

**ORDINANCE 2026-7**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HAZLETON**

*WHEREAS, the City of Hazleton recodified its Code of Ordinances in 2022; and*

*WHEREAS, from time to time amendments are necessary to reflect changes in law, policy, and administrative practice; and*

*WHEREAS, the City desires to amend various provisions of its Code of Ordinances in a single ordinance for efficiency and clarity;*

*NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Council of the City of Hazleton as follows:*

**SECTION 1. Chapter 66 – Land Bank**

**§ 66-3(D) – Board of Directors**

*Subsection D is hereby amended to read as follows:*

*D. Permanent Board. The Permanent Board of Directors shall consist of: Two (2) members appointed by the Mayor; Two (2) members appointed by majority vote of City Council; the Chairperson of the Redevelopment Authority; One representative of the Hazleton Housing Authority; and One member of the Community Development Office.*

*The initial Council appointments shall expire December 31, 2020; the initial Mayor's appointments shall expire December 31, 2023; the initial Redevelopment Authority's appointments shall expire December 31, 2022; the initial Housing Authority and Community Development appointments shall expire December 31, 2024.*

*All members shall serve four (4) year terms and shall serve at the pleasure of their appointing authority. Members shall continue to serve until their successors are appointed.*

*Any individual or organization may submit recommendations for Board membership for consideration by the appointing authority.*

**§ 66-3(E)**

*Subsection E is hereby deleted in its entirety.*

**§ 66-3(H)**

*The word “Chairman” is hereby removed wherever it appears in this subsection.*

**SECTION 2. Chapter 325 – Vehicles and Traffic**

**§ 325-31.3 – Towable Offenses**

*Amended to include offenses: 1–17, 18, 19, 24, and 25.*

**§ 325-31 – Violations and Penalties**

*Amended to read:*

- A. Any person violating any provision of this article shall be deemed to have committed a civil infraction, not a criminal offense.*
- B. Violations shall be punishable by a civil penalty in an amount established by resolution of City Council, together with administrative costs.*
- C. No violation of this article shall constitute a summary offense, misdemeanor, or felony, and no term of imprisonment shall be imposed for a violation of this article.*

**§ 325-31.1 – Administrative Adjudication of Parking Violations**

*Added:*

- A. The City shall establish an administrative hearing process for adjudication of parking violations.*
- B. A person cited for a parking violation may request a hearing before a designated Hearing Officer or administrative tribunal.*
- C. Decisions of the Hearing Officer shall be subject to appeal to the Court of Common Pleas in accordance with Pennsylvania law.*

**§ 325-31.2 – Notice of Violation**

*Added:*

- A. A parking citation placed upon a vehicle shall constitute prima facie evidence of notice.*

*B. If a citation is unpaid, the City shall mail notice to the registered owner of the vehicle.*

*C. Failure to receive or observe the citation shall not invalidate the violation, provided mailed notice is sent to the address on record with the Pennsylvania Department of Transportation.*

**§ 325-32(B) – City parking garage and parking lots; monthly parking rates; enforcement; violations and penalties.**

*Amended to clarify:*

*B. Any employee of the City of Hazleton that is authorized to enforce parking is hereby authorized to issue parking tickets at the Parking Garage of the City of Hazleton at South Wyoming Street for parking at any place where official signs prohibit parking therein, with a violation of same subject to the civil penalties provided in § 325-31 of this Chapter. The vehicle involved will also be subject to removal by towing and may be subject to processing and storage fees at the owner's expense.*

**Article II – § 1-18 Exemption for Parking Violations**

*Added:*

*A. Notwithstanding any provision of this Article, violations of Chapter 325 (Vehicles and Traffic), Article IV through Article VIII, shall be enforced exclusively as civil infractions pursuant to § 325-31.*

**SECTION 3. Chapter 475 – Subdivision and Land Development**

**§ 475-6 – Definitions**

*Add:*

**ESCROW ACCOUNT** — *A segregated, interest-bearing account held by a federally or state-chartered financial institution, established pursuant to an escrow agreement approved by the City, and funded by the developer to guarantee the completion of required improvements.*

**§ 475-13(F)(3)**

*Replaced to read:*

*The subdivider shall also submit to the Commission a maintenance security, which may be in the form of a bond or escrow, in favor of the City of Hazleton to guarantee the maintenance and repair of all streets and improvements for a period of eighteen (18) months following acceptance.*

### **§ 475-49.1 – Escrow Fund for Improvements**

*Added section establishing:*

*A. Option to post escrow. In lieu of, or in combination with, a performance bond or other financial security authorized by this chapter, the developer may, with approval of City Council, deposit funds into an escrow account to guarantee the completion of required improvements.*

*B. Amount of escrow. The escrow amount shall equal 110% of the cost of completion of all required improvements, as certified by the City Engineer, consistent with Section 509 of the Pennsylvania Municipalities Planning Code.*

*C. Escrow agreement required. Escrow funds shall be governed by a written escrow agreement approved by the City Solicitor, which shall include: (1) identification of the financial institution; (2) conditions under which funds may be released; (3) authorization for the City to draw upon the escrow to complete improvements in the event of developer default; (4) a construction completion schedule; and (5) provisions for interest accrual.*

