

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 36 - 2022

MAY 18, 2022

AN ORDINANCE

Amending the Part Two General Legislation, Chapter 388 Moving Permits by repealing it in its entirety.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Chapter 388-1 through 388-4 Moving Permits be repealed.

§ 388-1 **Notification required.** No person or persons, firm or corporation shall move or cause to be moved from any place within the City to another place within or beyond the limits thereof any household goods in bulk without first notifying the Police Department.

§ 388-2 **Notification application; fee for no parking signs.**

[Amended 8-7-2003 by Ord. No. 14108]

Any of the aforesaid person or persons, firm or corporation covered in § **388-1** shall notify the Police Department setting forth: the name and address of the applicant; the names of the owners or reputed owners of the property to be moved; and the address and location from which the property is to be removed and the new address or location of the place to which the property is to be moved. Any no-parking signs issued for the date of the move shall cost \$5 each.

§ 388-3 **Notification issuance; contents and fee.**

[Amended 8-7-2003 by Ord. No. 14108]

The Police Department shall, upon application being made as provided for in § **388-2**, issue a permit for which a charge of \$3 shall be made, setting forth the name of the permittee as well as the name or names of the owners of the goods to be moved and the address from which the goods are to be moved and the address to which the goods are to be delivered. This permit shall be signed by the police officer in charge at that time.

§ 388-4 **Violations and penalties.**

[Amended 8-7-2003 by Ord. No. 14108]

Any person violating the provisions of this chapter or furnishing false information to the Police Department, or using false names or addresses, shall be fined not more than \$100 or imprisoned not more than 10 days, or both.

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

LEGISLATIVE TEMPLATE

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Mayor's Office, Police Department, Finance Department

- **Summary and Facts of the Bill**

The Mayor, the Police Chief, and the Finance Director wish to repeal Chapter 388 of the City Code, which is entitled "Moving Permit."

- **Purpose – Please include the following in your explanation:**
 - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
 - **What are the Benefits of doing this/Down-side of doing this**
 - **How does this Bill related to the City's Vision/Mission/Priorities**

After internal dialogue, the administration feels the exercise of policing power contained in the ordinance is unnecessarily burdensome, lacks a clear cost benefit, and is at odds with our vision of public policy. The administration want to foster easy access to residency in the City, and not overburden Police workforce and prospective residents with a compliance requirement that creates a negative first impression of moving into the City.

- **Financial Impact – Please include the following in your explanation:**
 - **Cost (Initial and ongoing)**
 - **Benefits (initial and ongoing)**

The financial impact is exceedingly minimal. The fees are quite nominal, as is the fine. We also do not want to fine people for moving into the City.

- **Funding Sources – Please include the following in your explanation:**
 - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

There is no funding source.

- **Priority status/Deadlines, if any**

ASAP

- **Why should Council unanimously support this bill?**

We should all encourage new residency in the City, and not create a bad first impression, which is the consequence of this law. The arguments in favor of this ordinance include that it captures new income tax payers. However, since Act 32 of 2008 came into effect, the tax collection zone's collector is charged with discovering new taxpayers. The tax collection committee (TCC) has

selected Berkheimer and Associates for this function. This has not been the City's obligation for well over a decade.

As long as this ordinance is officially on the books, prospective residents will contact the City asking whether or not they require a moving permit. If this ordinance is repealed, there will be a clear and unambiguous answer to this customer service question.