


FILE OF COUNCIL NO. 7
2024
AN ORDINANCE

Introduced in Council on above date and referred to Committee on February 27, 2024


City Clerk

Scranton, PA March 10, 2024
Committee on Rules reports favorably on the within ordinance

Chair

SIXTH ORDER:
March 5, 2024

AMENDING FILE OF THE COUNCIL NO. 102, 2015, AN ORDINANCE, ENTITLED "AMENDING THE ADMINISTRATIVE CODE OF THE CITY OF SCRANTON CHAPTER 412 STREETS AND SIDEWALKS, SECTION III GOVERNING EXCAVATIONS BY MAKING ADDITIONS, DELETIONS, RELETTERING AND CHANGING THE NAME OF THE DEPARTMENT IN PORTIONS OF SECTION 111 RELATING TO EXCAVATIONS IN ORDER TO BRING THE CODE UP TO DATE," TO REFLECT UPDATED, REASONABLE APPLICATION FEES FOR PAVECUT PERMITS.

WHEREAS, the City of Scranton passed File of Council No 102, 2015 on or about June 4, 2015, to update the "Streets and Sidewalks" Code, particularly as to Section III governing excavations, to update the code for compliance purposes; and

WHEREAS, telecommunication services are expanding and including but not limited to fiber optic cable and internet; and

WHEREAS, broadband internet providers are interested in expanding their services and customer base within the Greater Scranton area for numerous reasons;

WHEREAS, the City of Scranton wants to make sure all homes and businesses have access to high-speed broadband internet; and

WHEREAS, the City of Scranton seeks to minimize costs to residential and commercial users, and promote the installation, operation and maintenance methodologies that maximize dependability and resiliency for her residents; and

WHEREAS, fiber optic broadband services are not restricted to installation by poles, but also include underground installations; and

WHEREAS, broadband companies will require pave cuts to expand their services by and through poles and/or by and through underground wirings; and

WHEREAS, due to an increase in excavation requests, the City has reviewed its excavation article within the City of Scranton's Inspection and Fees Code and desires to reduce its pave cut permit costs; and

WHEREAS, time is of the essence due to many broadband service providers being interested in developing their telecommunications network and service in the City of Scranton and are seeking to do so as of this filing.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON, that the Administrative Code of the City of Scranton Chapter 412 Streets And Sidewalks, Section III Governing Excavations is hereby edited and amended as to pave cut permit fees as follows:

412-13 Application for permit; insurance; fee.

H. Street opening permit fee. Any person who desires to do any street opening or excavation of a street shall pay the sum of \$50.00 (fifty dollars) plus inspection fees. Any street opening or excavation shall be computed to the nearest whole square yard of excavation for purposes of computing the inspection fee. Please see Table 1 for the permit and inspection fee schedule. (emphasis added to demonstrate updated and amended language).

ORDINANCE CONTINUES ONTO NEXT PAGE

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 City Clerk

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON, that the Administrative Code of the City of Scranton Chapter 412 Streets and Sidewalks, Section III Governing Excavations is hereby edited and amended as to Table 1 to include the new, reduced pave cut fee as follows:

TOTAL SQUARE YARDS TO BE EXCAVATED	INSPECTION FEE	PERMIT FEE
100	50.00	50.00
200	75.00	50.00
300	100.00	50.00
400	125.00	50.00
500	150.00	50.00
600	160.00	50.00
700	170.00	50.00
800	180.00	50.00
900	190.00	50.00
1000-1100	198.00	50.00
1200-1300	216.00	50.00
1400-1500	234.00	50.00
1600-1700	252.00	50.00
1800-1900	270.00	50.00
2000-2100	288.00	50.00
2200-2300	306.00	50.00
2400-2500	234.00	50.00
2600-2700	342.00	50.00
2800-2900	360.00	50.00
3000-3400	396.00	50.00
3500-3900	438.00	50.00
4000-4400	477.00	50.00
4500-4900	516.00	50.00
5000-5400	552.00	50.00
5500-5900	588.00	50.00
6000-6900	624.00	50.00
7000-7900	765.00	50.00
8000-8900	822.00	50.00
9000-9900	846.00	50.00
10000	858.00	50.00
OR GREATER	864 + 12 X (SQ YARD OVER)	

SECTION 1. If any section, clause, provision, or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision, or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 2. This Ordinance shall become effective immediately upon approval.

SECTION 3. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 4. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by the Council

March 12, 2024

Receiving the Affirmative votes of Council Persons

RING, SCHUSTER, ROTHCHILD, MCANDREW, SMURL

Negative votes

[Signature]
President

Approved 3/13/2024
[Signature] Mayor
[Signature] City Clerk
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