Call to Order: Chairperson L. Durkin called the meeting to order.

Attendance

- **Committee members present**: Chairperson L. Durkin and Councilor C. Whitney.
- **Committee members absent**: Councilor T. Daniilak, and Councilor M. Golden.
- **Others present**: President D. Pancoc, Councilor K. Farrell, Solicitor N. Taylor-Smith, Mayor E. Foley, Borough Manager G. Locke, Chief A. DiValentino, and Director of Finance R. Ware.

Public Comment: Chairperson L. Durkin, 205 Runnymede Avenue, read a statement that she prepared regarding 303 Runnymede Avenue and the zoning violations that have been taking place. Chairperson L. Durkin stated that Mr. Glass has operated his business, JC Glass Masonry, for a number of years from his place of residence at 443 Leedom Street in Jenkintown, which is Neighborhood Commercial Residential. However, in late August, 2016, Mr. Glass moved his residence to 303 Runnymede Ave, which is B-1 Residence District. The B-1 Zoning District prohibits all business/commercial activity except "No Impact Home Based Business". After residents appeared before the Borough in concern of the situation, Borough Manager G. Locke surveyed and studied the circumstances and, on September 1, 2016, issued a letter of violation to both the renter and the owner. Chairperson L. Durkin would like to have Borough Manager G. Locke speak to this subject before allowing public comments. Borough Manager G. Locke stated that he has issued a zoning violation on September 1st 2016. After multiple complaints being received, Borough Manager G. Locke did assess the site from the public right of way and did see commercial equipment in the driveway. Borough Manager G. Locke did explain to the complainants the zoning procedures and that there is a 30-day appeal letter that has not expired yet. Borough Manager G. Locke has communicated with both the tenant and the owner, who have both expressed their intent to comply.

Jean Volpe, 302 Runnymede Avenue, wanted the committee to note that she has observed trucks going in and out of the premises and employees parking their cars on Runnymede Avenue for long periods of time. Ms. Volpe also wanted to note that items that should not be collected with the regular household trash are being collected on the regular trash day. Ms. Volpe wanted to mention that she watched Mr. Glass "shake hands" with the trash man as he took all the trash last Friday. Chairperson L. Durkin did want to state that it is expected that when a resident moves in that they may have more than the average amount of trash, however the trash company will take six cans or twelve bags. Borough Manager G. Locke received a complaint about the trash last Friday and called Matt Anderson, the Borough's trash representative from Republic. Matt stated that Mr. Glass spoke with him explaining that he had just moved into the residence and asked that he takes everything as not to have it be an eyesore for the neighbors.

Joanne Everett, 304 Runnymede Avenue, spoke before Committee to reiterate what Ms. Volpe said about the trash. Ms. Everett, stated that she did not get close enough to see what kind of trash it was but it was a large amount and not all household trash. Chairperson L. Durkin informed both Ms. Everett and Ms. Volpe that the Borough will be keeping an eye on the amount and type of trash that Mr. Glass is putting out on the curb on the household collection days.
Peggy Downs, 301 Runnymede Avenue, wanted to thank Borough Manager G. Locke for all his efforts in maintaining the integrity of a residential neighborhood. Ms. Downs does not disagree that moving the items so they cannot be seen from the public right of way is a bad thing, but how is the borough going to monitor how the business has been relocated from the property. Borough Manager G. Locke replied to Ms. Downs in that the code states that the resident cannot have an outside appearance of a business, so that is what he will be looking for. Ms. Downs also wanted to know if there is a requirement for contractors to change their address, and if so when must the business license be changed? Borough Manager G. Locke responded saying that the Borough has reached out to Jim Hunt from Berkheimer Associates about updating addresses for properties. Mr. Hunt informed the Borough that there is no specific time frame to which a business needs to update their address. Also discussed was the option of having his home address as his business for billing purposes; keep equipment elsewhere. This would be allowed as long as the substance of the business is not stored there. Solicitor N. Taylor-Smith stated that if you would like to follow up on your complaints with video you can, but it cannot have sound as that is illegal in the state of Pennsylvania.

Glenn Morris, 603 Rodman Avenue, wanted clarification on the use of video without sound. Solicitor N. Taylor-Smith stated that it is illegal to record someone with sound without their knowledge and consent.

Roger Gee, 300 Runnymede Avenue, wanted to discuss the truck that is parked in the driveway. Mr. Gee assumes that Mr. Glass is loading and unloading this truck with the commercial equipment. Chairperson L. Durkin stated that the truck itself is not a zoning violation it's the possibility of the loading and unloading of equipment.

Dave Downs, 301 Runnymede Avenue, wanted to clarify if the Borough will be having a meeting with the tenant and the owner to discuss the violation. Borough Manager G. Locke stated that the Borough will be having a meeting with the tenant tomorrow, Tuesday September 20th.

