

CITY OF JOHNSTOWN, PENNSYLVANIA

ORDINANCE NO. 5284

BILL NO. 3 of 2020

Introduced in Council  
February 12, 2020

AN ORDINANCE AMENDING ORDINANCE 4654, TITLED: AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE CODE FOR THE CITY OF JOHNSTOWN, PENNSYLVANIA, DESIGNATING THE POWERS AND DUTIES OF THE COUNCIL, THE CITY MANAGER, AND OTHER MUNICIPAL OFFICIALS, PASSED FINALLY ON OCTOBER 27, 1993 AND AS AMENDED BY ORDINANCE NOS. 4654, 4693, 4731, 4894, 4880, 4902, 4908, 4991, 5015, 5024, 5034, 5042, 5055, 5058, 5069, 5127, 5177, 5194, 5196, 5199, 5210, 5229, 5230, 5231, AND 5255 BY FURTHER AMENDING CERTAIN SECTIONS OF TITLE II – LEGISLATION, CHAPTER 210, COUNCIL, AND SPECIFICALLY SECTION 210.08 OF THE CODIFIED ORDINANCES, ENTITLED “MEETINGS GENERALLY” TO - PROVIDE UPDATED PROCEDURES AND IMPROVE EFFICIENCY IN CONDUCTING CITY BUSINESS AND THE SCHEDULING OF MEETINGS.

WHEREAS, the City Council, have deemed it necessary to make certain changes to the Administrative Code in order to improve the efficiency of the manner in which the City conducts its business and to update and/or clarify certain matters relevant to the scheduling of City Council Meetings as needed;

NOW, THEREFORE, Ordinance No. 4654, as amended, setting forth the Administrative Code of the City of Johnstown is hereby further amended as follows:

**Section 1. Amendments to Administrative Code**

210.08 MEETINGS GENERALLY.

- (a) Public Notice. Provisions governing public notice of meetings shall be provided by "The Sunshine Act," P.L. 388, Number 84 of 1986.

**DELETE:**

~~(b) Regular Meetings. Regular meetings of Council shall be held at least once a month on the second Wednesday of the month. However, during the months of January, February, March, April, September and October Council will hold non-voting meetings on the fourth Wednesday of the month. The non-voting meetings are for Council members to discuss potential items for the agenda for the regular meeting, and will not involve official action by Council. All meetings SHALL NOT commence or be scheduled for times prior to 5:00 p.m. prevailing time. Any workshop and/or committee meeting shall be duly advertised with public notice given as required by law, and SHALL NOT commence or be scheduled for times prior to 5:00 p.m. prevailing time.~~

~~—(c) Special Meetings. Special meetings may be called by the Mayor on his own initiative or upon the written request of at least two members of the Council. A written notice shall be mailed or delivered to each Council member at least 24 hours before a special meeting is held. Any special meetings shall be duly advertised with public notice given as required by law, and SHALL NOT commence or be scheduled for times prior to 5:00 p.m. prevailing time. Such notice shall specify the time and place of the special meeting and the specific business to be transacted. No other business shall be considered at such meeting by the Council. Presence at the meeting constitutes waiver of notice.~~

~~—(d) Emergency Meetings. The Council may hold and take action at an emergency meeting at any time. Such emergency meetings may be called by the City Manager or by any member of the Council provided that a quorum is present, as provided in the Home Rule Charter, and a majority of the Council determines that the holding of such meeting and the taking of emergency action at that time is essential to protect or promote the public health and safety of the City.~~

~~—(e) Executive Sessions. The Council may hold executive sessions as permitted by law with any such executive session having been called for times not earlier than 5:00 p.m. prevailing time.~~

**ADD:**

(b) Regular Meetings. **Unless otherwise advertised and public notice given**, regular meetings of Council shall be held at least once a month on the second Wednesday of the month. **Regular** Council meetings **will not** commence or be scheduled for times prior to 5:00 p.m. prevailing time. During the months of January, February, March, April, September and October Council **may** hold non-voting meetings on the fourth Wednesday of the month. The non-voting meetings are for Council members to discuss potential items for the agenda for the regular meeting, and will not involve official action by Council. Any workshop and/or committee meeting shall be duly advertised with public notice given as required by law.

