

City of Johnstown, Pennsylvania

ORDINANCE NO. 5294

Bill No. 14 of 2020

Introduced in Council 7/8/2020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN AMENDING ORDINANCE NO. 5102 PASSED JANUARY 25, 2012 TO ESTABLISH AND AMEND CERTAIN RESIDENTIAL RENTAL PROPERTY REGISTRATION AND INSPECTION REQUIREMENTS

WHEREAS, the City Council of the City of Johnstown finds that there is a growing concern within the City with the failure of some landlords and tenants to properly maintain residential rental properties; and

WHEREAS, In order to promote the good order, safety, health and public welfare of residents and the general public, to maintain property values within the City of Johnstown, to improve maintenance and quality of rental units by compliance with applicable codes and ordinances of the City of Johnstown, and to ensure the preservation of the residential quality of neighborhoods, it is necessary to establish a systematic interior inspection, registration and licensing program for residential rental properties, their occupants and their operators; and

WHEREAS, the City desires to amend, clarify, and further establish procedures for the issuance of formal warnings, fines, the loss of privileges to rent, and the non-renewal and suspension of such license; and

WHEREAS, the City Council of the City of Johnstown finds that it is necessary to establish and maintain an inventory of residential rental units and owner-occupied housing stock in the City of Johnstown.

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

SECTION 1 DEFINITIONS

For the purposes of these regulations, the following words have the following meanings:

Building Code Official: The duly appointed Building Code Official of the City of Johnstown or their designated agent.

Dwelling Unit: As defined within the City of Johnstown Zoning Ordinance.

Family: As defined within the City of Johnstown Zoning Ordinance.

Manager: Any person who has been hired and is paid by the owner to manage any dwelling or dwelling unit which is rented or offered for rent as a residential dwelling.

Owner: Any person who alone, or jointly, or severally with others: (1). shall have title to any dwelling or dwelling unit with or without accompanying actual possession thereof; or (2) shall have charge, control, or care of any dwelling or dwelling unit as owner or agent of the owner, or as executor, executrix, administrator, administrate, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this article, and of rules and regulations adopted pursuant thereof, to the same extent as if the person were the owner.

Residential Rental Occupancy License: The document issued annually by the Department of Codes Enforcement of the City of Johnstown to the owner, operator, responsible agent, or manager of a residential rental unit certifying the unit as Licensed for being rented. Such License is required for lawful rental and occupancy of rental units. Whenever the word "License" is used herein, it shall mean "Residential Rental Occupancy License" as defined by this paragraph.

Residential Rental Property:

1. Owner occupied dwellings containing a dwelling unit inhabited by a person or persons other than the owner;
2. Non-owner occupied dwellings containing two (2) or more rental units; or
3. Non-owner occupied single-family detached dwellings leased or rented to a person or persons for the purposes of use as a dwelling unit.
4. **Properties/rooms/units listed for rent on websites like "Airbnb"**

Vacant or Abandoned Structure: Any property that the owner(s) either voluntarily or involuntarily surrender or relinquish title to, with the intention of terminating ownership and possession, but without granting the property to another person. In essence any property which no responsible party is caring for and/or maintaining; or

1. Unoccupied for a period of 90 days and/or is in foreclosure;

2. Utilities have been disconnected or terminated for the structure.

SECTION 2 GENERAL PROVISIONS

Registration and License Requirement

1. It shall be unlawful for an owner to rent, receive rental income from or to offer for rent, any residential rental dwelling without first registering the residential rental property as set forth in this Section. The owner of a residential rental property unit(s) shall hold a Registration and License under this part for each residential rental dwelling unit and shall abide by the standards in Section 3 to be eligible to retain the Registration and License.
2. The Registration and License fee for a dwelling unit registered by an owner and for each additional unit registered within in the same dwelling are set forth in **Section 4**. Such fee shall be due and payable upon submission of the Rental Property Registration Form.
3. All owners of vacant/abandoned and/or foreclosure residential properties shall **must** register each property within the Department of Community and Economic office(s) of City of Johnstown ~~on the provided Registration Form~~. If the property is abandoned, the telephone number, name and street address of the person or company responsible for maintenance must be provided. The registration form must be filed within fifteen (15) days of abandonment or initiation of the foreclosure process. Such properties must be maintained in accordance with all applicable codes and the local owners or property managers must inspect them monthly. A sign with the name and 24 hour contact telephone number of the local owner(s) or property manager(s) must be posted on the front of the property so it is visible from the street. These properties shall be subject to inspections and other provisions of this ordinance.

