

CITY COUNCIL OF ERIE

INTRODUCED BY: WITHERSPOON

COUNCIL FILE NO. 16,408 OFFICIAL ORDINANCE NO. 80-2023

AN ORDINANCE

Amending Part 9: Title Seven – Other Public Services by
Creating “Article 952 Honorary Renaming of Streets –
Secondary Street Signs” to establish a process and procedure
For the ceremonial renaming of streets in the City of Erie.

WHEREAS, the City has received multiple requests to rename streets in the City of Erie to honor individuals who have contributed to the betterment of the City; and

WHEREAS, the City desires to establish a process and procedure for the ceremonial renaming of streets in the City; and

WHEREAS, the City desires to amend Amending Part 9: Title Seven – Other Public Services by creating “Article 952 Honorary Renaming of Streets – Secondary Street Signs” to establish the process and procedure for the ceremonial renaming of streets in the City of Erie.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY OF ERIE,
PENNSYLVANIA:

Section 1: Article 952 Renaming Streets

Section 952.01. Assignment of secondary street signs permitted; criteria.

- (a) A street may be assigned a secondary street sign that displays a different name than the official street name in accordance with this Article.
- (b) The assignment of a secondary street sign is for purposes of honorary recognition only and shall not replace the official street name or require changing official maps, surveys, or records.
- (c) The assignment of a secondary street sign may be sought to recognize a person or organization who meets the following criteria:
 - (1) The person or organization has achieved prominence as a result of significant, positive, and extraordinary contributions to the City of Erie, Commonwealth of Pennsylvania, the United States of America, or the international community;
 - (2) The person was a resident of the City for a cumulative time of not less than ten (10) years or, the organization was in operation in Erie for a cumulative time of not less than twenty five (25) years; and
 - (3) The person has been deceased for a period of not less than five (5) years, unless:

a) The secondary street sign is requested by a City Council Member;
and

b) Separate letters of support from at least three (3) City Council Members describing the particular circumstances that justify exempting the proposed honoree from the requirement that an honoree be deceased for a period of not less than five (5) years are attached to the request at the time it is submitted.

Article 952.02. Location of secondary street signs.

(a) The secondary street sign shall be placed above the official street sign and be of a different color than the official street sign.

(b) A maximum of one secondary street sign shall be placed at an identified intersection in an area significant to the honoree's historical residence or historical contribution.

(c) If a secondary street sign is assigned to an intersection that has another secondary street sign, the secondary street sign that was assigned earlier may be subject to removal in accordance with Section 952.04 of this Code.

Article 952.03. Maintenance of secondary street signs.

A missing or damaged secondary street sign shall be replaced by the Department of Public Works within forty-five (45) days from receipt of payment for the cost of replacement from the petitioner who initially requested the secondary street sign.

Article 952.04. Removal of secondary street signs.

A secondary street sign may be subject to removal at any time after a period of ten (10) years from the date of the sign's installation pursuant to a majority vote of City Council.

Article 952.05. Limit on quantity of secondary street signs requested.

No member of Council may request more than two (2) secondary street signs during any term of office.

Article 952.06. Official petition form required.

(a) Petitions for the assignment of a secondary street sign in the City shall be provided by the Office of the City Clerk.

(b) The petition shall state in bold face type that the consent of at least two-thirds of all those who own or occupy real property within 300 linear feet of the intersection where the secondary street sign is proposed to be located is required.

(c) No form other than that referenced in Subsection (a) of this section shall be accepted as a valid petition for the assignment of a secondary street sign.

Article 952.07. Procedure.

(a) A petition for a secondary street sign shall be filed with the Office of the City Clerk.

(b) The petitioner shall provide the following as an attachment to the petition:

- (1) Information pertaining to the proposed honoree, including a biography, honors received, contributions to the local, State, national, or international community, and other information that is sufficient to accurately assess the satisfaction of the criteria provided in Section 952.01 of this Code;
- (2) A letter of concurrence from either the proposed honoree's surviving spouse or living descendants, if any such persons are practically accessible and able to provide such letter of concurrence;
- (3) The proposed location for the installation of the secondary street sign consistent with Section 952.02 of this Code;
- (4) Information that is sufficient to accurately assess the appropriateness of the secondary street sign for the proposed location; and
- (5) Proof of payment of the application fee described in Subsection (c) of this section.