(c) Special Meetings. Special meetings may be called by the Mayor on his own initiative or upon the written request of at least two members of the Council. A written notice shall be mailed or delivered to each Council member at least 24 hours before a special meeting is held. Any special meetings shall be duly advertised with public notice given as required by law. Such notice shall specify the time and place of the special meeting and the specific business to be transacted. No other business shall be considered at such meeting by the Council. Presence at the meeting constitutes waiver of notice.

(d) Emergency Meetings. The Council may hold and take action at an emergency meeting at any time. Such emergency meetings may be called by the City Manager or by any member of the Council provided that a quorum is present, as provided in the

Home Rule Charter, and a majority of the Council determines that the holding of such meeting and the taking of emergency action at that time is essential to protect or promote the public health and safety of the City.

(e) Executive Sessions. The Council may hold executive sessions as permitted by law.

**Section 2**

This Ordinance shall become effective immediately upon final passage.

**Section 3**

Any/all ordinances, parts of ordinances, resolutions, and parts of resolutions not in accord with this Ordinance are hereby repealed insofar as and to the extent that they conflict with this Ordinance.

**Section 4**

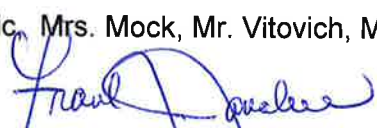
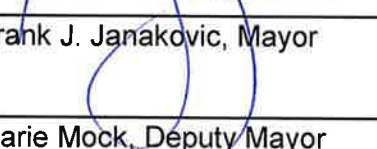
Any/all other provisions of Ordinance 4654, as amended, setting forth the Administrative Code for the City of Johnstown, that are not referenced herein remain in full force and effect.

ORDAINED and ENACTED by the City Council of the City of Johnstown, County of Cambria, the Commonwealth of Pennsylvania on this 11<sup>th</sup> day of March, 2020.

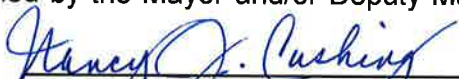
PASSED FINALLY IN COUNCIL:  
by the following vote:

March 11, 2020

Yeas: Mr. Britt, Mr. Capriotti, Mayor Janakovic, Mrs. Mock, Mr. Vitovich, Mr. Arnone. (7)  
Nays: Rev. King. (1)

  
\_\_\_\_\_  
Frank J. Janakovic, Mayor  
  
  
\_\_\_\_\_  
Marie Mock, Deputy Mayor

I do hereby certify that the foregoing is a true and correct copy of Ordinance 5284, as the same was adopted by the City Council and signed by the Mayor and/or Deputy Mayor of the City of Johnstown, Pennsylvania.

  
\_\_\_\_\_  
Nancy J. Cushing, City Clerk

**CITY OF JOHNSTOWN,  
CAMBRIA COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 5285**

**BILL NO. 4 OF 2020**

**INTRODUCED IN COUNCIL  
February 12, 2020**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JOHNSTOWN, TITLE EIGHT, CHAPTER 482, ENTITLED PARKING GENERALLY, AND SPECIFICALLY CHAPTER 482.14, ENTITLED PARKING OF TRACTOR-TRAILERS, ORIGINALLY ADOPTED VIA ORDINANCE NO. 3639, ON MARCH 19, 1965, TO REPLACE PRIOR PROVISIONS CONTAINED THEREIN, TO PROVIDE FOR UPDATED, MORE CONVENIENT AND EQUITABLE PROVISIONS ADDRESSING THE PARKING OF TRACTOR TRAILERS AND OTHER SPECIAL EQUIPMENT ON PUBLIC RIGHTS OF WAY AND/OR PUBLIC PROPERTY WITHIN THE CITY OF JOHNSTOWN.

NOW, THEREFORE, Ordinance No. 3639, and specifically Title II, Chapter 482, Section 482.14, and specifically Title Eight, Chapter 482.14 of the City of Johnstown Codified Ordinances, entitled "Parking of Tractor-Trailers" is hereby amended to amend the current provisions of Chapter 482.14, as outlined herein:

Section 1. Section 482.14 of Title Eight of the Traffic Code entitled "Parking of Tractor-Trailers" is hereby amended and a new Section 482.14 of the Traffic Code entitled "Parking of Trailers and Special Mobile Equipment" is hereby adopted as follows:

**DELETE:**

**Section 482.14 Parking of Tractor-Trailers**

~~No operator of a tractor-trailer shall park such tractor-trailer on any street in the City longer than is necessary to unload the same, and no such driver shall, at any time, unhitch the tractor from the trailer while the rigging is parked on a City street. A violation of this section shall be considered a nuisance and City officials are hereby authorized to tow and remove the tractor-trailer pursuant to Section 422.02.~~

**ADD:**

**Section 4.22.14 Parking of Trailers and Special Mobile Equipment**

**A. Definitions .**

Unless the context otherwise requires, the following words or phrases shall be construed according to the definitions set forth below:

### **SPECIAL MOBILE EQUIPMENT**

Vehicles not designed or used primarily for the transportation of persons or property, and only incidentally operated or moved over a highway, including, but not limited to, ditch-digging apparatus, well-boring apparatus, earthmoving and construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, snowplows, ditchers, graters, finishing machines, road rollers, scarifiers, earthmoving carry-alls, scrapers, power shovels, and draglines, and self-propelled cranes and tractors other than truck tractors.

### **TRAILER**

A vehicle designed to be towed by a motor vehicle, including, but not limited to, box trailers, flatbed trailers, boat trailers, truck campers, full trailers, semitrailers, modular housing undercarriages, mobile homes, and utility trailers.

#### **B. Violations.**

1. Trailers. No person shall park any trailer on any street, alley, or highway within the City that is not appropriately attached to an undertow by a motor vehicle.
2. Special mobile equipment. No person shall park any special mobile equipment on any street, alley, or highway within the City that is not engaged in or about to be engaged in or about to be engaged in active construction work either on the roadway or other construction site.
3. It shall be a violation of this article and a summary offense for any person, corporation, or other entity to close or materially impede the traffic on any City highway or byway, including alleys, without first providing 48 hours' notice to the City of Johnstown Public Works Department and securing the approval of the designated head of that Department. Violators of this section of the article shall be cited and instructed by appropriate personnel to dispense immediately with the obstruction.

#### **C. Exceptions.**

Provided, however, that the provision of § 482.14(b) above shall allow for the temporary parking of said defined trailers and special mobile equipment for emergencies or emergency repairs for a period of not longer than one hour, subject to all other prohibitions, regulations, or limitations imposed by traffic regulations of the City of Johnstown Traffic Code and any other ordinances of

the City

**D. Removal.**

Upon official notification by the City of a violation of this article, the owner will remove said trailer or special mobile equipment in violation from the street, alley, or highway within 24 hours. If the trailer or special mobile equipment has not been removed, and the owner has not shown cause for a time extension, the City shall move or cause to be removed at the owner's expense said equipment in violation to a suitable facility, where it may be reclaimed by the owner upon payment of costs.

**E. Enforcement.**

It shall be the duty of the Captain of Police Operations of the City of Johnstown Police Department or an Officer of the City of Johnstown Police Department to enforce the provisions of this Article.

**F. Violations and Penalties.**

Violations of this Article shall be punishable by a fine of not less than \$300 nor more than \$1,000 or imprisonment not exceeding 90 days, or both. Each day that the blockage continues shall constitute a separate violation of this Article.

This Ordinance shall become effective immediately upon final adoption.

ORDAINED and ENACTED By the City Council of the City of Johnstown, County of Cambria, Commonwealth of Pennsylvania on this 11<sup>th</sup> day of March, 2020.


PASSED FINALLY IN COUNCIL:

March 11, 2020

By the following vote:


Yeas: Mr. Capriotti, Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich, Mr. Arnone, Mr. Britt. (7)

Nays: None (0)

  
\_\_\_\_\_  
Frank J. Janakovic, Mayor  
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the following is a true and correct copy of Ordinance No. 5285 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.

  
\_\_\_\_\_  
Nancy J. Cushing, City Clerk

CITY OF JOHNSTOWN  
PENNSYLVANIA

ORDINANCE NO. 5286

BILL NO. 5 OF 2020

INTRODUCED IN COUNCIL  
February 12, 2020

AN ORDINANCE

AMENDING CHAPTER 1048 OF THE CODIFIED ORDINANCES OF THE CITY OF JOHNSTOWN TITLED "INNER CITY SEWAGE SYSTEM," BY AMENDING SECTION 1048.03, AS AMENDED BY ORDINANCE NOS. 4626, 4921, 5033, 5070, 5079, 5108, 5197, and 5241, TO CONFORM TO ACTUAL BILLING RATES, AND TO IMPLEMENT AN INCREASE IN SEWER RATES SCHEDULED FOR IMPLEMENTATION NO LATER THAN APRIL 15, 2021.

Be it enacted and ordained by the Council of the City of Johnstown, Pennsylvania as follows:

Section 1. Chapter 1048 of the Codified Ordinance of the City of Johnstown is hereby amended at Section 1048.03 as follows:

CHAPTER 1048

INNER CITY SEWER SYSTEM

1048.03 RATES

- (a) all persons owning or using property connected to the City Sewage Collection System and served with metered water service by a water utility shall pay a monthly rental or charge for sanitary sewage collection services based on the quantity of water used as evidenced by meter readings for water meters installed for the purpose of measuring water purchased for and furnished by a water utility and such other meters as may be instead pursuant to any provision, as set forth below. There shall be, where applicable, a determination of the total number of billing units for which such persons are responsible, and the following charge shall be imposed for each such billing unit:

**ADD:**

The following rates structure will be remain in effect immediately upon passage of this Ordinance and continuing through April 14, 2021,

MONTHLEY SEWAGE RATES

0-6,000 gallons	\$55.00 minimum
6001-40,000 gallons	\$9.75 per 1,000 gallons
40,001-100,000 gallons	\$9.50 per 1,000 gallons
100,001-200,000 gallons	\$9.25 per 1,000 gallons
200,001-300,000 gallons	\$9.00 per 1,000 gallons
300,001-400,000 gallons	\$8.75 per 1,000 gallons

Over-400,000 gallons

\$8.50 per 1,000 gallons

**ADD:**

The following rates structure will be in effect as of April 15, 2021.

**MONTHLY SEWAGE RATES**

0-6,000 gallons	\$56.25 minimum
6001-40,000 gallons	\$10.00 per 1,000 gallons
40,001-100,000 gallons	\$9.75 per 1,000 gallons
100,001-200,000 gallons	\$9.50 per 1,000 gallons
200,001-300,000 gallons	\$9.25 per 1,000 gallons
300,001-400,000 gallons	\$9.00 per 1,000 gallons
Over-400,000 gallons	\$8.75 per 1,000 gallons

- (b) Such minimum rental and charges shall be imposed on each billing unit the same as if each unit were separate and apart from one another. Sewage collection charges in excess of the minimum charge on each such billing unit shall be determined by dividing the total water consumed by the number of billing units involved and by applying the rate schedule to the quantity so determined.

PASSED FINALLY IN COUNCIL:

March 11, 2020

BY THE FOLLOWING VOTE:

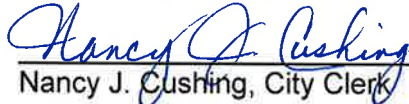
YEAS: Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich, Mr. Arnone, Mr. Britt,  
Mr. Capriotti. (7)

NAYS: None (0)

  
\_\_\_\_\_  
Frank J. Janakovic, Mayor  
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5286 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.

  
\_\_\_\_\_  
Nancy J. Cushing, City Clerk