

FILE OF THE CITY CLERK

ADMINISTRATIVE ORDINANCE NO. 4 - 2008

ADMINISTRATION BILL NO. 4 - 2008

INTRODUCED – MARCH 25, 2008

**ADOPTED BY COUNCIL – MAY 13, 2008
(AS AMENDED)**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, LANCASTER COUNTY, PENNSYLVANIA CREATING A STREETSCAPE DISTRICT, AUTHORIZING THE IMPLEMENTATION OF STREETSCAPE STANDARDS FOR ITEMS SUCH AS SIDEWALKS, CURBS, RAMPS, TRAFFIC CALMING MEASURES, STREET FURNISHINGS, LIGHTING AND PLANTING WITHIN THE STREETSCAPE DISTRICT, PROVIDING FOR THE ENFORCEMENT OF THE ORDINANCE, ESTABLISHING PENALTIES FOR VIOLATIONS OF THE ORDINANCE; REPEALING INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW.

WHEREAS, City Council of the City of Lancaster has determined that the use of uniform curbing, sidewalks, lighting , and street furnishings such as benches, litter receptacles, bollards, fences and planters in the public areas between building facades and street curbs in certain areas of the City will serve to reinforce a sense of place and economic vitality within the City and;

WHEREAS, creating such uniform streetscapes in certain areas of the City will promote and enhance the desirability of City locations as destinations for visiting, working, playing and living; and

WHEREAS, City Council desires to cultivate the formation and implementation of streetscape standards for designated areas within the City.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Lancaster, Lancaster County, Pennsylvania, as follows:

SECTION 1. Definitions. The following terms shall have the meanings ascribed to them herein:

“STREETSCAPE” means those exterior public spaces located between street curbs and building facades, pedestrian crosswalks and traffic calming measures located within vehicular areas such as streets and alleys.

“TRAFFIC CALMING MEASURES” means the combination of mainly physical measures that reduce the negative effects of motor vehicle use and improve conditions for non-motorized street users, which traffic calming measures include, but are not limited to, bike lanes, bulbouts, neckdowns, chokers, center islands, medians, chicanes, lateral shifts, closures, diverters, roundabouts, traffic circles, speed bumps and speed tables.

“STREETSCAPE DISTRICT” means those areas designated in this Ordinance as the City of Lancaster Streetscape District.

“STREETSCAPE COMPONENTS” means those items to be regulated by the Streetscape Standards promulgated in accordance with the terms of this Ordinance, including sidewalks, curbs, sidewalk ramps, traffic calming measures, crosswalks, street furnishings, lighting and plantings.

“STREET FURNISHINGS” means benches, litter and trash receptacles, moveable tables and chairs, bollards, bicycle bollards, fences, utility covers, planters, and other similar items designated by the City’s Director of Public Works.

“STREETSCAPE DESIGN STANDARDS” means those standards promulgated by the City’s Director of Public Works in accordance with the terms hereof which establish standards for the uniform design, construction, placement and use of Streetscape Components within the Streetscape District.

SECTION 2. Streetscape District.

A. The City of Lancaster Streetscape District consists of that area bordered by Lemon Street, Prince Street, Farnum Street, Church Street and Duke Street as more particularly described and depicted in Exhibit “A” hereto.

B. The boundaries of the Streetscape District, as delineated herein, shall not be changed (expanded or decreased) without approval of City Council by Ordinance.

C. A map detailing the boundaries of the Streetscape District, in addition to being attached hereto as Exhibit A,” shall be maintained in the Office of the City Engineer who shall make it available for public inspection during the regular business hours of the City.

SECTION 3. Streetscape Standards.

A. The construction, repair, maintenance, design and use of Streetscape Components within the Streetscape District shall be in accordance with the Streetscape Standards attached hereto as Exhibit “B.”

B. The Streetscape Standards may be amended and revised by the Director of Public Works. No such amendments or revisions shall be effective, however, until thirty (30) days after their promulgation by the Director of Public Works, their publication on the City’s website and notice thereof has been provided to all property owners within the Streetscape District by regular U. S. mail.

C. All such Streetscape Standards shall be in addition to and not in lieu of any other requirements regarding any of the Streetscape Components set forth in the Code of the City of Lancaster including, but not limited to, those set forth in Chapters 262—Streets and Sidewalks, 265—Subdivision and Land Development, 142—Fire Prevention, 155—Historic Districts, 223—Property Maintenance, 229—Public Nuisances, 258—Solid Waste and 273—Trees.

D. Copies of the Streetscape Standards as promulgated in accordance with the terms hereof shall be maintained in the Office of the City Engineer, who shall make them available for public inspection during the regular business hours of the City.

SECTION 4. Permits.

A. The Director of Public Works shall establish permit applications, fees and standards for the use of Streetscape Components within the Streetscape District, which permits shall be issued by the City Engineer.

B. The Streetscape Standards shall contain procedures for requesting waivers and/or variances of the fees and standards, the denial of which by the City Engineer shall be appealable to the Director of Public Works in accordance with the terms hereof.

C. Any person whose permit application is denied may file with the Director of Public Works a written appeal of the same within twenty (20) days of the denial by the City Engineer. The Director of Public Works shall review the application, review the denial, and review any other information he/she deems appropriate and render a written decision on the appeal within twenty (20) days of the filing of the appeal.

SECTION 5. Streetscape Components.

A. All Streetscape Components within the Streetscape District shall be maintained in good repair generally free of decay, rust and deterioration and in accordance with the Streetscape Standards.

