented to the Mayor for approval this 22nd day of February 2012.

Approved:  Mayor 2/22/12 Date

Vetoed: _____ Mayor _____ Date

INTRODUCED BY: 
Henry Hay Nixon

DATE: February 7, 2012

AN ORDINANCE

Amending Article 1761 "Licensing and Inspection of Tenant Occupied Residential and all Institutional Occupancies" of the York City Codified Ordinances to include provisions for "Student Homes."

BE IT ORDAINED, by the Council of the City of York, Pennsylvania, that Article 1761 (Licensing and Inspection of Tenant Occupied Residential and all Institutional Occupancies) of the Codified Ordinances of the City of York, Pennsylvania, is hereby amended as follows:

SECTION ONE: That the following portions of Article 1761 "Licensing and Inspection of Tenant Occupied Residential and all Institutional Occupancies" is hereby amended as follows:

1761.03 DEFINITIONS.

~~(o) "Group R-5 Occupancy" means existing one and two family dwellings and one and two family dwellings designed and constructed under the *International Residential Code*. (Ord. 11-2006. Passed 3-7-06.)~~

(o) "Group R-5 Occupancy" means Student Home as defined in this Article.

(p) "Student Home" means a single-family dwelling that provides domicile and living arrangements for three (3) to six (6) students, unrelated by blood, marriage, civil union, or legal adoption, that are matriculated students at a college or university, or that are in the process of attending a college or university, or any combination of such people. This term shall not be construed to include or be synonymous with the terms Fraternity or Sorority House, dormitory, homeless shelter or group home.

SECTION TWO: That follow portions of Article 1761.05 "General Standards for Application of License, Late Fee, Inspection and Access to Dwelling; Inspection Fee" is hereby amended as follows:

1761.05 GENERAL STANDARDS FOR APPLICATION OF LICENSE, LATE FEE, INSPECTION AND ACCESS TO DWELLING; INSPECTION FEE.

(a) Every person applying for a *Group I-1 through Group R-4* license under this article shall supply such information as the Department requires and shall pay an annual license fee as established by resolution of Council, on or before January 31st of the year for which it is issued or the annual license fee shall be increased in accordance with the following schedule:

Group I-1 Through Group R-4	
Date	Fee Increase
February 1 - 5	10 percent additional charge
February 6-10	25 percent additional charge
February 11 – March 1	50 percent additional charge
After March 1	100 percent additional charge

(b) Every person applying for a Group R-5 license under this article shall supply the following information with the application:

- (1) An approval from the college, university, or similar institution of higher learning and other such information as the Department requires.
- (2) A list of tenants. This list shall be updated within ten (10) days of a change of tenant.
- (3) Other such information that the Department deems necessary.

(c) Every person applying for a Group R-5 license under this article shall pay an annual license and inspection fee as established by resolution of Council, on or before August 1st of each year or the annual license and inspection fee shall be increased in accordance with the following schedule:

Group R-5	
Date	Fee Increase
September 1 - 5	10 percent additional charge
September 6 - 10	25 percent additional charge
September 11 – October 1	50 percent additional charge
After October - 1	100 percent additional charge

(c) An inspection fee established by resolution of Council shall also be charged. However, where the owner occupies a unit therein, a license fee and inspection fee need not be paid on the unit during such occupancy. The Department shall inspect all Group I Occupancies and all tenant occupied Group R Occupancies according to the following schedule to determine that no violations of the City's Fire Prevention or Property Maintenance Codes are in existence. The inspection shall include all units in the property.

Classification	Inspection Frequency
Group I-1	24 months
Group I-2	24 months
Group I-3	24 months
Group I-4	24 months
Group R-1	24 months
Group R-2	24 months
Group R-3	24 months
Group R-4	24 months
Group R-5	24 <u>12</u> months

(d) Upon the receipt of an application and fee for a license, the Department shall conduct an inspection of the occupancy. If it is determined to be in compliance with the Property Maintenance Code, Fire Prevention Code and with this Article, the Department shall issue the license.

(e) If the Department finds violations of the Property Maintenance Code or Fire Prevention Code, the Department shall issue a notice of violation. Upon compliance with the codes, the Department shall issue the license.

(f) Licenses shall be maintained on the premises at all times and shall be readily available for inspection by the Department. Those who sign a lease for a licensed property shall receive a copy of the license with the signed lease.

(g) Every license granted hereunder shall terminate on the last day of the calendar year in which it was issued, unless sooner revoked. Exception: Licenses for Group R-5 shall terminate on the last day of July each year unless sooner revoked.

(h) No license required by this section shall be transferable unless the new owner or operator gives written notice to the Department within ten days after the transfer in any manner of ownership or control of the interest in such a facility. Such notice shall include the name and address of the person succeeding the ownership or control.