Christine Glass, 303 Runnymede Avenue, spoke on behalf of herself and her husband Joe Glass. The property owner, Mr. Reiley, reached out to the Glass' in May as he needed some concrete work completed. It was noticed while Mr. Glass was doing the work that the house was vacant and had been up for sale for quite some time. Christine & Joe Glass plan on purchasing the home, however, for now they are just renters. Ms. Glass invites anyone who should have any questions or concerns to knock on her door and talk with her, she will gladly answer them. Ms. Glass also wants to confirm that they will not be running their business out of their home at 303 Runnymede Avenue. They will be moving all of the construction "commercial" business material to their shop located in Willow Grove once room is made available. Ms. Glass wants to point out that as the days have passed the items have been removed from the property at 303 Runnymede Avenue.

Wendy Hopp, 505 Runnymede Avenue, asked what would happen if the work is not halted after October 1st? Borough Manager G. Locke stated that the Borough has the right to write citations if the violation has not stopped. Ms. Hopp also wanted to note that the license plate does not match the trucks description. Police Chief A. DiValentino stated that the Police Department would look into it.

Andrew Smith, 200 Hillside Avenue, the best course of action from a neighbor’s prospective is to take “vigilance” in that they can take videos without sound and pictures of the site to show that the business has not been halted.

Chairperson L. Durkin wanted to inform all the residents that they will continue to review and assess the property so that the Borough can be fully assured that the business has been halted and the residence will remain a residential neighborhood. Chairperson L. Durkin thanked all of the residents for expressing their concerns and they will continue to monitor the situation and keep all residents informed.

Glenn Morris, of the Planning Commission, wanted to highlight that a resident was upset that the doors were not unlocked for tonight’s Planning Commission meeting. Mr. Morris highlighted that there was no meeting as they did not have an agenda to meet on but wanted to express the resident’s unsatisfaction in regards to not being able to get in.
Featured Items for Discussion

- **303 Runnymede Avenue** – Discussed during Public Comment.

- **Jenkintown Planning Commission Report** – No report at this time.

- **Dead Tress on York Road** – Chairperson L. Durkin stated that there are a lot of dead trees where the Borough received the streetscape grant a few years prior and understands that it is the responsibility of the property owner to maintain the trees but wants to look at changing that code so that the Borough may maintain and replace these trees to continue to have a beautiful tree lined road. President D. Pancce likes the idea, however wants to further research the cost and legal ramifications on maintaining trees on private properties.

- **Glanzmann Agreements** – Borough Manager G. Locke stated that the side agreements were placed in Dropbox. Borough Manager G. Locke has written the particular out for the building inspector to review and follow up on. Enforcement on these agreements cannot take place until November 1st of this year. Borough Manager G. Locke has not met with Glanzmann Subaru regarding the side agreements since the escrow has been put in place, however, he has continually monitored the properties and over half of the required items have been completed.

- **2035 Comprehensive Plan Update** – Chairperson L. Durkin stated that the Steering Committee is at a crossroad at this point as she believes they are to the point of recommendations of implanting the 2035 plan. Chairperson L. Durkin would like to hold further discussion during next month’s meeting.

- **Borough-wide plan for sidewalk/curbs** – Chairperson L. Durkin wanted to ask Borough Manager G. Locke to complete an analysis of the Borough’s plan for sidewalk and curb replacement. Chairperson L. Durkin stated that the current plan is to have residents replace their curbs and sidewalks when their street is paved, but Chairperson L. Durkin wanted to have a more comprehensive plan for all of the Borough including the state roads. Chairperson L. Durkin wants to know how long it will take for whole Borough to complete a curb and sidewalk replacement. Chairperson L. Durkin wants to make sure those properties on state roads will be included in the Borough’s curb and sidewalk plan even though the Borough will not be paving their streets.

- **Zoning Code Update** – Chairperson L. Durkin would like to have the county planners do a comprehensive zoning code update. Chairperson L. Durkin would like to discuss this further next month but wanted to start the general discussion to make it aware that they will be beginning this task shortly. Borough Manager G. Locke has started an analysis and it has been placed in Dropbox, however strongly suggests engaging the Solicitors office when beginning this process to help reduce review time. Borough Manager G. Locke wanted to note that the Borough has money in the budget to allow for this review.

- **Occupancy survey ordinance when residence sells** – Chairperson L. Durkin wanted to retouch on this topic from last month. Last month, Borough Manager G. Locke discussed a few things that he believed were important such as smoke detectors, lateral inspections, sidewalk inspections and so forth. Chairperson L. Durkin just wanted a progress update on the possibility of the Borough implementing this ordinance. Borough Manager G. Locke will be putting the four things he believes are most important for a residential resale inspection into a draft for next meeting.

**Ongoing Items**
• **101 York Road Land Development** – Borough Manager G. Locke stated that Glanzmann Subaru has been working with Natasha Taylor-Smith from our Solicitor’s office to set up the escrow for 101 York Road. As of this week, the escrow has been placed and they are beginning to move forward.

• **2015 Paving Project – Required Concrete Repairs** – Borough Manager G. Locke stated that there are two residents still left on the 2015 curb and sidewalk program. One resident has reached out to Borough Manager G. Locke and stated that the contractor will be completing the work next week. All other repairs for this program have been completed.

• **Inside Out Art Program** – Chairperson L. Durkin wanted to highlight that Inside Out Art Program is still throughout the Borough and will continue through late October. She highly suggests both residents and staff alike view the paintings.