(c) A non-refundable application fee of \$100 shall be charged for the administration, processing, issuance, and enforcement of the petition under this division. Payment of the application fee shall be made payable to "City Treasurer," and submitted to the City Clerk.

(d) Upon receipt of a petition for a secondary street sign, and the non-refundable application fee, the Office of the City Clerk shall report receipt of the petition to City Council.

Article 952.08. Notice to Neighbors.

(a) Within sixty (60) days of receipt of a petition for a secondary street sign, the City Clerk shall review of the petition and determine whether at least two-thirds of the owners and occupants of real property within 300 linear feet of the proposed intersection to be assigned a secondary street sign have signified, in writing, their consent to granting such petition. Upon making its determination, the City Clerk shall proceed according to the following:

- (1) Where the petition does not contain the required number of verified signatures, the City Clerk shall conclude its investigation and report its findings to City Council.
- (2) Where the petition does contain the required number of verified signature;
 - a) The City Clerk shall mail a copy of the petition, via first class mail, to each owner and occupant of real property within 300 linear feet of the proposed intersection to be assigned a secondary street sign, and a notice stating that they have thirty (30) calendar days from the date the notice is mailed to submit comments or objections regarding the petition to City Council; and
 - b) The City Clerk shall notify all necessary City departments, including the Department of Public Works, City of Erie Police Department, and City of Erie Fire Department, identified community groups in areas adjacent to the subject street, and governmental agencies, including the United States Postal Service, of the proposed secondary street sign, and that they have thirty (30) calendar days from the date the notice is mailed to submit comments or objections regarding the petition

to City Council.

(b) Upon expiration of the thirty (30) day comment period, the City Clerk shall make a written report summarizing the comments and objections, if any, regarding the petition, and forward the report to City Council.

Article 952.09. Duties of the City Clerk to prepare report.

(a) Within 60 days after conclusion of the comment period, the City Clerk shall review all documentation submitted by the petitioner, and prepare and submit a report of its findings as to whether the proposed secondary street sign meets the criteria set forth in Section 952.01 and the proposed location of the secondary street sign bears a clear association with a site, building, structure, or event directly related to the proposed honoree.

(b) Upon finding that all of the criteria listed in Subsection (a) of this section are met, the City Clerk shall issue to City Council a recommendation in favor of the proposed secondary street sign, and submit a resolution for consideration by City Council.

(c) If the City Clerk determines that any of the criteria listed in Subsection (a) of this section are not met, its report to City Council shall so indicate.

Article 952.10. Public hearing.

(a) Upon receipt of the report of the City Clerk's findings as to whether a proposed secondary street sign meets the criteria listed in Section 952.09(a), City Council shall adopt a resolution fixing the time and place of a public hearing.

(b) Notice of the public hearing shall be:

(1) Provided to the owners and occupants of real property within 300 linear feet of the proposed intersection to be assigned a secondary street sign; and

(2) Published in a newspaper of general circulation at least five (5) days prior to the date fixed for the hearing.

(c) Subject to Section 952.05, after the public hearing, City Council may grant the petition for a secondary street sign through the adoption of a resolution.

Article 952.11. Resolution by City Council authorizing secondary street sign.

Where a petition for a secondary street sign is granted by City Council, a certified copy of the resolution adopting the request shall be transmitted by the Office of the City Clerk to the City of Erie Fire Department, City of Erie Police Department, Department of Public Works, and the United States Postal Service.

Article 952.12. Duties of the Department of Public Works.

(a) After adoption of a resolution granting a petition for a secondary street sign by City Council, the Department of Public Works shall collect payment from the petitioner of an installation fee in the amount of \$500 prior to the installation of the secondary street sign for the cost of designing, producing, and installing the sign; and

(b) The Department of Public Works shall erect the secondary street sign within forty-five (45) days from receipt of payment of the installation fee.

Section 2. Severability.

If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable.

Section 3. General repeal.

All ordinances and part of ordinances inconsistent herewith are hereby repealed.

Section 4. Effective date.

This Ordinance shall take effect in ninety (90) days following the date of passage and approval by the Mayor.

We do hereby certify that the within Ordinance was finally passed by the Erie City Council on DEC 20 2023, 2023.

Attest: *Spurred Watson*
City Clerk

DEC 20 2023

[Signature]
President of Council

THIS ORDINANCE APPROVED THIS 20th DAY OF December, 2023.

[Signature]
Mayor, City of Erie
[Signature]