(i) Licenses issued under this Article shall be revoked for noncompliance with the Property Maintenance Code or Fire Prevention Codes. When the Department determines that violations exist, the owner or operator shall be issued a notice of violation with a scheduled date for re-inspection. Upon re-inspection, if the violations have not been corrected and no appeal is pending, the Department shall revoke the license and shall notify the owner or operator in writing of the revocation.

(j) Any person whose license has been revoked or whose application for a license to operate has been denied may appeal to the Construction Board of Adjustment and Appeals as is otherwise provided by ordinance of the City.

(k) The Department shall immediately revoke the license of any property that it determines constitutes an unsafe structure or structure unfit for human occupancy as defined by this Article. A notice of violation shall be issued to the owner or operator within 48 hours. The notice shall list the unsafe condition(s), applicable code section(s) and shall contain a correction order with a date for re-inspection. The notice may be hand delivered directly to the owner or his agent or sent to either via certified mail, return receipt requested. The City shall take any and all other action as allowed by law to bring the property into compliance.

(l) The Department of Fire/Rescue Services is authorized and directed to make inspections at any reasonable hour to determine compliance with this Article and with the Fire Prevention and Property Maintenance codes. For this purpose, the Department, its officers or representatives are authorized to enter and examine any building, structure, yard or part of either and every owner, operator or occupant shall allow the Department, its officers or representatives free access. Inspection may be postponed by the Department due to illness of one or more occupants of the premises or other emergency.

(m) Every occupant of a Group I Occupancy or Group R Occupancy regulated by this Article shall grant to the owner or operator thereof or his agent or employee or any person with whom the Department has contracted under Section 1761.05 free access at all reasonable times for the purpose of making repairs or alterations to affect compliance with this Article and with the Building, Fire Prevention and Property Maintenance codes and with any notice or order issued there under.

(n) Whenever the owner, mortgagee, purchaser or other interested party requests a special inspection of a property regulated by this Article, or certification that a property is in compliance with this Article or other applicable City ordinances pertaining to structural condition; when such a request is being made in connection with the sale, conveyance, transfer, financing or refinancing of such property; then such person shall first pay a fee to the City to defray the expenses of making such inspection. The fee shall be established by resolution of Council.

(o) Annual Inspection Program. The Department shall establish an inspection process known as the "Annual Inspection Program" for Group I and Group R occupancies that have a history of violations under this Article or the Building, Fire Prevention and/or Property Maintenance Codes. The Department shall establish specific regulations for the Fire Chief and/or his designee to determine which properties shall be included in the annual inspection program. The Department shall provide the regulations and any amendments thereof to Council, which shall either approve or deny the regulations. The regulations and any amendments thereof take effect upon Council approval. (Ord. 11-2006. Passed 3-7-06.)

SECTION THREE: This ordinance shall become effective twenty-days after approval by the Mayor.

PASSED FINALLY: **February 21, 2012** BY THE FOLLOWING VOTE:

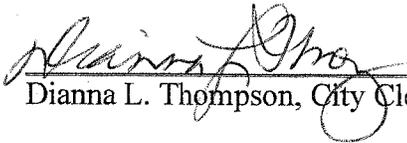
YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None.



Carol Hill-Evans, President of Council

ATTEST:



Dianna L. Thompson, City Clerk

Presented to the Mayor for approval this 22nd day of February 2012 ~~2011~~

APPROVED: C. Kin Braey 2/22/12
Mayor Date

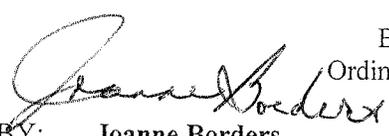
VETOED: _____
Mayor Date

Council of the City of York, PA

Session 2012

Bill No. 9

Ordinance No. 8



INTRODUCED BY: **Joanne Borders**

DATE: February 7, 2012

AN ORDINANCE

Amending the York City Budget for the year 2012 by appropriating revenue and expenditures for the Department of Public Works.

WHEREAS, the City of York has started the Memorial Park Improvement Project; and

WHEREAS, funds are available in the Capital Budget fund 50 for this expenditure; and

WHEREAS, the project has carried over from the 2011 construction season into 2012; and

WHEREAS, the Finance Bureau has reviewed the budget and has determined that the budget must be amended to include the correct funding.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of York, Pennsylvania, that the City of York 2012 Budget is hereby amended in accordance with the following schedule:

Account	Description	Original		Revised	
		Revenue	Expense	Revenue	Expense
50-420-34150-10140	State Government Revenue	\$200,000		\$20,000	
50-420-36030-10140	Public / Private Contribution	\$61,000		\$136,000	
50-420-39123-10140	CDBG Reimbursement	\$0		\$119,118	
50-420-42010-10140	Engineering/Consultant		\$10,000		\$10,000
50-420-47120-10140	Construction		\$199,000		\$458,706
	Total	\$261,000	\$209,000	\$275,118	\$468,706

