

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 7 - 2018

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FEBRUARY 21, 2018

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AN ORDINANCE

Amending Part Nine, Streets, Utilities and Public Services Code, Title One – Street and Sidewalk Areas, Article 909, Lot and House Numbering by updating the ordinance language and include the issuance of notices and SWEEP tickets as additional tools of enforcement.

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

SECTION ONE: That Article 909 be amended to read as follows:

**ARTICLE 909**  
**LOT AND HOUSE NUMBERING**

909.01 Definitions  
~~909.01 Hamilton Street and Parallel Streets~~  
~~909.02 Streets Crossing Hamilton Street~~  
909.02 Numbering Determination  
909.03 House Numbers; Duty to Affix  
909.04 Location and Size of Numbers  
909.05 City Engineer to Designate Numbers  
909.06 Permit from City Engineer  
909.94 Enforcement  
909.97 Violation Ticket Appeals Process  
909.98 Severability  
909.99 Fines and Penalties

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**909.01 DEFINITIONS**

City shall mean City of Allentown.

**Notice of violation** is a written document issued to a person in violation of a city ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action.

**Public Officer** means any authorized inspector, or public official designated by the Mayor to enforce the City Ordinances.

**Violation Ticket** is issued by a public officer to a person who violates a provision of this Article.

#### **909.01 HAMILTON STREET AND PARALLEL STREETS**

~~———— Hamilton Street shall be numbered as follows:~~

~~———— Commencing at the west end of the Lehigh Bridge the first lot on the north side of the street shall be designated No. 1; the first lot on the south side shall be designated No. 2, and so on westwardly every lot alternately on the north and south sides of such street shall be numbered as far as Front Street. The first lot west of Front Street, on the north side of Hamilton Street, shall be No. 101, and the first lot on the south side shall be No. 102, and so on every lot on the same street alternately on the north and south side in regular order to Second Street, when the first lot on the north side of Hamilton Street, west of Second Street, shall be 201, and the opposite lot on the south side 202, and so on westwardly to the City boundary, each square to commence with the following hundred.~~

~~———— All streets of the City running parallel with Hamilton Street, north and south of the same, shall be numbered in the same manner, beginning at the Lehigh River and running westwardly. (Passed 3-2-1886.)~~

#### **909.02 STREETS CROSSING HAMILTON STREET**

~~———— The streets which cross Hamilton Street, and are at right angles with the same, shall be known north of Hamilton Street as North Front Street, North Second Street, North Third Street, etc., and they shall be known south of Hamilton Street as South Front Street, South Second Street, South Third Street, etc., and the same shall be numbered in like manner as described in Section 909.01. Those parts of such streets north of Hamilton Street to be numbered, reckoning from Hamilton Street, and running northwardly, and those parts of such streets south of Hamilton Street to be numbered, reckoning from Hamilton Street and running southwardly, the west sides of such streets to be numbered with the even numbers and the east sides with the uneven numbers. (Passed 3-2-1886.)~~

#### **909.02 NUMBERING DETERMINATION**

All property numbers will be determined by the City's official map as established by the Bureau of Engineering.

#### **909.03 HOUSE NUMBERS; DUTY TO AFFIX**

It shall be the duty of the owner of every lot front on any of the streets of the City, when any house or building shall be constructed or built thereon, to place on it a number, the size and location of which shall be as noted in Section 909.04. (1609 §1 3/10/24)

#### **909.04 LOCATION AND SIZE OF NUMBERS**

The numbers shall be fastened on the door or other suitable place on the front of the house or building and shall be of such size that they may easily be read from the street. (1609 §2 3/10/24)

#### **909.05 CITY ENGINEER TO DESIGNATE NUMBERS**

The numbers to be placed on each and every building shall be obtained from the plans on file in the office of the City Engineer. (1609 §3 3/10/24)

#### **909.06 PERMIT FROM CITY ENGINEER**

All owners of houses in the City not already numbered or not numbered in accordance with City regulations shall procure from the City Engineer permits for the numbering of such houses, free of cost to the owners, each of which permits shall contain the number of the house and the name of the street so to be numbered. Upon receipt of the permit, the owners of the houses shall procure, place and maintain upon the same the numbers contained in the permits.

No owner of any house shall number the same or change the number thereof without first obtaining a permit therefor, and no numbers so given in the permit shall at any time thereafter be changed nor any other numbers placed on the houses than the ones contained in the permit, without the consent and approval of the City Engineer, evidenced by his permit so procured and given as aforesaid. ( 676 §1 4/30/18)

#### **909.94 ENFORCEMENT**

A. The provisions of this Article shall be enforced by any other public officer authorized to enforce ordinances.

B. Any violation of the provisions of this Article may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the violator.

C. A notice of violation or violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record.

D. Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

#### **909.97 VIOLATION TICKET APPEALS PROCESS**

A. A person in receipt of a violation ticket may appeal to the Bureau of Public Works by filing a request within ten (10) days of receipt of the violation ticket.

B. A Hearing Officer, designated by the Public Works Director, may uphold the Appeal, deny the Appeal or may modify the violation ticket and/or any associated costs, fines or penalty amounts.

#### **909.98 SEVERABILITY**

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect.

## **909.99 FINES AND PENALTIES**

### **A. Violation Ticket Fines**

1. Any offense of a violation of this Article, the violation tickets shall be issued in the amounts of One Hundred (\$100) Dollars.

2. Any persons who receives a violation ticket for any violation of this article, may within ten (10) days, admit the violation, waive a hearing and pay the fine in full satisfaction.

### **B. Violation Ticket Penalties**

1. If the person in receipt of a one hundred (\$100) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a twenty-five (\$25) dollar penalty for days eleven (11) through twenty (20).

2. Failure of the person to make payment or request a hearing within twenty (20) days of a violation ticket shall make the person subject to a citation.

### **C. Citation Fines**

Any person violating the provisions of this Article shall be fined not more than Three Hundred (\$300.00) Dollars or imprisoned not more than ninety (90) days, or both. (11995 §1 2/21/73)

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?**

Bureau of Public Works. Initiative was the result of an inquiry by the public at a recent City Council meeting.

- **Summary and Facts of the Bill**

The current Ordinance addresses the requirement of address identifying numbers on the front of properties in the City of Allentown. The proposed amendment updates the Ordinance language and includes the issuance of notices and SWEEP tickets as additional tools of enforcement.

- **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 relate to the City's Vision/Mission/Priorities**

- The proposed amendment updates the Ordinance language and includes the issuance of notices and SWEEP tickets as additional tools of enforcement.

- The benefit is that each property in the City of Allentown will have a visible number on the front of the property, thus making the property easily identifiable.

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

There is no cost associated with this proposed amendment due to the enforcement will be conducted by City staff at the time when an inspection of the property is conducted. In addition, there is no permit fee being assessed to the property owner to obtain compliance.

- **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.**

N/A

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

N/A

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

This proposed amendment will result in the uniformity of properties in the City of Allentown having placed upon them a visible property number, thus bringing them into compliance with this Ordinance.