• **Borough Gateway Welcome Sign** – Borough Manager G. Locke stated that the Borough Engineer developed three gateway signs as well as the Planning Commission designed a sign. A majority of the Planning Commission liked Joe Hentz’s design more than the Engineered design. The Borough is now waiting for an architecturally drawn design from Jim Rose and Joe Hentz that can be given to the Engineer for review.

• **TCDI Grant Opportunity** – Chairperson L. Durkin stated that the Delaware Valley Regional Planning Commission opened a Transportation and Community Development Initiative, TCDI, which is a grant used to study traffic calming implementation. This grant is a planning grant with a 20% match, not an engineering grant. The maximum the Borough could receive is $100,000. The Borough applied for this grant for a traffic calming study of York Road. The 2016 Borough application has not yet been approved.

**Adjournment:** On motion of Chairperson L. Durkin, seconded by President D. Pancoe, the motion adjourning the meeting passed unanimously.
-building, zoning, & revitalization committee
-meeting minutes
-october 17th, 2016
-7:30 p.m.

call to order: chairperson l. durkin called the meeting to order.

attendance

- committee members present: chairperson l. durkin, councilor m. golden, and councilor c. whitney.
- committee members absent: councilor t. danilak.
- others present: president d. pancoe, vice president r. bunker, councilor k. farrell, solicitor n. taylor-smith, borough manager g. locke, chief a. divalentino, and director of finance r. ware.

public comment: larissa kravitz, noble nail salon, appeared before the committee to discuss her displeasure with allowing multiple businesses of the same type within such close proximities. ms. kravitz owns a nail salon and is upset at the amount of nail salons jenkintown has. both solicitor n. taylor-smith and the committee explained to ms. kravitz that it is illegal for the borough to deny businesses however they have been planning a comprehensive plan to work with property owners to discuss tenants in jenkintown.

presentations

- rick ferrell: retail market answers llc: appeared before committee to discuss a need for a strategic merchandising downtown revitalization plan. mr. ferrell completed a merchandising revitalization in 2006 before the market collapsed. mr. ferrell will be completing a proposal and appearing before council in the next few months to discuss the strategic merchandising downtown revitalization plan.

featured items for discussion

- zoning code review – chairperson l. durkin stated that the borough is looking to update their zoning code with the help of the county planners, the solicitors office and the zoning officer. borough manager g. locke began a preliminary list of items that has created a difficult review in the past. the borough also received a preliminary list from the county planners. both lists will be turned over to the solicitors office for legal opinion.

- jenkintown planning commission report – no written report at this time. it was noted that the design review board met regarding 206 township line road. the meeting appeared to go well and move forward with the design of the building, as the architecture firm on the project seemed to open and willing to take the design review board's comments into consideration.

- dead trees on york road – chairperson l. durkin stated that there are a lot of dead trees where the borough received the streetscape grant a few years prior and understands that it is the responsibility of the property owner to maintain the trees but wants to look at changing that code so that the borough may maintain and replace these trees to continue to have a beautiful tree lined
road. President D. Pancoe likes the idea, however wants to further research the cost and legal ramifications on maintaining trees on private properties. Borough Manager G. Locke will be looking into the cost to replace the trees along the York Road corridor.

- **Banner Program** – Chairperson L. Durkin wanted to highlight that she has continually been working on implementing a banner program for Jenkintown Borough. Chairperson L. Durkin has reached out to King Design to have them design a branding proposal. Once she receives the proposal from King Design she will update the Committee.

**Ongoing Items**

- **Borough Gateway Welcome Sign** – Chairperson L. Durkin met on site with Borough Manager G. Locke and Pennoni Associates to discuss the engineering of the Borough’s welcome sign. The Borough is currently waiting on the cost estimate from Pennoni Associates to move forward to the project. President D. Pancoe believes that the Borough should budget for this over the next few years as to not significantly impact the budget.

- **303 Runnymede Avenue** – Borough Manager G. Locke stated that the residents of 303 Runnymede Avenue, Mr. & Ms. Glass, have complied to the notice of violation and the violation has since been abated. Chairperson L. Durkin asked that Borough Manager G. Locke keeps a close eye on the property as neighbors are still believing that a business is being run out the home.

- **Glanzmann Agreements** – There is no new updates for this topic. Borough Manager G. Locke stated that the side agreements were placed in Dropbox. Borough Manager G. Locke has written the particulars out for the building inspector to review and follow up on. Enforcement on these agreements cannot take place until November 1st of this year. Borough Manager G. Locke has not met with Glanzmann Subaru regarding the side agreements since the escrow has been put in place, however, he has continually monitored the properties and approximately half of the required items have been completed.

- **Division Street Retaining Walls** – Due to a time constraint, this item was not discussed.

- **2035 Comprehensive Plan** – Due to a time constraint, this item was not discussed

**Adjournment:** On motion of Councilor M. Golden, seconded by President D. Pancoe, the motion adjourning the meeting passed unanimously.
Jenkintown Borough Council Presentation

Strategic Merchandising
Downtown Revitalization
Overview
October 17, 20016

Proactive Business Development
Retail Market Answers, LLC

- More than 30 years experience in Mixed-Use Real Estate Development and Revitalization Strategic Planning Experience (US and Canada)
  - Arbor Property Trust
  - Compass Retail
  - EQK Partners
  - The Rouse Company
  - Forest City Ratner Companies
  - Staten Island Ferry Management Company
  - Arbor Realty Trust (NYSE: ARB)

- Placemaking
Jenkintown

- The Borough Opportunity:
  - Build upon the Jenkintown Comprehensive Plan
    - By providing an Implementable Strategic Plan for the Downtown Commercial Area
      - Leverage Investments
      - Encourage Property Enhancements
      - Promote Downtown Jenkintown
      - Establish a path for Business Recruitment, Expansion, and Retention
      - Help position the Borough of Jenkintown for new Investment and Reinvestment
      - Advance Placemaking Goal and Objectives

“Big Picture”: Up for Consideration

- Establish the goals and objectives for the commercial district

- Articulate and Plan that makes sense in terms of specific and actionable Business and Economic Development opportunities

- Identify Potential growth Opportunities

- Obtain Buy-in from those necessary to implement the plan
  - Government
  - Volunteer Orgs
  - Property Owners/Brokerage Community
  - Locavestors
  - Large Property owner
Placemaking

Potential Elements of the Jenkintown Strategic Plan for your Consideration

• Articulate Goals

• Craft Scope of Work/Proposal ...To include:

  ○ Refresh/Leverage Investment in the 2009 SMP
Potential Elements of the Jenkintown Strategic Plan for your Consideration

- Identify Under-served Categories of Retail Goods and Professional Services
  
  2009 Recommended Retail Categories included:
  - Home Furnishings
  - Furniture
  - Electronics
  - Hardware
  - Clothing (Women’s, men’s, children’s, family)
  - Sporting Goods,
  - Hobby, toys and games
  - Office, Stationary, Gift
  - Eating and Drinking establishments
  - Optical Stores

Potential Elements of the Jenkintown Strategic Plan for your Consideration

- Identify Infilling and Key Project Opportunities and make implementation recommendations

- Evaluate opportunity to develop Art and Culture as an economic driver and make implementation recommendations

- Factor in above-grade Housing Options in the Plan
Evaluate and Create tools for the task at hand, and make recommendations: INCENTIVES

- Articulate the available tools to stimulate interest in reinvestment (mitigate risk) in terms of Financial Incentives:
  - Leveraged funding opportunities/programs/Incentives
  - Incentives/Best practices
    - Grant programs
    - Façade
    - Subsidy
    - Abatement
    - Waiver
    - Low interest loans
    - Role of CDFI/For Profit Banking

IMPLEMENTATION/ACTING (Work the Plan)

- Resources Recommendations to Support Recommendations
- Marketing Role (intentional communication and telling the story)
- Property owner Enrollment/Business development resource
- Job Description for Business Development Resource
- Identification of New Business Prospects
- Engaging new business prospects and expansion of existing businesses
- Cultivating Art, Culture, Emerging and Expanding business and attraction assets
Thank You

Rick Ferrell
Retail Market Answers, LLC
1801 Green Lane
Wilmington, Delaware 19810
917.335.1961
TO: Laurie Durkin, Chair of Building, Zoning & Revitalization Committee; Jim Rose, Chair of Planning Commission; Borough Council, Natasha Taylor-Smith, Solicitor

FROM: George Locke, Borough Manager

DATE: October 14, 2016

RE: Preliminary Zoning Code Review Recommendations for discussion

Below you will find the recommendations from both the Jenkintown Borough Planning and Jenkintown Borough Zoning Officer, George Locke.

Planning Commission:

- **Plan Review**: Insure ancillary properties that are reviewed for new use with main parcel
- **Gateway**: Revise zoning building setback to be an option rather than a requirement
- **Nonconforming Use**: Remove 25% allowable addition for nonconforming use
- **Modify Zoning**: To encourage "Jenkintown" buildings and site work. Twins, shared driveways, detached garages.
- **Zoning**: Should encourage the retention of older buildings and provide guidance flexibility for adoptive reuse of larger buildings.

Zoning Officer, George Locke:

- **Definitions**: **Height of Building – Height of Ancillary** – "Building" does not include towers, satellite dishes and similar vertical projections when calculating height. (This means the cell towers/antennas on 610 York would not be included in building height. Currently we do consider this in height and applicants need to go before ZHB to install them, technically they would have to as is)

- **Definitions**: **Swimming Pool** – over 24" in depth (consistent with state code) We have an ordinance for "any depth" – should this be consistent?

- **Definitions**: **Patio** – States must meet all yard set back limitation – Conflicts with yard set backs as that states must remain clear of "Building – Structure with a roof"
• No impact home-based business – 181-10-g-3: no stockpiling (If Councils interpretation of stockpiling is equipment, this should be added)

• Sandwich Board signs – 181-37(5): There was committee thought that this section requires revisions.

• Projecting wall sign 181-134AA: minimum height above public walk is ten feet. This is not always possible, possibly safety language discretion?