Registration and License Updates

1. Any person(s) taking title to a residential rental dwelling shall be the holder of the Registration and License held by the prior owner for thirty (30) days after the transfer of title is recorded by Cambria County's Recorder of Deeds or otherwise becomes legally binding. At such time said person(s) must submit an updated Rental Property Registration Form **to the Department of Community and Economic office(s) of City of Johnstown.** **Non-compliance with this requirement will be subject to fees found in Section 4.**

Special Circumstances

1. The Registration, License, and Inspection requirements do not apply to an owner- occupied residential dwelling and/or a residential rental unit in which the owner resides. The regulations set forth in this ordinance do however pertain to any residential rental units within said residential dwelling.
2. The residential rental property inspection fee requirements do not apply to units located within a residential rental property that has been issued a certificate of occupancy within the previous twenty-four (24) months if such inspections have resulted in no notices of

violation to the owner.

3. The regulations contained herein do not apply to motels, hotels, nor temporary housing, such as a tent, trailer, or similar structure which is used as human shelter built or established by Federal or State agencies as disaster relief. ~~However, the regulations do pertain to Halfway Houses and Boarding Houses for all classes of people protected by the Americans With Disabilities Act, the Fair Housing Act, or their Amendments.~~
4. The provisions contained herein shall not be deemed to restrict the right of the building code official to inspect any property pursuant to any other applicable federal, state or local laws and regulations.

SECTION 3 REGISTRATION AND LICENSING OF RESIDENTIAL RENTAL PROPERTIES

The following information shall be provided to the City of Johnstown Department of Community and Economic Development:

1. Upon the effective date of this ordinance, owners of the above-described residential rental property classifications will be notified of the requirements set forth in this ordinance and their obligations in order to operate/rent such property. **Notification will be provided via the City of Johnstown website and local media. Notifications may also be sent via US postal mail and/or letters left at rental properties.**
2. In order to obtain a residential rental property inspection, the property owner or his agent must **first** submit a City of Johnstown Rental Property Registration Form. ~~as provided by the City of Johnstown.~~ **There are no fees associated with the completion of the Rental Property Registration Form. Any property owner renting out a housing unit to anyone within the City of Johnstown must register with the City of Johnstown Department of Community and Economic Development. Failure to register a rental unit with the City will result in fees and penalties found in Section 4. Registration of rental properties must occur annually after the initial registration. Following the initial registration process, those property owners who registered will have their properties inspected only after the City conducts inspections of known property rentals that did not register by the City's deadline, with the exception of cases in which inspections result from** initiated by a tenant, or neighbor complaints about a particular structure or area of rental property, and/or as indicated by fire and police calls for service, public complaints made to elected or appointed officials having municipal or other legal jurisdiction.
3. The property owner or his agent must certify to the truthfulness and accuracy of the information that he provides in the residential rental property information with penalty for false representation(s) to authorities.
4. The residential rental property owner or his agent must submit the completed Rental Property Registration Form annually for all existing residential rental property dwelling units. Said form shall be submitted to the City of Johnstown Department of Community and Economic Development office no later than December 1st. ~~of each calendar year with~~