SECTION 6. Designation of Enforcement Officer.

A. Any Code Enforcement Officer of the City of Lancaster is authorized to cite property owners for violations of this Section and for any other failure to comply with the Streetscape Standards.

B. Code Enforcement Officers, the City Engineer and the Director Public Works or their designated representatives shall have the power to institute any proceedings at law or in equity necessary for the enforcement of this Ordinance and the Streetscape Standards.

SECTION 7. Violations and Penalties. In addition to any sanction or remedy provided for in this Ordinance or in the Streetscape Standards, any person violating any provision of this Ordinance or the Streetscape Standards shall, upon conviction thereof, be fined not more than \$1,000.00, plus costs of prosecution, and in default of payment of such fines and

costs, be subject to imprisonment for a term not exceeding thirty (30) days. A separate offense shall be deemed to be committed on each day during or on which a violation shall continue.

SECTION 8. All ordinances or resolutions or parts of ordinances or resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 9. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any of the remaining provisions, sections, sentences, clauses or parts of this Ordinance; it being the intent of the City of Lancaster that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 10. This Ordinance shall become effective as provided by the laws of the Commonwealth of Pennsylvania.

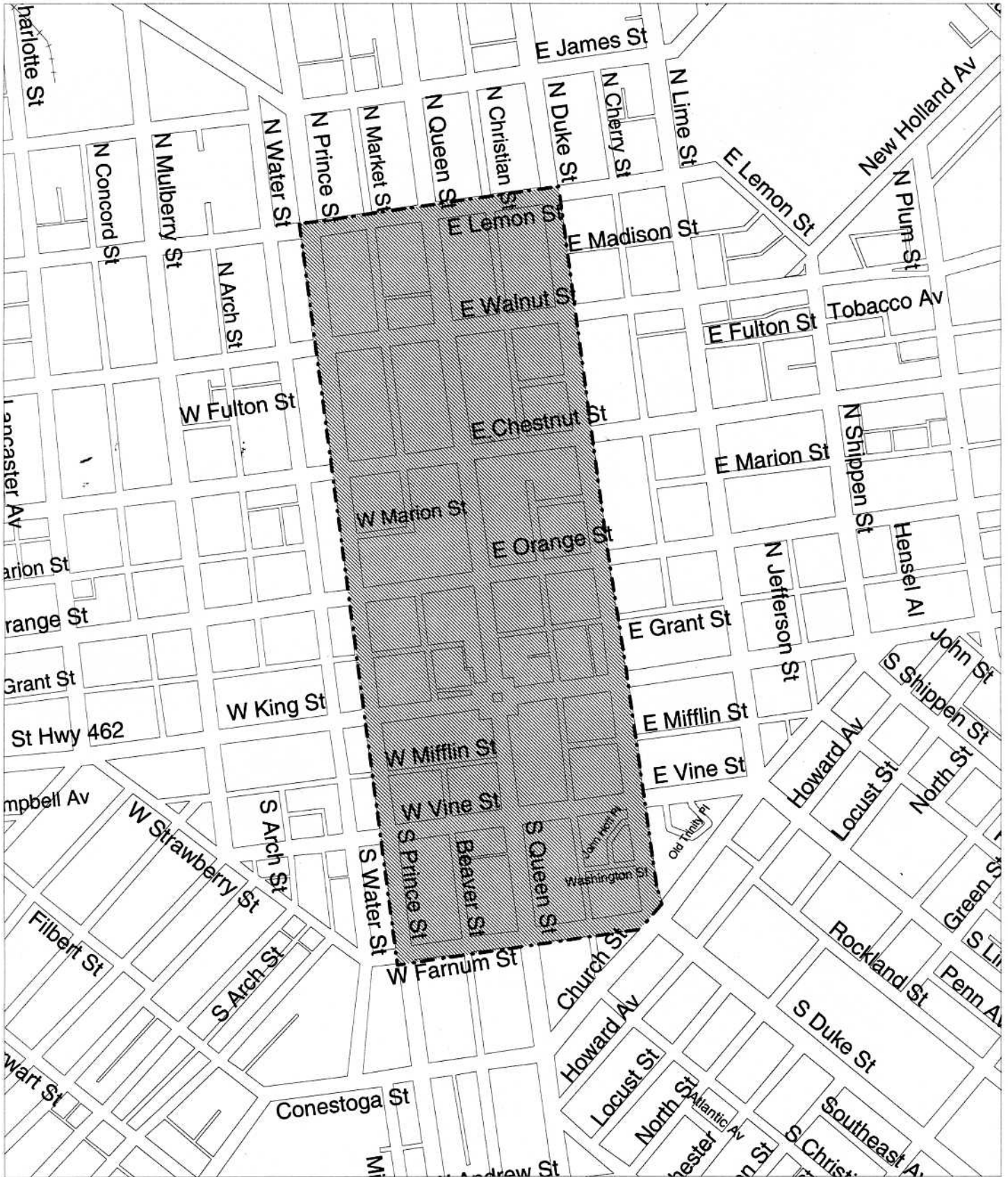
DULY ORDAINED AND ENACTED this 13th day of May, 2008, by the Council of the City of Lancaster, Lancaster County, Pennsylvania, in lawful session duly assembled.

ATTEST: CITY OF LANCASTER

Janet Spleen, City Clerk

By: _____
J. Richard Gray, Mayor

Streetscape District



City of Lancaster, Pennsylvania

Exhibit A