PASSED FINALLY: **February 21, 2012**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None



Carol Hill-Evans, President of Council



Dianna L. Thompson, City Clerk

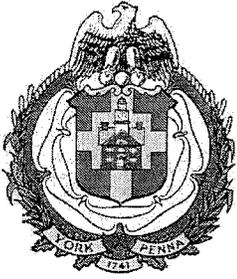
Presented to the Mayor for approval this 22nd day of February 2012

Approved: 
Mayor

2/22/12
Date

Vetoed: _____
Mayor

Date



The City of York Pennsylvania

50 West King Street ❖ PO Box 509 ❖ York PA 17405

www.yorkcity.org

Honorable C. Kim Bracey, Mayor

*James E Gross
Director
Department of Public Works*

MEMORANDUM

TO: CAROL HILL-EVANS, PRESIDENT OF COUNCIL
MEMBERS OF COUNCIL

FROM: JAMES E. GROSS, DIRECTOR
DEPARTMENT OF PUBLIC WORKS

DATE: JANUARY 31, 2012

RE: BUDGET AMENDMENT – MEMORIAL PARK PROJECT

A budget amendment is presented for the Memorial Park project. This project started in late 2011 and not as much work was accomplished as anticipated prior to the end of the year. Because of this it is necessary to adjust the 2012 budget for this project. On the Revenue side of the budget the City received a payment for the DCNR grant in the amount of \$180,000.00 in 2011. The balance shown for State Government Revenue is what is to be received in 2012. The City has also received partial payments on pledges from the York County Convention and Visitors Bureau and the Hoffman Foundation. The expense budget has been adjusted to show what remains to be expended in 2012.

Thank you.

Council of the City of York, PA
Session 2012
Bill No. 10
Ordinance No. 9

INTRODUCED BY:


Renee S. Nelson

DATE: February 7, 2012

ORDINANCE

Amending the 2012 CDBG & HOME Budgets to reflect changes resulting from actual funds carried over from 2011 into 2012.

WHEREAS, The Department of Community Development, Bureau of Housing Services, is requesting an amendment to the City Budget for fiscal year 2012 for the CDBG and Home Program; and

WHEREAS, the City desires to amend the 2012 City Budget to reflect the changes resulting from actual funding levels rolled over from 2011; and

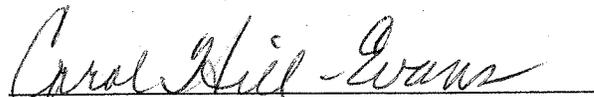
NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of York, Pennsylvania, that the City of York's 2012 City Budget is hereby amended in accordance with the schedule attached hereto.

PASSED FINALLY: **February 21, 2012**

BY THE FOLLOWING VOTE:

YEAS: Helfrich, Nixon, Borders, Nelson, Hill-Evans - 5

NAYS: None


Carol Hill-Evans, President of Council

ATTEST:


Dianna L. Thompson, City Clerk

Presented to the Mayor for approval this 22nd day of February 2012.

APPROVED:


Mayor

2/27/12
Date

VETOED:

Mayor

Date

**Session 2012
Bill No. 10
Ordinance No. 9**

Account #	Description	Original Budget		Revised Budget	
		Revenue	Expense	Revenue	Expense
CDBG 2009					
30-414-34030-20209	Cdbg-Entitlement	20,000.00		44,118.00	
30-414-48296-20209	Park Improvements-Memorial		20,000.00		44,118.00
Total		20,000.00	20,000.00	44,118.00	44,118.00
Home					
31-414-34040-20809	Home-Entitlement	150,000.00		181,513.14	
31-414-48299-20809	Home-PHIRL		150,000.00		0
31-414-48243-20809	Homebuyer-Program Delivery		0		17,185.20
31-414-48299-20809	Home-PHIRL		0		150,000.00
31-414-34040-20909	Home-Entitlement	0		14,327.94	
31-414-48226-20909	Home-Crispus Attucks CDC-Housing		0		14,327.94
Total		150,000.00	150,000.00	181,513.14	181,513.14
CDBG 2010					
30-414-34030-20210	Cdbg-Entitlement	0		1,675.77	
30-414-48240-20210	Program Delivery		0		1675.77
30-414-34030-20410	Cdbg-Entitlement	0		18,901.85	
30-414-48228-20410	Cdbg-Single Family		0		17,764.75
30-414-48240-20410	Program Delivery		0		1,137.10
30-414-34030-20510	Cdbg-Entitlement	0		34917.24	
30-414-48205-20510	Acquisition		0		10,783.87
30-414-48221-20510	Property Stabilization		0		0
30-414-48204-20510	Demolition		0		17,419.55
30-414-48244-20510	Acquisition Program Delivery		0		1,452.50
30-414-48246-20510	Stabilization Program Delivery		0		5261.32
30-414-34030-21510	Cdbg-Entitlement	0		844.71	
30-414-48214-21510	Section 108 Repayment		0		844.71
Total		0	0	56,339.57	56,339.57

Bill No. 10, Ordinance No. 9, 2012 - pg 2**HOME**

31-414-34040-20810	Home-Entitlement	90,000.00		113,097.02	
31-414-48217-20810	Homebuyer Assistance Program		40,000.00		63,097.02
31-414-48299-20810	Home-PHIRL		50,000.00		50,000.00
31-414-34040-20910	Home-Entitlement	40,000.00		108,763.30	
31-414-48226-20910	Home-Crispus Attucks CDC-Housing		40,000.00		79,681.99
31-414-48293-20910	YWCA-Renaissance		0		2,587.56
31-414-48298-20910	HICDC/Kings Mills Commons		0		26,493.75
31-414-34040-21110	Home-Entitlement	0		22,365.41	
31-414-48219-21110	CHDO Set Aside (Salem Square)		0		22,365.41

Total		130,000.00	130,000.00	244,225.73	244,225.73
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HPRP

31-414-34040-23109	HPRP Entitlement	11,000.00		17,058.37	
31-414-48304-23109	Salvation Army		11,000.00		17,058.37

Total		11,000.00	11,000.00	17,058.37	17,058.37
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CDBG 2011

30-414-34030-20011	Cdbg-Entitlement	50,000.00		50,866.15	
30-414-48250-20011	Cdbg Admin Reimbursement		50,000.00		50,866.15
30-414-34030-20211	Cdbg-Entitlement	80,000.00		79,390.54	
30-414-48201-20211	ADA Curbs Ramps		80,000.00		79,390.54
30-414-34030-20411	Cdbg-Entitlement	105,000.00		217,429.02	
30-414-48228-20411	Cdbg-Single Family		100,000.00		157,876.55
30-414-48240-20411	Property Stabilization		5,000.00		59,552.47
30-414-34030-20511	Cdbg-Entitlement	45,000.00		119,086.53	
30-414-48205-20511	Acquisition		10,000.00		55,000.00
30-414-48221-20511	Property Stabilization		10,000.00		14,086.53
30-414-48204-20511	Demolition		25,000.00		45,000.00
30-414-48245-20511	Demolition Program Delivery		0		5,000.00
30-414-34030-20611	Cdbg-Entitlement	55,033.00		68,678.03	
30-414-48028-20611	Subrecipient Grants-Human Relations Com		500.00		0
30-414-48043-20611	Subrecipient Grow York		43,333.00		43,333.00
30-414-48042-20611	Subrecipient Grants-YHAP Homebuyers		200.00		7,946.27
30-414-48041-20611	Subrecipient Grants-Rental Assistance		7,000.00		13,398.76
30-414-48009-20611	Subrecipient Grants-Community first		4,000.00		4,000.00

Total		335,033.00	335,033.00	535,450.27	535,450.27
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Home 2011

Bill No. 10, Ordinance No. 9, 2012 - pg 3

31-414-34040-20811	Home-Entitlement	142,350.00		434,850.00	
31-414-48217-20811	Homebuyer Assistance Program		0		12,500.00
31-414-48299-20811	Home-PHIRL		0		417,350.00
31-414-48291-20811	Home-York Housing Authority/CONE	142,350.00			0
31-414-48264-20811	Home-Program Delivery		0		5,000.00
31-414-34040-20911	Home-Entitlement	275,000.00		2,500.00	
31-414-48264-20911	Home-Program Delivery		0		2,500.00
31-414-48293-20911	YWCA-Renaissance		0		0
31-414-48298-20911	HICDC/Kings Mills Common	275,000.00			0
Total		417,350.00	417,350.00	437,350.00	437,350.00

Home 2012

31-414-34040-20812	Home-Entitlement	0		407,581.00	
31-414-48217-20812	Homebuyer Assistance Program		0		75,000.00
31-414-48299-20812	Home-PHIRL		0		132,650.00
31-414-48291-20812	Home-York Housing Authority/CONE		0		187,431.00
31-414-48264-21812	Program Delivery		0		12,500.00
31-414-34040-20912	Home-Entitlement	0		87,500.00	
31-414-48226-20912	Home-Crispus Attucks CDC-Housing		0		80,000.00
31-414-48264-20912	Program Delivery		0		7,500.00
31-414-34040-21012	Home-Entitlement	0		55,000.00	
31-414-48242-21012	HOME Admin.		0		55,000.00
Total		0	0	550,081.00	550,081.00