~~corresponding fee.~~

5. The residential rental property owner or his agent must inform the City of Johnstown of any changes concerning the information contained in the Rental Property Registration Form or property ownership within thirty (30) days of such change.
6. Any change in ownership of a residential rental property must be reported within thirty (30) days of the title transfer by the new property owner.
7. No owner of a residential rental property shall be allowed to register any property if the owner has outstanding fees or fines due and owing to the City of Johnstown.
8. Rental Registration and/or License may be denied or may be revoked by the City of Johnstown as provided in the Article. If Rental Registration and/or License is denied or revoked the City of Johnstown shall notify the owner or owner's agent, in writing, of the denial and the reasons therefore, and provide an opportunity to appeal the decision pursuant to this Article.
9. Upon receiving the completed Rental Property Registration Form and corresponding fee, as established in Section 4, the City of Johnstown will within fifteen (15) working days issue to the property owner(s) or responsible agent the Residential Rental Occupancy License. Each property owner or responsible agent shall display the License in the rental unit for which it has been issued. The License shall include:
 - (a) The name, mailing address and telephone number of the owner or responsible agent
 - (b) Date and expiration of the License
 - (c) The License number

SECTION 4 FEES AND PENALTIES

Registration and License Fees

- ~~1. The yearly **Registration and License** fee for any residential rental property shall be fixed in accordance with a fee schedule set forth by this ordinance and displayed at the offices of City of Johnstown Department of Community and Economic Development. The registration fee shall be paid in full at the time of submission of the Landlord's Registration Form to the City of Johnstown.~~
- ~~2. The owner of any vacant/abandoned and/or/ foreclosed structure, as defined herein, shall submit the registration fee in accordance with the fee schedule set forth by this ordinance and displayed at the office of Department of Community and Economic Development.~~

Registration and License Fees and Penalties Schedule

There shall be no fee associated with registering a residential rental property with the City of Johnstown and being issued a City of Johnstown Rental License. During this initial

registration process, all residential properties must be registered with the City of Johnstown by October 1, 2020. Any residential rental property not registered by this deadline will be subject to a \$1,000 penalty fee. Any owner of a residential rental property that is being actively rented to a tenant without a City of Johnstown Rental License will also be subject to an additional \$1,000 penalty fee for each unit being rented in non-compliance with this ordinance.

Inspection Fees

1. The owner or responsible agent of any residential rental property unit must submit the inspection fee in accordance with the fee schedule. The current fee(s) for each residential rental property unit inspection shall be paid at the time of, completion of said inspection, in the amount of the costs to the City of Johnstown.
2. If a vacant or abandoned property requires an inspection, the owner or his agent must submit the inspection fee in accordance with the fee schedule, at the time of said inspection, in the amount of the costs to the City of Johnstown.

Inspection Fee Schedule

Single – Family Dwelling:	\$25.00
Duplex or Two – Family Dwelling:	\$40.00
Multi – Family Dwelling:	\$40.00 plus \$10.00 for each additional unit
Boarding House:	\$200.00
Halfway House:	\$1,500.00
Multiple Property Ownership (10 or more units in the City)	\$10 per unit

SECTION 5 MIMIMUM FIRE SAFETY DEVICES – ADHERENCE TO BUILDING CODES ___ PLUS THE FOLLOWING

Each residential rental property must comply with associated International Building Code and Uniform Construction Code requirements. Each residential rental property dwelling unit shall have the following minimum fire safety devices installed and maintained in an operational condition:

Smoke Alarm Systems / Detectors

1. Smoke detectors installed in accordance with the building code edition then in effect at the time of construction.
2. In the event that the property was construction prior to any mandated smoke alarm system / detectors, the following minimum smoke alarm / detectors shall be installed and maintained:
 - a. One single-station smoke detector in each sleeping area, one single-station smoke detector in any common hallway leading to sleeping areas and one smoke detector on each level of the residential rental property, thereafter.

- b. All common areas of a residential rental property shall have at least one smoke detector for each 1000 square feet of floor area.

Carbon Monoxide Detectors

1. A Carbon Monoxide detector shall be installed in any common hallway leading to sleeping areas and one detector on each level of the residential rental property, thereafter.
2. All common areas of a residential rental property shall have at least one Carbon Monoxide detector.