*D. Use of escrow funds. Upon failure of the developer to complete improvements in accordance with the approved plan and required schedule, the City may draw upon escrow funds, without further consent of the developer, to complete the required improvements.*

*E. Partial releases. As improvements are completed and certified by the City Engineer, the City may authorize proportional releases of escrow funds, retaining not less than ten percent (10%) of the original escrow amount until final completion.*

*F. Final release. Escrow funds, or any remaining balance, shall be released only after certification by the City Engineer that all required improvements have been completed in accordance with approved plans and acceptance of improvements by City Council, where applicable.*

### **§ 475-50**

*Replaced to read:*

*The procedures set forth herein shall apply equally to performance bonds, letters of credit, and escrow funds posted pursuant to this chapter.*

**SECTION 4. Chapter 490 – LERTA**

**§ 490-90 – Minimum Mandate**

*Amended:*

*The mandate for eligibility for this program shall be the following:*

*A. The creation of no less than 100 jobs; and*

*B. The expenditure of no less than \$20,000,000 for the improvement.*

**SECTION 6. Chapter 575 – Zoning**

**§ 575-202 – Definitions**

*Add:*

**COMMERCIAL PARKING LOT**

*An area which is leased to someone other than the owner to park a vehicle.*

**FENCE**

*A structure constructed as a line of demarcation or barrier made of materials to enclose or screen areas of land. The term includes hedges or other natural vegetation.*

**§ 575-503 – Use Table Amendments**

*Commercial Parking Lot permitted only in PI*

*Tattoo/Body Piercing permitted in CC and CH*

**§ 575-505 – Overlay Districts**

*Off-street residential parking permitted in DOD, EOD, HOD*

**§ 575-610 – Residential Uses**

*Amended:*

*A. Conversion of building into a dwelling.*

*(4) The adding or construction of additional living space, such as a recreation room or family room etc. shall be limited to the principal structure or building on the property and shall not be placed in an unattached accessory structure.*

*B. Home occupation. A home occupation shall be permitted by right in any residentially zoned property, provided that the following requirements are met:*

*(14) No retail sales or wholesale establishments are permitted as part of the home occupation.*

*H. Storage and parking.*

*(2) Recreational vehicles, boats, campers, trucks and trailers. In any residential district, no recreational vehicle, boat, camper, truck with more than two axles and more than one ton (except a personal pickup truck), or trailer shall be stored, parked or repaired on a street or in a front yard, unless located within a driveway and owned by the occupant of the residence. Except when necessary for on-site construction, the parking or storing of construction vehicles with a weight of more than 10,000 pounds and equipment that is not primarily intended for on-road use shall not be stored overnight in a residential zoning district.*

### **§ 575-604 – Commercial Uses**

*Added:*

*C. Automobile-related uses.*

*(4) A car sales office shall be serviced by electric, public water and public sewer and have a public handicap accessible restroom.*

### **§ 575-801 – Off-Street Parking**

*Add:*

*O. Commercial Parking Lot. No tractors or food trucks shall be parked in a Commercial Parking Lot. All commercial parking lots must be paved with concrete or bituminous paving material and shall be properly graded and drained to dispose of all surface water properly under the Hazleton City Stormwater Ordinance without stormwater runoff or ice build-up to adjacent properties or public streets or right of ways.*

### **Parking Schedule Amendments**

Updated minimum parking requirements including:

<b>Type of Use</b>	<b>Minimum Number of Spaces Required</b>
<b>Residential Uses:</b>	
<i>Single-family dwelling units</i>	<i>2 spaces for each dwelling unit</i>
<i>Two-family dwelling units</i>	<i>2 spaces for each dwelling unit</i>
<i>Multifamily dwelling units</i>	<i>3 spaces plus 1 space for every bedroom when there are more than</i>
<i>Rooming or boarding house</i>	<i>1 space for each bed</i>
<i>Group or personal care homes</i>	<i>1.5 spaces for each bedroom</i>
<i>Home occupations</i>	<i>1 space plus 2 spaces for the dwelling unit</i>
<i>Other residential uses</i>	<i>1.5 spaces for every unit/use</i>
<i>Multifamily Dwelling over 150,000 sq.ft.</i>	<i>1.5 Spaces for every unit</i>
<i>Mix-Use Commercial and Multifamily</i>	<i>the greater of 1.5 space per unit or 1 per residential unit plus the commercial requirements listed below.</i>

**SECTION 7. Fee Schedule Adjustment**

*The City shall amend its fee schedule to include compensation for ATV Board of Appeals meetings and for the Reserve Residential Parking Permit spaces.*

**SECTION 8. Severability**

*If any provision of this Ordinance is held invalid, such invalidity shall not affect remaining provisions.*

**SECTION 9. Repealer**

*All ordinances or parts thereof inconsistent herewith are repealed to the extent of such inconsistency.*

**SECTION 10. Effective Date**

*This Ordinance shall take effect in accordance with law.*

**ORDAINED AND ENACTED** by Council this 14<sup>th</sup> day of April, 2026.