• 181-134 definition O (2) channel letter described as most prevalent – 181-135 F. Illumination of signs – lists “internal. Sign lettering may be halo-lit or reverse channel letters with halo illumination but does not state channel letters, depiction shows channel letters. Ambiguous and confusing.
Jenkintown Design Review Board

Meeting Minutes – October 12, 2016

Attendees: Hentz, Rose, Asher, Yannessa and Zoning Manager, Locke.

A meeting was held with regard to review of plans for construction at 206 Township Line Road. Boards and plans were presented by Architect Plato Marinakos, Jr.

Following review, the following recommendations were proposed by the Board:

- Gable end to center & at the side needs to be continuous – add symmetry. Match to simple cross gable as used in other homes in the borough.
- Balance the windows in a traditional pattern
- Provide detail, especially with regard to the porch, eaves
- Bring back a ‘detail’ board with specs on materials, color of siding, stone, etc.

Additional comments from meeting guests consistent with Board recommendations. They would also like the builder to use local stone.

Respectfully submitted,

Susan M. Yannessa, Secretary
AGREEMENT

THIS AGREEMENT is made this 10th day of March 2015, by and between The Borough of Jenkintown, organized and existing under the laws of the Commonwealth of Pennsylvania, with its offices located at 700 Summit Avenue, Jenkintown, Pennsylvania, Montgomery County, (the "Borough") and Glanzmann Subaru, Inc. ("Glanzmann"), its successors and assigns, having a business address of 95 Old York Road, Jenkintown Pennsylvania, Montgomery County.

WHEREAS, Glanzmann is the current owner/tenant of Borough properties located at 526 Greenwood Avenue and 100 York Road; and

WHEREAS, the parties wish to further define conditions surrounding the current uses of the above-mentioned properties.

NOW, THEREFORE, the parties hereto agree, with the full intent to be legally bound hereby as follows:

The following conditions are imposed on the property located at 526 Greenwood Avenue (corner of Cedar and Greenwood Avenues) as if set forth at length and shall become a part of the Use and Occupancy Permit for the time period during which the property located at 526 Greenwood Avenue is used for its current use or uses:

1. No more than 27 vehicles shall be parked on the property at any given time. Vehicles shall be parked in designated rows.

2. Glanzmann shall construct a four-foot-high perimeter planting buffer along the north and south perimeters of the property.

3. Glanzmann shall repair deficiencies in the asphalt, including, but not limited to, existing potholes within 3 months of Glanzmann or Glanzmann’s entity’s
purchase of the property at 101 York Road and receipt of building permits and necessary approvals to develop the property.

4. Glanzmann shall ensure that the sidewalk is in compliance with the Jenkintown Borough Code and maintained in good repair within 3 months of Glanzmann or Glanzmann’s entity’s purchase of the property at 101 York Road and receipt of building permits and necessary approvals to develop the property.

The following conditions are imposed on the property located at 100 York Road (former Hudson Bank) as if set forth at length and shall become a part of the Use and Occupancy Permit for the time period during which the property located at 100 York Road is used for its current use or uses:

1. No parking shall be permitted within the former bank drive-through lane, thereby reducing car density by at least 6 vehicles, provided, however, that Glanzmann shall have the right to park vehicles within the former bank drive-through in order to clear the property of snow so long as the vehicles do not remain parked within the drive-through lane for purposes of clearing snow for more than 24 hours.

2. Glanzmann shall maintain the property both aesthetically and structurally, including, but not limited to, painting and repairing any loose materials on the building, constructing and maintaining landscape and plantings, removing all old sign brackets to eliminate visual appearance of previous signage, remove all old signage, including, but not limited to, the 24-hour ATM sign, and install code compliant signage denoting the name of the business utilizing the property.
3. Glanzmann shall install a four-foot-high planting buffer at the northeast corner of the property as agreed to by Jenkintown Borough Council and the Borough Manager.

4. Glanzmann shall be obligated to construct one of the following at the corner of York and Washington, choice of which shall be at Glanzmann’s discretion: 1) a hardscape treatment stating either “Welcome to Jenkintown” or “Welcome to Jenkintown – Glanzmann Subaru” or 2) a reasonable hardscape and/or landscape treatment as reasonably agreed to by the Borough and Glanzmann. Should the hardscape that is chosen state “Welcome to Jenkintown” the Borough shall contribute to fundraising efforts to fund the hardscape treatment.

**Miscellaneous**

This Agreement and Glanzmann’s obligations outlined herein are contingent upon (i) Glanzmann’s or a Glanzmann-related entity’s purchase of the property located at 101 York Road, which is further identified as tax parcel No. 10-00-05388-00-2, and (ii) Glanzmann’s or a Glanzmann-related entity’s receipt of building permit(s) and necessary approvals to develop the property at 101 York Road for Glanzmann’s or a Glanzmann-related entity’s intended use of the property at 101 York Road.

[The remainder of the page is left intentionally blank.]
This Agreement may be signed in any number of counterparts which, when taken together, shall constitute one and the same document. The parties further agree that any facsimile or electronic signature shall be as effective as an original signature and shall be equally binding as though delivered directly by hand to each other.

IN WITNESS WHEREOF, the parties hereto duly execute this Agreement.

Date: ____________________________  
DEBORRA SINES-PANCOE  
Jenkintown Borough Council President

Date: 3/10/15  
JAMES GLANZMANN  
Glanzmann Subaru, Inc.
Hi George,

I am proposing we plant (7) arborvitae 6' tall. Bed lines and plantings are shown in red.

Best,

Jon Troisi

95 York Rd. Jenkintown, PA 19046
(215) 885-3282

Report a problem

Jonathan W. Troisi
Project Manager
jon.troisi@burkebrothers.com

7650 Cheltenham Ave.
Wynnewood, PA 19096

215.687.1773
Fax 215.638.7732

burkebrothers.com
HI GEORGE,

I AM PROPOSING WE PLANT (7) ARBORVITAE 6' TALL
BEELINES AND PLANTINGS ARE SHOWN IN RED.

BEST,

JON TROISI
ORDINANCE NO. 463

BOROUGH OF FOREST CITY

An Ordinance regarding the regulation of Residential Rental Units within the Borough of Forest City.

SECTION 1. PURPOSE:

It is the purpose of this Ordinance and the policy of the Council of the Borough of Forest City, in order to protect and promote the public health, safety and welfare of its citizens to establish rights and obligations of Owners and Tenants relating to residential rental units in the Borough of Forest City and to encourage Owners and Tenants to maintain and improve the quality of rental housing within the community. It is also the policy of the Borough that Owners and Tenants share responsibilities to obey the various codes adopted to protect and promote public health, safety and welfare. As a means to those ends, this Ordinance provides for a system of residential rental registration and permits and sets penalties for violations. This Ordinance shall be liberally construed and applies to promote its purposes and policies.

In considering the adoption of this Chapter, the Borough Council of the Borough of Forest City makes the following findings:

A. The Borough has experienced problems with the maintenance, safety and welfare of residential rental properties.
B. There is a greater incidence of disturbances which adversely affect the peace and quiet of the neighborhood at residential rental properties than at Owner occupied residential properties.
C. The health, safety and welfare of Tenants of rental units within the Borough would be enhanced by a system of residential rental unit licensing, insuring compliance of the Codes governing the maintenance of existing structures.

SECTION 2. APPOINTMENT AND DUTIES OF CODE ENFORCEMENT OFFICER:

The Borough Code Enforcement Officer or such other qualified individual or firm appointed by the Borough Council shall administer this Ordinance in accordance with its terms and shall be responsible for instituting enforcement proceedings on behalf of the Borough.

SECTION 3. DEFINITIONS:

3.1 General: As used in this Section, the following terms shall have the meaning indicated unless a different meaning clearly appears from the context:
Borough: The Borough of Forest City, Susquehanna County Pennsylvania and/or any duly authorized agent or representative of the Borough of Forest City.

Code: Any Code or Ordinance adopted or in effect in and for the Borough of Forest City, as amended from time to time.

Code Enforcement Officer: The officer, individual or firm appointed by the Borough of Forest City who is charged with administration of this Ordinance or any duly authorized representative of said officer individual or firm.

Disruptive Conduct: Any form or conduct action, incident or behavior perpetrated, caused of permitted by any Tenant(s) or visitor(s) of residential rental unit that is so loud, offensive, riotous or that otherwise disturbs other persons or of reasonable sensibility in their peaceful enjoyment of their premises or causes damage to said premises such that a report is made to a police officer complaining of such conduct, action, incident or behavior. It is not necessary that such conduct, action, incident or behavior constitute a criminal offense, nor that criminal charges be filed against any person in order for said person to have perpetrated, caused or permitted the commission of disruptive conduct as defined herein. The Tenant(s), Owner(s) and the responsible Agent(s) shall be notified of any such occurrences in writing.

Owner: The legal or beneficial holder of title to a residential unit.

Residential Rental Unit: Any residential unit occupied by a person other than the Owner.

Residential Unit: Any structurally enclosed area including or intending to include sleeping facilities.

Residential Rental Registration and Permit: A document issued for a fee by the Borough of Forest City to the Owner(s) of residential unit evidencing the existence of said residential rental unit upon application by Owner to the Borough of Forest City and the passing of the requisite inspections.

Tenants: Any person, corporation, partnership or other entity who rents, occupies or leases a residential rental unit they do not own for more than thirty (30) consecutive days.

SECTION 4. INITIAL REPORT:

Within thirty days (30) from the effective date of this Ordinance, each Owner of a residential rental unit shall submit to the Borough Secretary, a report form supplied by the Borough Secretary, which includes the following information:
1. A list of the Residential Rental Units owned by the Owner located within
the Borough of Forest City limits, whether occupied or not occupied.

2. Address of each Residential Rental Unit.

3. Brief description of each Residential Rental Unit (i.e., number and types
of rooms, number of floors, and number of entrances/exits).

4. Whether or not said Residential Rental Unit is inhabited or utilized by
Tenants at the time of the report.

5. Names of the Tenant(s) utilizing the aforementioned Residential Rental
Unit, if any.

6. Number of available on site parking spaces for each Residential Rental
Unit.

SECTION 5. NEW OWNER'S INITIAL REPORT:

After the effective date of this Ordinance, any person who becomes an Owner of any parcel
of real estate or any improvement on real estate or a building located in the Borough of
Forest City by Agreement of Sale, Deed, or by any other mean, shall within thirty (30) days
thereafter, report to the Borough Secretary the information and date as set forth in Section 4
above on forms to be provided by the Borough Secretary.

SECTION 6. REPORT OF CHANGE IN OCCUPANCY:

After the effective date of this Ordinance, each and every Owner of a Residential Rental
Unit within the Borough of Forest City shall report to the Borough Secretary on a report
form supplied by the Borough Secretary, any change in the use of occupancy of any
Residential Rental Unit owned by such Owner, or change of occupancy of any Residential
Rental Unit located on property owned by any Owner within the Borough of Forest City.
The reported change shall include the name or names of new Tenants of such Residential
Rental Unit, the date when the change was effected, and the forwarding address of the old
Tenant or Tenants if known. Any Owner of a hotel, inn, bed and breakfast or boarding
house shall not be required to report a person as a Tenants until that person has resided in
such Owner’s establishment for period exceeding thirty (30) days. In the event that a
Residential Rental Unit was used or utilized by a Tenant(s) and then becomes vacant, this
change shall also be reported to the Borough Secretary by certified mail. All reports in this
section shall be made within ten (10) days after Owner has knowledge that such unit has had
a change in occupancy or has become vacant.

SECTION 7. OWNER(S) DUTIES:
It shall be the duty of every Owner to keep and maintain all regulated rental units and premises in compliance with applicable codes and provisions of all other applicable laws and regulations and local ordinances and to keep said property in a good and safe condition. Every Owner shall be responsible for regulation the proper and lawful use of said property.

Within thirty (30) days from the effective date of this Ordinance, each Owner of Residential Rental Property shall submit to the Borough Secretary, a fully executed Residential Rental Unit Registration and Permit for each Residential Rental Unit along with a registration fee of Thirty Five Dollars and No Cents ($35) per unit. The Residential Rental Unit permit fee shall be paid for each Residential Rental Unit to the Borough Secretary in the form of a check made payable to the Borough of Forest City. Said fees and registration forms may be brought to the Borough Secretary at Borough of Forest City Office or mailed to P.O. Box 63, Forest City PA 18421.

SECTION 8. INSPECTION OF RESIDENTIAL RENTAL UNITS:

Upon the submission of a Residential Rental Registration application and fee, the Code Enforcement Officer for the Borough of Forest City along with the Forest City Fire Marshall, if necessary, shall perform an inspection of said Residential Rental Unit prior to an issuance of a permit by the Borough. A time and date for said inspection shall be established by the Code Enforcement Officer. The Owner or Tenant shall permit inspections of any premises by the Code Enforcement Officer or duly authorized agent at reasonable times upon reasonable notice. If any rental property requires more than one inspection because of the Owners failure to cure and code violations, the landlord shall pay an additional fee equal to the original fee as set forth in Section 9 below for the cost of each additional inspection. Upon passage of inspection; the Borough shall issue a Residential Rental Permit for the unit.

SECTION 9. FEE: Amended 4/3/2007 $60.00

The fee for a Residential Rental Permit shall be set by the Borough Council at its discretion. Initially, the Forest City Borough Council sets the sum of Thirty Five Dollars and No Cents as the fee for each application for a permit. The Forest City Borough is empowered to change these fees by motion passed by a majority of members of the Forest City Borough Council.

SECTION 10. PERMIT REQUIREMENT:

It shall be unlawful for any person, firm or business entity to conduct or operate or cause to be rented either as Owner within the Borough any Residential Rental Unit without first having obtained a permit to do so as hereafter provided. All dwelling units for rent must meet the International Property Maintenance and Existing Building Code/2003 as amended. Any code violations shall be remedied within a
time period to be set by the Code Enforcement Officer. Should any code violation(s) be a threat to the health and or safety of the Tenant(s) within the Residential Rental Unit or should the structure and or equipment be condemnnable pursuant to International Property Maintenance and Existing Building Code; Section 108.1 through 108.2 the unit shall be declared uninhabitable and the Tenant(s) shall have to evict from said premises until said code violation(s) are corrected and all repairs made. If any code violations not related to the health or safety are not remedied within the time limit given by the Code Enforcement Officer, the Code Enforcement Officer can declare the Residential Rental Unit uninhabitable until the code violations are cured and to remove the Tenant(s) from the Residential Dwelling Unit; however, if the un-remedied code violations were not within the control of the Owner, the Code Enforcement Officer may grant an extension to the Owner allowing him time to rectify violations.

SECTION 11. COMPLIANCE

A. Once a residential rental unit has passed inspection and the owner has been granted a permit by the Borough of Forest City for that unit, no further inspections will be required of the residential rental unit until either:

1. A change in the ownership of the residential rental unit takes place; or
2. A change in the tenants of the residential rental unit; or
3. Reported or observed code violations are reported to the Borough of Forest City regarding a residential rental unit.

B. Once a residential rental unit has passed inspection and the owner has been granted a permit by the Borough of Forest City for that unit, no further permit renewals will be required of the Owner of the residential rental unit until either:

1. A change in the ownership of the residential rental unit takes place; or
2. A change in the tenants of the residential rental unit; or
3. Reported or observed code violations are reported to the Borough of Forest City regarding a residential rental unit.

Nothing in this section shall be interpreted to diminish or restrict any powers of the Borough of Forest City, through its Code Enforcement Officer or other duly appointed person or entity, from inspecting a residential rental unit pursuant to any other duly adopted ordinance.

SECTION 12. RECORDS:

The Code Enforcement Officer shall be required to keep a record of every application, inspection performed and permit issued in the Borough of Forest City. The Borough of Forest City shall be required to send renewal applications to Owners two (2) months prior to the renewal date.
SECTION 13. FAILURE TO COMPLY - RIGHT TO APPEAL:

If an Owner fails to remedy any code violations within the time allotted by the Code Enforcement Officer, a rental permit shall be denied to said Owner for that particular Residential Rental Unit. Any Owner who has been denied a permit may within twenty (20) days of said denial appeal the Code Enforcement Officer's decision to the Forest City Borough Code Enforcement Board. Should the Owner not agree with a decision issued by the Code Enforcement Appeals Board, the Owner can appeal said decision to the Susquehanna County Court of Common Pleas.

SECTION 14. TENANT'S DUTIES:

Tenants shall comply with all applicable codes and ordinances of the Borough of Forest City.

1. Inspection of Premises. The Tenants shall permit inspections of any premises by the Code Enforcement Officer at reasonable times upon reasonable notice. The Code Enforcement Officer may inspect premises with an Owner's approval at any reasonable time.

2. Disruptive Conduct. The Tenant(s) shall not engage in nor tolerate nor permit others on the premises to engage in disruptive conduct or other violations of this Ordinance.

3. Police Report. When police investigate an alleged incident of disruptive conduct, the police report shall note a finding as to whether or not the reported incident did in his or her judgment constitute disruptive conduct as defined herein. The information filed on said report shall include, if possible, the identity or identities of the alleged perpetrator of the disruptive conduct and all other obtainable information including the factual basis for the disruptive conduct requested on the prescribed form. Where the police make such investigations, said police officer shall then submit the completed police report containing, the disruptive conduct report to the Code Enforcement Officer. In all cases notice of the disruptive conduct shall be mailed to the Owner or his Agent as soon as reasonable after the occurrence of alleged disruptive conduct.

   a. After three (3) disruptive conduct incidents in any twelve (12) month period by a Tenant or Tenants, the Owner shall immediately begin eviction proceedings against the Tenants. Failure to take such action will result in the immediate revocation of Residential Rental Permit. This paragraph is not intended to limit the Owner from initiating eviction actions prior to the third disruptive incident.

SECTION 15. VIOLATIONS AND PENALTIES

1. It shall be unlawful for any person as either Owner of a regulated rental unit for which a permit is required to operate without a valid current permit issued
by the Borough authorizing such operation. It shall be unlawful for any Owner or Tenant to violate this Ordinance.

2. Any Owner found to operating a residential rental unit without an effective rental permit shall be subject to a fine in the amount of one-hundred dollars and no cents ($100.00) a day for every day the owner is found to be operating the residential rental unit without a permit issued by the Borough of Forest City.

3. Any person violating any of the other provisions of this ordinance shall be subject to a fine of fifty dollars and no cents ($50.00) for a first offense, one hundred dollars and no cents ($100.00) for second offense and one hundred fifty dollars and no cents ($150.00) for each offense thereafter.

4. In addition to the above fines, any person who shall be found guilty of violating any of the provisions of this Ordinance, shall pay, in addition to any fees, costs or penalties ordered by the Court, to the Borough of Forest City any related costs incurred by the Borough, together with the costs of prosecution, including, but not limited to, attorney’s fees, filing costs and cost of prosecution.

SECTION 16. Severability:

If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains workable minus the invalid portion.

SECTION 17. Repeal of Conflicting Ordinances:

All existing Ordinances of the Borough of Forest City or parts thereof which are inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 18. Effective Date:

This Ordinance shall take effect immediately upon its enactment and as otherwise provided by law.

Ordained and Enacted this the 5th day of December, 2006 by the Borough of Forest City in regular meeting assembled.
BOROUGH OF FOREST CITY

Be it enacted that the Forest City Borough Ordinance Number 463 regarding the regulation of Residential Rental Units within the Borough of Forest City is hereby amended as follows:

SECTION 9. FEE:

The fee for a Residential Rental Permit shall be set by the Borough Council at its discretion. The Forest City Borough Council sets the sum of Sixty Dollars and No Cents as the fee for each application for a permit. This fee will apply to all applications for permits received after the date of this amendment. The Forest City Borough is empowered to change these fees by motion passed by a majority of members of the Forest City Borough Council.

Ordained and Enacted this the 3rd day of April, 2007 by the Borough of Forest City in regular meeting assembled.

James Lowry, President of Council

Attest:

Susan Coleman, Borough Secretary

Approved:

Nicholas Cost, Mayor
James Lowry, President of Council

Attest:

Susan Coleman, Borough Secretary

Approved:

Nicholas Cost, Mayor