Fire Extinguishers

1. Each residential rental property shall have a minimum of one (1) Class A:B:C multipurpose fire extinguisher to be firmly attached to the structure in a location accessible to the tenant(s). The extinguisher shall have a minimum five (5) pound capacity, multi-purpose dry chemical, classification 2A 10-B:C, capable of an eight-to- ten second sustained flow of extinguishing agent, with horizontal range of five (5) to twelve (12) feet.
2. There shall be at least one (1) functioning and operable fire extinguisher located on each level of occupancy.
3. All common areas of a residential rental property shall have at least one (1) fire extinguisher installed.

SECTION 6 INSPECTION OF RESIDENTIAL RENTAL PROPERTIES

1. Upon submission of the completed Rental Property Registration Form and issuance of a City of Johnstown Rental License, the City may schedule an inspection of a residential rental property. ~~and receipt of payment a scheduling date will be arranged,~~ The City will provide ~~give~~ a minimum of fifteen (15) days notice of such an inspection, ~~by the building code official or his agent to inspect the residential rental property.~~ The City building code inspector will conduct the inspection of the residential dwelling unit(s), and the residential rental property common areas, basement, exterior and yards. **Residential rental property units will be completed by the City of Johnstown once every three years.**
2. The residential rental property owner or his agent must notify the tenants of such **inspection of** property at least three (3) days in advance ~~notice~~ of the inspection.
3. The ~~City building code official~~ will use a checklist comprised of housing related criteria to determine whether the residential rental property meets minimum housing code standards with respect to said criteria. The ~~City building code official~~ will limit ~~his~~ inspection to the checklist criteria, barring any life-threatening health or safety violation that is not covered in the checklist.
4. The residential rental property owner or his agent must be present at all scheduled property inspections. If such person is not present on a scheduled date and time, the residential rental property owner will then be charged a rescheduling fee of seventy-five (\$75.00) dollars. A

residential rental property owner may cancel or reschedule a property inspection without penalty if they notify the City of Johnstown Department of Community and Economic Development at least 24 hours before the scheduled appointment. Failure to reschedule an inspection or respond to a Notice of Inspection shall be treated as agreement to the date and time of the proposed inspection. The owner shall pay a seventy-five (\$75.00) dollar re-inspection fee if the owner or his/her agent fails to provide access to the rental property as scheduled. Failure to provide access as scheduled or rescheduled shall also constitute a violation of this Article.

SECTION 7 INSPECTION RESULTS

1. If the residential rental property is found to have no deficiencies, the City building code official will notify the owner or his agent of the results.
2. The City building code official will prepare a list of defects, if any, that he finds during the inspection, and forward the list to the owner or his agent when the inspection is completed. If no life-threatening health and/or safety defect is found, the owner will be given thirty (30) days to repair the defect(s), unless the City building code official or his designee deems that more or less time is needed. Once the allowed repair time expires, the City building code official will conduct a re-inspection of the residential rental property.
3. If all defects have not been repaired, the City building code official or his designee will have discretion to provide the owner with additional time to repair the defect(s), or order alternative measure(s), which may include **additional fees assigned by the City**. ~~action in accordance with the Violations, Penalties and Remedies section as set forth herein.~~ All property owners or their responsible agent will be required to pay the standard Inspection Fee as set forth in Section 4 for all re-inspections of a rental unit(s) for each and every re-inspection conducted to verify the correction of said property defects.
4. If the City building code official finds a life-threatening health and/or safety defect, he will immediately inform the owner or his agent. Any rental unit(s) directly affected by the life-threatening defect(s) shall not be reoccupied unless and until the life-threatening health and/or safety defect is repaired, and the City building code official indicates such in writing.
5. Each tenant shall be responsible for maintaining his respective rental unit in safe, sanitary, and secure condition, and abide by all duties imposed on him by all applicable federal, state and local laws and regulations.

SECTION 8 INSPECTION INTERVAL

1. Once the residential rental property owner pays all applicable fees and costs, and the residential rental property has been inspected and found to have no deficiencies, the property owner shall be given a copy of the inspection checklist. The inspection shall be effective for three (3) years commencing from the inspection date, unless otherwise voided as a result of a subsequently discovered defect, a property title transfer, other just cause as determined by the City building code official.

- ~~2. Any change in tenant occupancy shall require a new Rental Property Registration Form to be submitted to the City of Johnstown Department of Community and Economic Development office(s).~~

SECTION 9 ————— VIOLATIONS, PENALTIES, AND REMEDIES

~~Any person, firm, corporation or association or other entity who shall violate this ordinance shall, for each and every violation or noncompliance, upon conviction thereof before any District Magistrate or court of competent jurisdiction in Cambria County, Pennsylvania, be sentenced to pay a fine of not more than \$1,000 for each offense and costs (including legal and/or other professional fees incurred by City of Johnstown while completing enforcement actions), and in default of payment of said fine and costs, be imprisoned for a period not exceeding 30 days. Each day that a violation continues shall be deemed a separate offense and subject to a separate fine or other penalty as set forth by the authority having jurisdiction. Owners of residential rental property who refuse to comply with the provisions of this ordinance for ninety (90) or more days may have the registration of all their residential rental properties suspended as stated within Act 90 of 2010 Neighborhood Blight Revitalization and Reclamation Act.~~

SECTION 9 40 ADMINSTRATIVE APPEALS

An owner, or agent of the owner, may appeal registration denial, revocation, or inspection results to the ~~City Building Code Official~~ within ten (10) days of the date of written notice to such owner, or agent, of the denial or revocation of registration or inspection results. The appeal must be in writing and state the reasons the owner or agent disagrees with the determination to deny registration, ~~or~~ the reasons for the revocation, or inspection results. ~~The City Building Code Official~~ shall promptly schedule a hearing at a time and date no later than ten (10) days from the date of receipt of the appeal by the ~~City Building Code Official~~, or at a later date at the request of the owner/agent. The owner or agent of the owner shall be responsible for the fee associated with said appeal hearing; minimum fee of an appeal hearing is \$300~~275~~.00. The City of Johnstown UCC Review Board shall make written Findings of Fact and issue a written decision which shall be promptly mailed to the owner and agent, if any.

SECTION 1044 SAVING CLAUSE

The provisions of this ordinance adopted hereby are severable, and if any clause, sentence, subsection, section, article, chapter or part thereof shall be adjudged by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such judgment or decision shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation and application to the clause, sentence, subsection, section, article, chapter or part thereof rendered. It is hereby declared to be the intent of the Johnstown City Council that this ordinance would have been adopted if such illegal, invalid or unconstitutional clause, sentence, subsection, section, article, chapter or part thereof had not been included therein.

SECTION 1142 EFFECTIVE DATE

This ordinance shall become effective ~~fifteen thirty~~ (~~1530~~) days following final adoption of City Council.

PASSED FINALLY IN COUNCIL:

August 12, 2020

By the following vote:

Yeas: Mr. Capriotti, Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich, Mr. Arnone. (6)

Nays: None (0)

Absent: Mr. Britt. (1)



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. **5294** as the same adopted by City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk

**CITY OF JOHNSTOWN
RENTAL PROPERTY REGISTRATION FORM**

SECTION I

Owner or Landlord Name: _____

Home Address: _____

City, State, & Zip Code: _____

Home Number: _____ Cell Number: _____

SECTION II

IF PROPERTY MANAGER IS RESPONSIBLE PLEASE COMPLETE

Property Manager's Name: _____

Property Manager's Address: _____

City, State, & Zip Code: _____

Home Number: _____ Cell Number: _____

SECTION III

Rental Property Address: _____

Owner Occupied: Yes _____ No _____

Number of Units: _____ Date of Ownership: _____

Name(s) of Tenants (shall include all persons residing within): _____

Contact Person: _____ Home Number: _____

Public Utilities Registered as: Owner: _____ Renter: _____

The information supplied above is being given in compliance with City Ordinance No. _____. I understand that my failure to remain in compliance with this ordinance can subject me to fines outlined within. I reserve the right to contact the City of Johnstown at any time during normal business hours to verify my tenant's accounts.

Owner's Signature: _____ Date: _____

CITY OF JOHNSTOWN, PENNSYLVANIA
ORDINANCE NO. 5295

Bill No. 15 of 2020

By: Council

Introduced in Council
July 8, 2020

AN ORDINANCE

AN ORDINANCE OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AMENDING ORDINANCE NO. 5281 PASSED FINALLY ON DECEMBER 23, 2019 AS THE CITY OF JOHNSTOWN 2020 WAGE AND SALARY ORDINANCE TO REFLECT THE ADDITION OF 4 PART-TIME CODE ENFORCEMENT LABORERS, WITH AN EFFECTIVE DATE FOLLOWING FINAL APPROVAL OF CITY COUNCIL.

WHEREAS, the City has identified a need for additional assistance with Code Enforcement and wishes to address it through four (4) part-time code enforcement/laborer positions within the Public Works Department for the summer months, the total cost of which will not exceed \$20,000; and

WHEREAS, the City intends to fund these positions through transfers appropriately made within and/or between departments via appropriate action reporting and/or seeking authorization via Resolution for said transfers.

NOW, THEREFORE, be it ordained and enacted by the City Council of the City of Johnstown, Pennsylvania that the 2020 Wage and Salary Ordinance No. 5281, is hereby amended as shown below:

General Fund

General Government	Required Appropriation Total:	144,540.00
City Manager	1.00	86,700.00
Executive Secretary/City Clerk	1.00	41,616.00
Records Retention Clerk	1.00	15.60
	<u>3.00</u>	
City Council & City Clerk:	Required Appropriation Total:	16,700.00
Mayor	1.00	3,500.00
Councilpersons	6.00	2,200.00
	7.00	
Finance Department:	Required Appropriation Total:	163,602.06
Finance Director	1.00	62,781.06
Accounting Assistant	1.00	40,800.00
Human Resource/Insurance Analyst	1.00	30,021.00
Accounting Clerk	1.00	30,000.00
	<u>4.00</u>	
Fire Department:	Required Appropriation Total:	1,568,060.23
Fire Chief/EMA Coordinator	1.00	71,857.26
Public Safety Administrative Assistant	0.50	17,523.93
Assistant Fire Chief	4.00	56,876.26
Captain	8.00	54,229.65
Firefighter:		

Fourth Year	10.00	52,486.16
Third Year	2.00	45,745.76
Second Year	-	42,485.25
First Year	3.00	41,488.50
Parttime Firefighters	4.00	18.62 per hour
	<u>32.50</u>	

Police Department: Required Appropriation Total: 1,865,502.00

Chief	1.00	78,540.00
Captain	2.00	59,632.81
Seargent	3.00	54,392.35
Patrol Officer:		
Fourth Year	13.00	51,778.41
Third Year	4.00	46,436.83
Second Year	3.00	44,453.55
First Year	12.00	42,691.00
	<u>38.00</u>	

Police Department, Others: Required Appropriation Total: \$ 100,000.00

Public Safety Administrative Assistant	0.50	17,523.93
Records Clerk	2.00	13.73
Records Clerk	1.00	12.13
	<u>3.50</u>	

Department of Community & Economic Development: Required Appropriation Total: \$ 356,888.71

Director	1.00	67,500.00
Residential Development Officer	1.00	40,000.00
Fiscal Officer	1.00	48,000.00
Economic Development Specialist	1.00	30,410.70
Residential Coordinator	1.00	40,000.00
Codes Officer	3.00	35,491.87
Administrative Assistant	1.00	11.78
	<u>9.00</u>	

Department of Public Works: Required Appropriation Total: \$ 804,076.13

Director	1.00	65,831.33
Public Works Administrator	1.00	16.83
Mechanic -- Tier One	1.00	50,000.00
Mechanic -- Tier Two	1.00	40,000.00
Equipment Operator	6.00	19.08
Maintenance Man	1.00	19.78
Maintenance Man/Electrician/Team Leader	1.00	20.10
Truck Driver	3.00	18.64
Laborer	2.00	18.17
Laborer Rate (Two Tier)	1.00	12.02
Groundskeeper (Roxbury)	1.00	20.10
Seasonal - Winter (12 weeks)	4.00	13.26
	<u>23.00</u>	
Part time Code Enforcement Laborer	4.00	8.50
	<u>27.00</u>	

Recreation Fund- Point Stadium:	Required Appropriation Total:	\$	43,878.40
Laborer (Two-Tier)	1.00		11.68
Seasonal - Summer (12 weeks)	5.00		8.16
	<u>6.00</u>		

Parking Fund- On Street Parking:	Required Appropriation Total:	\$	95,000.00
Parking Meter Service Person	1.00		15.44
Clerk	1.00		4,000.00
Senior Meter Person	1.00		15.66
Parking Enforcement	1.00		12.02
	<u>4.00</u>		



PASSED FINALLY IN COUNCIL:

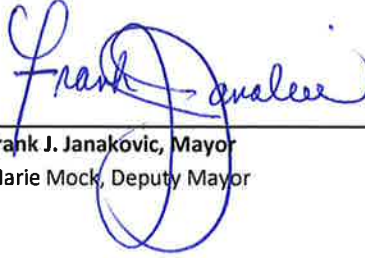
12-Aug-20

by the following vote:

Yeas: Mr. Capriotti, Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich, Mr. Arnone. (6)

Nays: None (0)

Absent: Mr. Britt. (1)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST: Nancy Cushing, City Clerk

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5295 as the same passed finally by 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. 5296**

Bill No. 16 of 2020

INTRODUCED IN COUNCIL

July 8, 2020

**AN ORDINANCE PROVIDING FOR THE SALE OF REAL PROPERTY NOT NEEDED FOR
PUBLIC USE BY THE CITY OF JOHNSTOWN**

WHEREAS, the City Council of the City of Johnstown has determined that certain real property of the City is not needed for public use; and

WHEREAS, by virtue of the City Charter the City Council may dispose of such real property by advertising such property and accepting bids from the public to purchase real property; and

WHEREAS, the City Council of the City of Johnstown acted at a meeting on May 13, 2020 authorizing the City Manager to advertise a piece of vacant property located on South Street in the Kernville neighborhood within the City of Johnstown, also known as county assessment lot 76-003.-123.000; and

WHEREAS, the City Manager and/or their designee sought proposals for interested bidders and such bidders were given specific instructions concerning bidding procedures, and

WHEREAS, the City Council of the City of Johnstown received & opened all submitted proposals and the City of Johnstown will take final action on this item only if the following criteria are met:

The City of Johnstown will sell the above listed property subject to the following terms and conditions:

- A. The City Council does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding, to accept or reject any or all bids for said property or to waive any informality in relation thereto.
- B. A deposit by certified check, bank draft or cash or not less than 100 percent (100%) of the successful bid shall be paid to the City of Johnstown's Finance Office within 48 hours of the bid being accepted.
- C. The City of Johnstown does not warrant or certify title to the property, and in no event shall the City of Johnstown be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason; and the purchaser-successful bidder waives any and all rights in damages or by way of liens against the City of Johnstown, the sole remedy being the right to receive a refund prior to closing of title of the deposit paid in the event title is found unmarketable. It shall be the obligation of the purchaser-successful bidder to examine title to said premises prior to closing. In the event of closing and a later finding of defect of title, the City of Johnstown shall not be required to refund money or correct any defect in title or be held liable for damages. Acceptance of any offer made shall constitute a binding agreement of sale, and the purchase shall be deemed to comply with the terms and conditions of the sale herein contained.
- D. Such property shall be transferred and sold to the highest bidder through a quit claim deed.
- E. No joint bidding will be permitted among contiguous property owners.

NOW THEREFORE IT BE RESOLVED THAT THE CITY OF JOHNSTOWN PROVIDES FOR THE SALE OF REAL PROPERTY TO THE PUBLIC KNOWN AS COUNTY ASSESSMENT #76-003.-123.000.

PASSED FINALLY IN COUNCIL:

August 12, 2020

By the following vote:

Yeas: Mayor Janakovic, Rev. King, Mrs. Mock, Mr. Vitovich, Mr. Arnone, Mr. Capriotti. (6)

Nays: None (0)

Absent: Mr. Britt. (1)



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. **5296** as the same passed by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk