

**BETHLEHEM TOWNSHIP BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING IN VIRTUAL FORMAT
MAY 3, 2021, 7:00 P.M.**

AGENDA

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**

- 4. COURTESY OF THE FLOOR**

Public comments on non-agenda items should be made during Courtesy of the Floor at the beginning of the meeting. Public comments on agenda items should wait until that specific item is reached on the agenda. A 3-5 minute time limit on each speaker may be considered and voted on by the board at the beginning of meetings with large attendance.

5. APPROVAL OF MINUTES

- A. Regular Public Meeting (virtual) – April 19, 2021.

6. SUBDIVISIONS AND LAND DEVELOPMENT

- B. A motion granting a six-month extension to November 18, 2021, for Heritage Senior Living LLC to meet all conditions of Resolution R061-19 for The Birches at Bethlehem 5030 Freemansburg Avenue.

7. RESOLUTIONS OF THE BOARD OF COMMISSIONERS

- C. Resolution R024-21 approving and authorizing the implementation of an updated Emergency Operations Plan (EOP) and adopting the Notification and Resource Manual of the Bethlehem Township EOP.

- D. Resolution R025-21 adopting and submitting to the Pennsylvania Department of Environmental Protection for its approval, as a revision to the “Official Sewage Facilities Plan” of the municipality, the Sewage Facilities Planning Module for Grace Church Bethlehem.

8. MOTIONS OF THE BOARD OF COMMISSIONERS

- E. A motion authorizing the advertisement of an ordinance adding Chapter 213, Special Events; Section 213-1, Short Title; Section 213-2, Definitions; Section 213-3, Applicability; Section 213-4, Permitting; and Section 213-5, Violations to the Code of Codified Ordinances; to establish provisions for regulating special events located within the Township of Bethlehem. (Currently tabled.)

9. ADJOURNMENT

**BOARD OF COMMISSIONERS
REGULAR PUBLIC MEETING IN VIRTUAL FORMAT
APRIL 19, 2021**

MEMBERS PRESENT Michael D. Hudak, President
Malissa K. Davis, Vice President
John K. Gallagher, Commissioner
John J. Merhottein Commissioner
Dale A. Sourbeck, Commissioner

OTHERS PRESENT James L. Broughal, Township Solicitor
Anthony Giovannini, Township Solicitor
Erika Farkas, Township Solicitor
Doug Bruce, Township Manager
Steve Hunsberger, PPIS Director
Richard Kanaskie, Assistant Public Works Director
Jaclyn Bittel, BTCC Director

CALL TO ORDER President Hudak called the virtual public meeting to order at 7:00 p.m.

**COURTESY OF THE
FLOOR**

**PAUL WEISS
CHIPMAN ROAD** Mr. Weiss said that he was here on behalf of the Zoning Hearing Board and asked when the municipal building would be open for business and meetings. President Hudak said the topic is on the agenda as a discussion item and asked Mr. Weiss to reserve his comments and questions until then.

**COMMISSIONER
SOURBECK** Mr. Sourbeck said that at an earlier meeting, township resident Barry Roth made a comment about the township being liable if a person was bit by a dog at Housenick Park. After some investigation, Mr. Sourbeck spoke with Lauren Forester who said it would be very unlikely anyone could win a lawsuit if the township was to get sued. He spoke with City of Bethlehem Councilwoman Grace Crampsie Smith and she said 74 dog bites were reported over three years but never on any of the trails and the city was not sued.

**APPROVAL OF
MINUTES** Mr. Gallagher said that the minutes state that a detective responded to Mr. Keefer's complaint about construction vehicles driving through this front yard. He said he believes it was an inspector. Mr. Keefer clarified that it was in fact a township detective. Mr. Gallagher thanked Mr. Keefer for clarifying.

Upon motion (Merhottein-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve the minutes of the April 5, 2021 regular public meeting in virtual format.

**RESOLUTIONS OF
THE BOARD OF
COMMISSIONERS**

**RESOLUTION R021-21 A RESOLUTION AWARDING THE CONTRACT FOR THE PUBLIC
WORKS BUILDING ELECTRICAL UPGRADE PROJECT**

President Hudak said the township received a total of four bids for this project. The lowest bid came in at \$125,200. Ms. Davis there was a fairly substantial difference between the bids. Mr. Hunsberger confirmed the numbers as accurate and that everything was included in the price. Mr. Gallagher asked how much was budgeted

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for this project. Mr. Hunsberger said \$200,000 was budgeted.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R021-21 awarding the contract for the Public Works Building Electrical Upgrade Project to Larry McCullion & Son Electrical Services, LLC for a total of \$125,200.00.

RESOLUTION R022-21 A RESOLUTION URGING ALL PENNSYLVANIA LEGISLATORS TO OPPOSE GOVERNOR WOLF’S PROPOSAL TO LEVY A FEE ON ALL LOCAL GOVERNMENT FOR THE FUNDING OF PENNSYLVANIA STATE POLICE

President Hudak said that Governor Wolf’s proposed budget proposed a fee on municipalities that would provide further funding for state police. He said Bethlehem Township has maintained and funded full-time police coverage since September 1, 1965. Mr. Merhottein commented that a third of the township budget is for police. Mr. Sourbeck said that while he is supportive of the state police, he believes that the township does not need their services. Resident Tom Keefer said that every time the township has had a situation with a “lockdown” situation, the state police are present. Mr. Merhottein said the township is supplemented by the state police. President Hudak said the state police have jurisdiction over the township police on certain situations. Ms. Davis added that municipalities pay for their services. Sergeant Shaun Powell said that the police request help for hostage or other situations once a year on average.

Upon motion (Merhottein-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R022-21 urging all Pennsylvania legislators to oppose Governor Wolf’s proposal to levy a fee on all local government for the funding of Pennsylvania State Police.

RESOLUTION R023-21 A RESOLUTION IN SUPPORT OF “BELLS ACROSS PENNSYLVANIA DAY” MAY 2, 2021

President Hudak said this proclamation is a second annual expression of gratitude to the hometown heroes on the frontlines of the COVID-19 battlefield who have braved the viral elements, at the expense of themselves and their families to maintain essential service to the general public sheltering in place. This includes emergency medical personnel, fire fighters, police officers and employees of grocery stores and pharmacies. Mr. Gallagher commented this is a great gesture and act of recognition.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve Resolution R023-21 in support of “Bells Across Pennsylvania Day” May 2, 2021.

RESOLUTION R024-21 A RESOLUTION AUTHORIZING THE TOWNSHIP MANAGER TO UTILIZE MUNCIBID ON-LINE GOVERNMENT AUCTION SERVICE FOR THE SALE OF TOWNSHIP-OWNED PERSONAL PROPERTY

President Hudak said the 1997 Simon Duplex Marion Pumper fire truck is one of the township’s older vehicles and has already been replaced. Mr. Merhottein asked if the township has placed a reserve on that. Mr. Bruce said \$10,000 was suggested.

Upon motion (Sourbeck-Merhottein), the Board of Commissioners voted unanimously by voice vote to approve Resolution R024-21 authorizing the township manager to utilize municibid on-line government auction service for the sale of township-owned personal property.

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**MOTIONS OF THE
BOARD OF
COMMISSIONERS**

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH TOTAL EQUIPMENT TRAINING FOR CUSTOMIZED OSHA BACKHOE/FRONT END LOADER TRAINING

President Hudak said the Public Works department had two heavy equipment operators but one was promoted to crew leader position. They do not have a qualified operator to fill this position. He said this company can do on-site training for up to eight people for a cost of approximately \$5,500. President Hudak said this will certify Public Works employees and perhaps a PPIS employee to operate the larger equipment. Mr. Kanaskie added that it would give an unbiased judgement on who they deem the best qualified based on the three-day training for this position.

Upon motion (Gallagher-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the township manager to enter into an agreement with Total Equipment Training for customized OSHA backhoe/front end loader training.

MOTION

A MOTION AUTHORIZING THE TOWNSHIP MANAGER TO ENTER INTO AN AGREEMENT WITH MKSD ARCHITECTS FOR ARCHITECTURAL SERVICES FOR THE ROOF AND KALWALL REPLACEMENT AT THE BETHLEHEM TOWNSHIP COMMUNITY CENTER

Mr. Bruce said that the roof and kalwall panels in the gymnasium have been leaking for some time. The project was supposed to be done last year but was postponed due to the pandemic. Mr. Bruce said they didn't have an architect because Entech Engineering no longer has architects on staff. The staff sought out Ryan Kennedy, formerly of Entech Engineering, who is an architect for MKSD Architects. Mr. Bruce believes this is a good fit as Mr. Kennedy has a wealth of experience on building and materials for the community center ensuring that the job would be correctly done. President Hudak commented that Entech Engineering did a good job on the other half of the building. Mr. Weiss asked if this work was included in the original plan done by Entech Engineering. President Hudak said it was broken out in different phases and not included.

Upon motion (Gallagher-Merhotte), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the township manager to enter into an agreement with MKSD Architects for architectural services for the roof and Kalwall replacement at the Bethlehem Township Community Center.

MOTION

A MOTION AUTHORIZING THE TOWNSHIP ENGINEER TO PREPARE AND SUBMIT TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION HIGHWAY OCCUPANCY PERMIT PLANS FOR THE FREEMANSBURG ROAD/FARMERSVILLE ROAD INTERSECTION IMPROVEMENTS, BASED ON THE TOWNSHIP ENGINEER'S CORRESPONDENCE OF APRIL 13, 2021

President Hudak said that Ron Gawlik, Township Engineer notified the board that he was unable to attend tonight's meeting and said it was the pleasure of the board to table or to proceed with the project. By consensus, the board agreed to move forward with the project.

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Upon motion (Merhottein-Davis), the Board of Commissioners voted unanimously by voice vote to approve a motion authorizing the township engineer to prepare and submit to the Pennsylvania Department of Transportation Highway Occupancy Permit plans for the Freemansburg Road/Farmersville Road intersection improvements, based on the township engineer's correspondence of April 13, 2021.

MOTION

A MOTION TO AUTHORIZE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$3,988.00 FOR HUNTER & SONS FOR THE COMMUNITY CENTER STEAM GENERATOR PROJECT

Mr. Bruce said the board approved a purchase order for this project last month and now there is a change to the original estimate of approximately \$4,000. Mr. Hunsberger said the demolition and disposal of the existing unit were missed on the original pricing. This change order includes the installation of a remote thermostat in the Aquatics Director's office in order to set the steam room temperature from his office.

Upon motion (Davis-Sourbeck), the Board of Commissioners voted unanimously by voice vote to approve a motion to authorize Change Order No. 1 in the amount of \$3,988.00 for Hunter & Sons for the community center steam generator project.

APPROVAL OF BILL AGENDA OF APRIL 14, 2021

Upon motion (Merhottein-Gallagher), the Board of Commissioners unanimously voted by voice vote to approve the Bill Agenda of April 14, 2021.

APPROVAL OF PURCHASE ORDERS

PO 20210008 – ROBINSON ROOFING SERVICES – PPIS – \$6,050.00
PO 20210139 – ROBINSON ROOFING SERVICES – PPIS – \$17,775.00
PO 20210651 – FASCELLA CONSTRUCTION – PW – \$57,760.00
PO 20210747 – COMPACTION GROUTING SERVICES – PW – \$14,900.00
PO 20210751 – WILDLANDS CONSERVANCY – PW – \$3,991.00
PO 20210757 – LOWE AND MOYER GARAGE – PW – \$5,360.80
PO 20210761 – ADAMS GLASS & ALUMINUM – PPIS – \$3,875.00
PO 20210754 – J&J TRUCK EQUIPMENT – PW – \$2,910.40

Mr. Gallagher asked regarding the Wildlands Conservancy purchase order, where the plantings were. Ms. Davis said they are at the park at the community center and it will be paid by grants. Mr. Bruce said there are grants totaling \$150,000 for the state. This project is a multi-year project that involves plantings and creating a wildflower meadow.

Upon motion (Merhottein-Davis), the Board of Commissioners unanimously voted by voice to approve Purchase Orders 20210008, 20210139, 20210651, 20210747, 20210751, 20210757, 20210761 and 20210754 as presented.

APPROVAL OF TREASURER'S REPORT OF MARCH 31, 2021

Upon motion (Merhottein-Sourbeck), the Board of Commissioners unanimously voted by voice vote to approve the Treasurer's Report of March 31, 2021 as presented, subject to audit.

ZONING HEARING BOARD MEETING OF APRIL 28, 2021

Mr. Bruce said the board has previously asked for legal representation concerning Appeal 03-2021 of Steven J. Inc.

Upon motion (Davis-Merhottein), the Board of Commissioners unanimously voted by voice vote to direct the Township Solicitor to represent them during Zoning Appeal 03-2021 which is a continuance of the appeal of Steven J. Inc.

MONTHLY REPORTS

Regarding the police report, Mr. Gallagher asked for clarification on the number of homicides. Mr. Bruce said there was one, which took place last month. All monthly reports were accepted.

DISCUSSION ITEM

REOPENING OF PUBLIC MEETINGS, MUNICIPAL BUILDING & OUTDOOR POOL

Opening of Public Meetings

President Hudak said the board has heard from the members and chair of various boards. Mr. Hudak said there were several issues to discuss:

1- Determine the capacity for the meeting room with social distancing.

President Hudak said 25% of the capacity would be approximately 66 people. He said he visited the main meeting room and determined that 32 to 36 people, including the commissioners and staff could safely attend the meetings.

Mr. Sourbeck said he checked the surrounding communities, 37 communities in the Northampton County, only five are having in person meetings. Two are having council meetings but the public may only attend via phone or zoom. And 26 are having virtual meetings as of yesterday. President Hudak said he is not concerned with what other communities are doing as he represents Bethlehem Township residents. Mr. Sourbeck said he was only doing what township resident Barry Roth suggested and added that he would be opposed to opening the meetings.

Steve Szy, Zoning Hearing Board Chairman, said he is not opposed or for opening the meetings. He said he had no problems chairing the meetings virtually but does have concerns attending in person meetings.

2- Require everyone attending public meetings to wear a mask.

3- Ensure that there will be a virtual component for the public meetings.

Mr. Hunsberger explained how the virtual component would work during in-person meetings. People attending the virtual meeting would be able to participate. Ms. Davis asked if the camera could capture the person speaking at the live meeting. Mr. Hunsberger said the facilitator could move the camera around to focus on the person speaking. Ms. Davis will the virtual meetings have access to the presentation materials. Mr. Hunsberger said it is more complex but can be done perhaps through an independent monitor to display. Mr. Merhottein asked how they would hear the people speaking over Zoom. Mr. Hunsberger said it would be tied into the sound system.

BARRY ROTH 4323 CHETWIN TERR.

Township resident Barry Roth said the meetings should be open. He said the Zoom connection is poor and makes the meetings very difficult to follow. Ms. Davis said she would like to wait until the vaccination rate is a little higher before opening the meetings. She would like to have meetings in a normal setting without the social distancing. Mr. Gallagher agreed and said he would like to wait to open the meetings as new cases reported have been reported. President Hudak understands their concerns and said no one is making anyone attend the meetings. People have the option to attend in person or virtually. Ms. Davis said she sat through several Zoning Hearing Board and Planning Commission meetings and thought they ran well. Mr. Sourbeck believes the commissioners are doing what they were elected to do without attending the meetings in person.

**PAUL WEISS
ZONING HEARING BD**

Mr. Weiss said there is no reason legally why the municipal building or the meetings can't be open. He believes this is more of a personal choice on the commissioners' part.

Upon motion (Hudak-Merhottein), the Board of Commissioners voted by roll call vote to direct the township manager to put into play all the recommendations by the solicitor's office and the PPIS department for having hybrid virtual and in person meetings effective May 17, 2021 and all other meetings afterward. The motion failed 3 to 2. Mr. Sourbeck, Ms. Davis and Mr. Gallagher opposed.

Upon motion (Davis-Sourbeck), the Board of Commissioners voted by roll call vote to direct the township manager to put into play all the recommendations by the solicitor's office and the PPIS department for having hybrid virtual and in person meetings effective June 21, 2021 and all other meetings afterward. The motion passed 4 to 1. Mr. Gallagher opposed.

**PAUL WEISS
ZONING HEARING BD**

Mr. Weiss asked when the building would be open with full-time staff. Mr. Bruce interjected and said staff has been working full time. Mr. Weiss said the inspections department has not been available five days a week. Mr. Keefer said you have to leave a message because no one answers the phone. President Hudak provided the solicitor's recommendations for opening the building:

- 1- signage on the front door
- 2- hand sanitizer stations inside the door
- 3- no appointment would be needed
- 4- the building would remain open 8:00 a.m. to 4:30 p.m.
- 5- the bathrooms in the lobby would not be used enough to require additional cleaning.
- 6- the furniture in the lobby will remain
- 7- No marking necessary on the floor to maintain six-foot distance.

Mr. Bruce said appointments are only required when meeting with someone. He added that there are lots of services being done on-line. Ms. Davis asked what impact this would have on staffing. Mr. Bruce said up until April 4, at the direction of the governor, the township was required to allow employees to work remotely whenever possible. Since April 5th, that was changed to a strong encouragement of allowing that to happen. To reopen the building, he would recall all of the employees back to the building full time.

**PAUL WEISS
ZONING HEARING BD**

Mr. Weiss asked Mr. Bruce about a time when a business owner scheduled an appointment to meet with the Zoning Officer and was told that he could not meet with him in person. Mr. Bruce said he could not comment on that.

Mr. Gallagher was concerned about who would police the masking. Ms. Davis said she is in favor of opening the lobby as long as it was properly staffed. Mr. Sourbeck asked Mr. Bruce if they were ready to open the building. Mr. Bruce said they will do whatever the board decides and would need a few days to recall employees that are working remotely to ensure that the building is staffed properly.

Upon motion (Davis-Sourbeck), the Board of Commissioners unanimously voted by voice vote to direct the township manager to open the lobby in the municipal building to the public during normal business hours at his earliest convenience.

Outdoor Pool

Ms. Bittel said that as of April 4th the state-allowed capacity was increased to 75% for the outdoor pool. She is proposing to open the outdoor pool and allowing access

to township residents only. She is also proposing a separate membership for just access to the outdoor pool. President Hudak asked how maximum occupancy of the pool is determined. Ms. Bittel this would be done by a people counter which could be synched with social media so the public could see if the pool has reached capacity. The number would also decrease as people leave the pool. Mr. Sourbeck asked about membership fees for additional children. Ms. Bittel said the current membership does have a \$25 fee in place for families that have additional children.

Upon motion (Davis-Sourbeck), the Board of Commissioners unanimously voted by voice vote to approve opening the outdoor pool in accordance with the procedures and documents provided by Ms. Bittel for the outdoor pool under COVID-19.

Swim Team Protocol

Ms. Bittel said she is proposing to bring back the swim team this summer. The league they participate in is in operation but with few meets. She said she would not host any indoor meets so they would do all meets away at outdoor pools or, as the local district handles its meets, virtually where the teams would participate in their own pools and record the times. The league itself is still finalizing the details and their proposal would include how practices are maintained. President Hudak said he would not be in favor of allowing outside teams to compete in the indoor pool. Ms. Bittel said they are not proposing that.

Upon motion (Davis-Sourbeck), the Board of Commissioners unanimously voted by voice vote to restart the Bethlehem Township Community Center swim team with modified training and competition.

Mr. Sourbeck asked the township solicitor if the attendance of the commissioners at executive sessions is noted for the record. Solicitor Broughal said it is not a requirement of the Sunshine Act but can be done. Mr. Sourbeck asked if that could be done going forward.

Mr. Sourbeck commended Mr. Bruce for providing a top-notch website.

ADJOURNMENT

There being no other business, upon motion (Sourbeck-Hudak), the Board of Commissioners unanimously voted by voice vote to adjourn the meeting at 8:40 p.m.

Respectfully submitted,

Laura G. Zapata
Recording Secretary



FITZPATRICK
LENTZ & BUBBA
ATTORNEYS AT LAW

Email: eschock@flblaw.com
Direct Dial: 610-797-9000 x355

April 22, 2021

SENT VIA EMAIL (jimbroughal@broughal-devito.com)

James L. Broughal, Esquire
Broughal & DeVito L.L.P.
38 West Market St.
Bethlehem, PA 18018-5796

Re: Resolution #R061-19

Dear Jim:

My office represents Heritage Senior Living, LLC. By the above resolution, the Township approved the plan titled, "The Birches at Bethlehem 5030 Freemansburg Avenue". The date of that approval is November 18, 2019. The approval included as condition #9 that all conditions be met within twelve months. The project involves a personal care facility. Due to the pandemic, my client has not yet acquired the property and for that reason there remain a couple of outstanding conditions. My client previously received a 6-month extension and at this time requests an additional six-month extension to satisfy the conditions.

Let me know if you need anything else or otherwise how my client should proceed. Thanks for the assistance.

Very truly yours,

A handwritten signature in blue ink that reads 'Erich J. Schock'.

Erich J. Schock

cc: Heritage Senior Living, LLC (via email)

RESOLUTION R024-21

A RESOLUTION APPROVING AND AUTHORIZING THE IMPLEMENTATION OF AN UPDATED EMERGENCY OPERATIONS PLAN (EOP) AND ADOPTING THE NOTIFICATION AND RESOURCE MANUAL OF THE BETHLEHEM TOWNSHIP EOP FOR THE PREVENTION AND MINIMIZATION OF INJURY AND DAMAGE CAUSED BY A MAJOR EMERGENCY OR DISASTER WITHIN BETHLEHEM TOWNSHIP, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA

WHEREAS, Section 7503 of the Pennsylvania Emergency Management Services Code, 35 Pa. C.S. Section 7101 et seq., as amended, mandates Bethlehem Township to prepare, maintain, and keep current an emergency operations plan for the prevention and minimization of injury and damage caused by a major emergency or disaster within Bethlehem Township; and

WHEREAS, in response to the mandate stated above, Bethlehem Township has prepared an emergency operations plan to provide prompt and effective emergency response procedures to be followed in the event of a major emergency or disaster; and

WHEREAS, Bethlehem Township has also prepared an emergency operations plan in order to reduce the potential effects of a major emergency or disaster and to protect the health, safety and welfare of the residents of Bethlehem Township; and

WHEREAS, the Board of Commissioners of Bethlehem Township approved and authorized the most recent revision of the Emergency Operations Plan in February 2019 per Resolution R022-19; and

WHEREAS, the Board of Commissioners of Bethlehem Township approved and authorized a resolution approving and adopting the most recent revision of the notification and resource manual of the Bethlehem Township Emergency Operations Plan (EOP) in February 2010 per Resolution R022-19; and

WHEREAS, the Board of Commissioners seeks to maintain emergency preparedness in Bethlehem Township by approving and adopting an updated Bethlehem Township Emergency Operations Plan and Notification and Resource Manual of said Bethlehem Township Emergency Operations Plan;

NOW THEREFORE BE IT AND IT IS HEREBY RESOLVED BY the Board of Commissioners of the Township of Bethlehem, County of Northampton and Commonwealth of Pennsylvania:

Section I:

That the Bethlehem Township Emergency Operations Plan, dated January 25, 2019, is hereby approved and adopted.

Section II:

That the Notification and Resource Manual of the Bethlehem Township Emergency Operations Plan, dated April 28, 2021, is hereby approved and adopted.

ADOPTED AND APPROVED this 3rd day of May 2021 at a regular public meeting.

**BOARD OF COMMISSIONERS
OF BETHLEHEM TOWNSHIP**

Michael D. Hudak
President

ATTEST:

Doug Bruce

Township Manager/Secretary

From: [shunsberger](#)
To: [dbruce](#)
Cc: [Jim Broughal \(jimbroughal@broughal-devito.com\)](#); [Izapata](#); [Bohner, Bill \(Bill.Bohner@arroconsulting.com\)](#)
Subject: FW: Grace Church Planning (Resolution of Adoption and DEP Transmittal Letter)
Date: Wednesday, April 28, 2021 11:08:36 AM
Attachments: [image001.png](#)
[RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT.pdf](#)
[TRANSMITTAL LETTER FOR SEWAGE FACILITIES PLANNING MODULE.pdf](#)

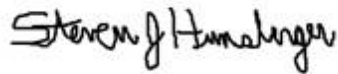
All,

Please include the attached Private Request for an Act 537 Plan Revision Resolution approval on the next BOC public meeting agenda. The location did not receive PADEP planning exemption, therefore are required to fulfil the obligation of revising the Act 537 Official Sewage Facilities Plan.

All required approvals from the City of Bethlehem, the BTMA, the Lehigh Valley Joint Planning Commission, and the municipal Planning Division have been obtained. The resolution along with the appropriate PADEP Planning documentation (Planning Modules) await PADEP submission.

Should you have any questions, kindly let me know.

Respectfully,



Steven J. Hunsberger
PPIS/BTMA Director
3535 Orth Street
Bethlehem, PA 18020
PH: 610-814-6421
Bethlehemtownship.org



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From: Bohner, Bill <Bill.Bohner@arroconsulting.com>
Sent: Friday, April 23, 2021 11:18 AM
To: shunsberger <shunsberger@bethlehemtwp.com>
Cc: Dietrich, Larry <Larry.Dietrich@arroconsulting.com>
Subject: Grace Church Planning (Resolution of Adoption and DEP Transmittal Letter)

Hi Steve,

I have been working with Nicole Galio (Collier Engineering (formerly Maser))

concerning the final steps for completing the Grace Church's Component 3 Planning Module.

The last two items that they need, before submitting the Component 3 package to DEP, are the Resolution of Adoption and a Signed Transmittal Letter from the Township.

Attached to this email is the Resolution and the Transmittal. If possible, please have the Resolution placed on the agenda for the next Commissioners meeting for their adoption. Once it is adopted, please have Doug or his designee sign and date the Transmittal Letter.

Then, when all of this is complete, email both executed documents back to me and I'll coordinate with Nicole on getting everything submitted to DEP.

Thanks!

Bill

William L. Bohner, Jr., P.E.

P: 610.495.2102

F: 610.495.5855



NOTE: This electronic message may contain PRIVILEGED AND CONFIDENTIAL INFORMATION intended only for the use of the addressee(s) named above. If you are not the intended recipient of this electronic message, or the employee or agent responsible for delivering it to the intended recipient, you have no legal right to read this message and are hereby notified that any dissemination, copying or disclosure of this message is strictly prohibited. If you have received this message in error, please notify the sender immediately via reply electronic message then delete the original message.



RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Bethlehem
(TOWNSHIP) (BOROUGH) (CITY), Northampton COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS Grace Church Bethlehem has proposed the development of a parcel of land identified as
land developer

Grace Church Bethlehem, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☐ sewer tap-ins, ☒ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify). _____

WHEREAS, Bethlehem Township finds that the subdivision described in the attached
municipality

Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the (Supervisors) (Commissioners) (Councilmen) of the (Township)

(Borough) (City) of Bethlehem hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I _____, Secretary, Bethlehem
(Signature)

Township Board of Commissioners hereby certify that the foregoing is a true copy of
the Township ~~(Borough) (City)~~ Resolution # _____, adopted, _____, 20____.

Municipal Address:

Bethlehem Township

4225 Easton Ave.

Bethlehem, PA 18020

Telephone 610-814-6441

Seal of

Governing Body

**AN ORDINANCE OF THE TOWNSHIP OF BETHLEHEM, NORTHAMPTON COUNTY, PENNSYLVANIA
ADDING CHAPTER 213, SPECIAL EVENTS; SECTION 213-1 SHORT TITLE; SECTION 213-2 DEFINITIONS;
SECTION 213-3 APPLICABILITY; SECTION 213-4 PERMITTING; AND, 213-5 VIOLATIONS TO THE CODE OF
CODIFIED ORDINANCES TO ESTABLISH PROVISIONS FOR REGULATING SPECIAL EVENTS LOCATED
WITHIN THE TOWNSHIP OF BETHLEHEM**

WHEREAS, the Board of Commissioners of the Township of Bethlehem ("Township") finds that the public interest, convenience and necessity require adoption of an ordinance regulating the conduct of special events on Township property and in some instances, private property, providing procedures for the issuance of permits for special events, providing for exemptions of certain special events from the permit requirements, providing administrative fees pertaining to such special events and providing penalties in the event of violations; and

WHEREAS, the Board of Commissioners of the Township desires to prevent any unauthorized events that obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic or do not comply with traffic laws and controls;

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF BETHLEHEM, COUNTY OF NORTHAMPTON, AS FOLLOWS:

SECTION 1. Section 213-1. Short Title

This Ordinance shall be known as the "Special Events Ordinance." This Ordinance is established to regulate special events on public and private property, as well as to ensure public safety within the Township of Bethlehem.

SECTION 2. Section 213-2. Definitions

The following terms shall have the meanings ascribed unless a contrary meaning is expressly set forth in the text:

APPLICANT - Any person or any sponsoring organization seeking a special event permit from the Township in order to conduct or sponsor an event governed by this chapter. This term shall include, in the case of an organization applying for a special event permit, an individual designated by such organization as the responsible contact person.

ASSEMBLY- A gathering, meeting or rally of 25 or more people without vehicles, which interferes with the movement of vehicular or pedestrian traffic on any street or sidewalk or other public property.

BLOCK PARTY - A festive gathering of the residents on a residential street requiring a closure of a street or a portion thereof to vehicular traffic and use of the street for social and/or entertainment purposes.

FIRST AMENDMENT ACTIVITY - All expressive and associative activity that is protected by the United States and Pennsylvania Constitutions, including speech, press, assembly, and/or the right to petition.

MEDIA PRODUCTION - Any and all aspects of producing audio and video content that is used in commercials, movies, online, radio or in other realms.

PARADE - A march or procession or motorcade consisting of persons, animals or vehicles, or any combination thereof, upon any public street, sidewalk, alley or other street right-of-way in the Township, which obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws or controls.

PERMITTEE - Any person or any sponsoring organization to whom a special event permit is issued by Bethlehem Township.

PERSON - Any individual, firm, partnership, association, corporation, society, company or organization of any kind.

RIGHT-OF-WAY - A public street, alley, sidewalk or crosswalk, including bike and pedestrian paths.

SPECIAL EVENT - A parade, assembly, street fair, art and craft show, carnival, soap box derby, rally, or other Special Event or activity that occurs on Township streets, sidewalks, alleys or other street right-of-way and that obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws and controls. The term "Special Event" shall also include events at Township pavilions where capacity is exceeded, on Township-owned property (see below), product releases, media production, outdoor weddings, outdoor concerts, displays, fairs and other similar events occurring on private property and designed to attract crowds.

Township-owned property whereby Special Events will be allowed with permits unless otherwise set forth herein:

- Bethlehem Township Municipal Park
- Bethlehem Township Municipal Park North
- The Janet Johnston Housenick & William D. Housenick Memorial Park
- Birchwood Park
- Comer Park
- Chetwyn Terrace Park
- 14th Street Park

REVIEW COMMITTEE - A group of individuals comprised of Township employees designated to review all applications for a Special Event and make recommendations regarding approval of the same. The committee shall include the Township Manager, Codes Enforcement Officer, Fire Marshal, Police Department and Public Works Department.

SPECIAL EVENT PERMIT - Any written authorization issued as required by this chapter for the conduct or performance of a Special Event.

Special Event Permit(s) are not required for the following:

- ~~Fundraising~~ Events [sponsored by or benefitting](#) The Archie Project occurring at The Janet Johnston Housenick & William D. Housenick Memorial Park

- Outdoor scholastic/non-scholastic athletic events
- Indoor scholastic/non-scholastic athletic events

SECTION 3. Section 213-3. Applicability

Except as provided by law or in this Chapter, any non-exempt Special Event shall be in strict compliance with the regulations contained in this Chapter.

SECTION 4. Section 213-4. Permitting

A. Any person or organization seeking to conduct or sponsor a Special Event within Bethlehem Township shall first obtain a Special Event permit by contacting the Bethlehem Township municipal office. A Special Event Permit shall not be required for the following:

1. Funeral processions.
2. Any Special Event sponsored by the Township, whether or not occurring exclusively on Township property.
3. First amendment activity
4. Wedding processions.
5. Activities of governmental agencies.

B. Application for Permit

1. Any person or organization intending to conduct or sponsor a Special Event shall apply to the Township for a Special Event Permit at least sixty (60) days in advance of the date of the proposed event. In emergency situations, determined at the sole discretion of the Township, the Township may consider any application for a permit to conduct or sponsor a Special Event not filed within the time frame required by this section.

2. The application for a Special Event Permit shall be made in writing on a Special Event Permit application form provided by the Township. Upon receipt, the Township Review Committee shall review, approve/deny, and provide resources and action required for permitting. In order that adequate arrangements may be made for the proper policing of the Special Event and for other Township services, the application shall contain the following information and documentation:

- a. Date of Application
- b. Name of Organization
- c. Type of Event
- d. Location (map or route planned)
- e. Date of event (start time/end time)
- f. Contact Person(s)

C. Further Requirements

1. **Indemnification** - An indemnification agreement, signed by the applicant, pursuant to which the applicant agrees to reimburse the Township for any costs incurred in repairing damage to Township property occurring in connection with the permitted event and proximately caused by the Permittee, its officers, employees or agents or any person under the Permittee's control insofar as permitted by law, and, further, that the Permittee shall defend the Township against, and indemnify and hold the

Township harmless from, any liability to any persons resulting from any damage or injury occurring in connection with the permitted event proximately caused by the actions of the Permittee, its officers, employees or agents or any person under the control of the Permittee insofar as permitted by law. For purposes of this requirement, persons merely joining in a parade or event are not considered by that reason alone to be under the control of the Permittee.

2. **Insurance** - A certificate of insurance liability in the amount of One Million and 00/100 (\$1,000,000.00) Dollars, along with all required endorsements, naming Bethlehem Township, its officers, employees and agents as additional insureds, to be filed no less than 10 days prior to the scheduled event, indicating that the applicant possesses or will obtain public liability insurance in the form of a comprehensive general liability insurance policy with the following minimum limits; however, the Township may require the applicant to obtain higher insurance limits if the Township deems it necessary, based on the activity or activities planned as part of the Special Event.

3. Such other information the Review Committee deems necessary, including, but not limited to, the following:

(a) The type and estimated number of vehicles, animals and structures that will be used at the event and whether water aid stations or first aid stations will be provided;

(b) The provisions made for sanitary facilities for persons participating in or attending the event;

(c) Whether food or beverage or alcoholic beverages will be sold at the event

(d) The provisions made for monitors of the event;

(e) Parking needs for the event;

(f) If the Special Event is a parade, organizing and disbanding areas, the proposed route to be traveled and the proposed times when the event and any meeting or rally connected therewith are to be held, the portion of the streets to be occupied by the parade, the number, type and size of each float, the intervals of space to be provided between individual units in the parade, and the maximum size and material of any signs or banners to be carried along the parade route; and

(g) The applicant has secured signatures from all affected property owners in the event of a road closure (except for a Special Event Permit sought for a parade).

(h) Any supplemental information deemed by the Code Enforcement Officer and/or the Review Committee to be reasonably necessary to determine whether a Special Event Permit shall be issued.

D. Issuance or Denial of Permit

1. The Township shall approve or disapprove all applications for a Special Event Permit with modifications or conditions as it deems appropriate, not less than 15 days prior to the scheduled date of the Special Event as shown on the application. The decision of the Township shall be final. The Township reserves the right to disapprove or cancel a Special Event if they deem necessary to do so.

2. **Standards of Issuance** – The Township shall issue a Special Event Permit upon approval of the Special Event application and upon agreement by the applicant, in writing, to the terms and conditions of the permit, provided that the Review Committee determines that:

a. The time, route and size of the Special Event requested by the applicant will not disrupt to an unreasonable extent the movement of vehicle traffic in or through the Township; or

b. The time, route and size of the Special Event will not require the diversion of so great a number of police officers of the Township to properly police the parade route or event and the areas

contiguous thereto that issuance of the Special Event Permit will disrupt to an unreasonable extent police protection to the Township;

c. The Special Event will not interfere with another Special Event for which a permit has been issued; and

d. The applicant has complied with the requirements of this chapter, including without limitation those provisions pertaining to indemnification, insurance, and the payment of applicable fees and deposits.

3. Standards of Denial- The Township, in their discretion, may deny an application for a Special Event Permit and shall notify the applicant of such denial, in writing, if any of the following applies:

a. The information contained in the application is found to be false or incomplete in any material detail.

b. The applicant refused to comply with an inspection required by one or more Township departments or the property proposed for the Special Event failed an inspection.

c. The applicant refuses to comply with any and all conditions of the permit.

d. A Special Event Permit application submitted prior in time has been approved for an event at the same time and place requested, or so close in time and place as to cause undue traffic congestion, or approval of both events will render the Police Department unable to meet the needs for police services for both events.

e. The proposed event will unduly disrupt the safe and orderly movement of traffic adjacent to the event site or will prevent proper police, fire or ambulance services to areas adjacent to the event site.

f. The size of the event will require diversion of such police resources in order to ensure the orderly conduct of the Special Event that protection of the remainder of the Township will be compromised.

g. The location of the parade or other Special Event will substantially interfere with construction or maintenance work scheduled to take place on Township streets, sidewalks, or any other property previously granted permit approval.

E. Application Fee - Except as provided herein, each applicant for a permit to conduct a Special Event shall pay an application fee to defray the administrative costs of the Township in reviewing and distributing the application, and making preparations for such Special Event, in an amount set forth in the Township's Fee Schedule.

F. Revocation of Permit - Any Special Event Permit issued pursuant to this chapter may be summarily revoked by the Township at any time when by reason of the occurrence of a disaster, public calamity, riot, inclement weather or other emergency, the Township determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered, in writing, to the Permittee by personal service or by certified mail. Revocation of the permit may take place up to and during the Special Event.

SECTION 5. Section 213-5 Violations

Any person who violates or permits the violation of any provision of this chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice, be guilty of a summary offense and shall be subject to the payment of a fine of not less than \$100 and not more than \$1,000,

plus the costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. Each section or provision of this chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than \$100 and not more than \$1,000, plus the costs of prosecution, or upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days.

SECTION 6. SEVERABILITY. The provisions of this Ordinance are severable, and if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

SECTION 7. REPEALER. All Ordinances or parts of Ordinances or Resolutions conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective five (5) days after adoption.

ORDAINED AND ENACTED this ____ day of _____, 2021, at a regular public meeting.

ATTEST:

BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF BETHLEHEM

By: _____
Doug Bruce, Township Manager

By: _____
Michael D. Hudak, President

**AN ORDINANCE OF THE TOWNSHIP OF BETHLEHEM, NORTHAMPTON COUNTY, PENNSYLVANIA
ADDING CHAPTER 213, SPECIAL EVENTS; SECTION 213-1 SHORT TITLE; SECTION 213-2 DEFINITIONS;
SECTION 213-3 APPLICABILITY; SECTION 213-4 PERMITTING; AND, 213-5 VIOLATIONS TO THE CODE OF
CODIFIED ORDINANCES TO ESTABLISH PROVISIONS FOR REGULATING SPECIAL EVENTS LOCATED
WITHIN THE TOWNSHIP OF BETHLEHEM**

WHEREAS, the Board of Commissioners of the Township of Bethlehem ("Township") finds that the public interest, convenience and necessity require adoption of an ordinance regulating the conduct of special events on Township property and in some instances, private property, providing procedures for the issuance of permits for special events, providing for exemptions of certain special events from the permit requirements, providing administrative fees pertaining to such special events and providing penalties in the event of violations; and

WHEREAS, the Board of Commissioners of the Township desires to prevent any unauthorized events that obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic or do not comply with traffic laws and controls;

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED AND ENACTED BY THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF BETHLEHEM, COUNTY OF NORTHAMPTON, AS FOLLOWS:

SECTION 1. Section 213-1. Short Title

This Ordinance shall be known as the "Special Events Ordinance." This Ordinance is established to regulate special events on public and private property, as well as to ensure public safety within the Township of Bethlehem.

SECTION 2. Section 213-2. Definitions

The following terms shall have the meanings ascribed unless a contrary meaning is expressly set forth in the text:

APPLICANT - Any person or any sponsoring organization seeking a special event permit from the Township in order to conduct or sponsor an event governed by this chapter. This term shall include, in the case of an organization applying for a special event permit, an individual designated by such organization as the responsible contact person.

ASSEMBLY- A gathering, meeting or rally of 25 or more people without vehicles, which interferes with the movement of vehicular or pedestrian traffic on any street or sidewalk or other public property.

BLOCK PARTY - A festive gathering of the residents on a residential street requiring a closure of a street or a portion thereof to vehicular traffic and use of the street for social and/or entertainment purposes.

FIRST AMENDMENT ACTIVITY - All expressive and associative activity that is protected by the United States and Pennsylvania Constitutions, including speech, press, assembly, and/or the right to petition.

MEDIA PRODUCTION - Any and all aspects of producing audio and video content that is used in commercials, movies, online, radio or in other realms.

PARADE - A march or procession or motorcade consisting of persons, animals or vehicles, or any combination thereof, upon any public street, sidewalk, alley or other street right-of-way in the Township, which obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws or controls.

PERMITTEE - Any person or any sponsoring organization to whom a special event permit is issued by Bethlehem Township.

PERSON - Any individual, firm, partnership, association, corporation, society, company or organization of any kind.

RIGHT-OF-WAY - A public street, alley, sidewalk or crosswalk, including bike and pedestrian paths.

SPECIAL EVENT - A parade, assembly, street fair, art and craft show, carnival, soap box derby, rally, or other Special Event or activity that occurs on Township streets, sidewalks, alleys or other street right-of-way and that obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws and controls. The term "Special Event" shall also include events at Township pavilions where capacity is exceeded, on Township-owned property (see below), product releases, media production, outdoor weddings, outdoor concerts, displays, fairs and other similar events occurring on private property and designed to attract crowds.

Township-owned property whereby Special Events will be allowed with permits unless otherwise set forth herein:

- Bethlehem Township Municipal Park
- Bethlehem Township Municipal Park North
- The Janet Johnston Housenick & William D. Housenick Memorial Park
- Birchwood Park
- Comer Park
- Chetwyn Terrace Park
- 14th Street Park

REVIEW COMMITTEE - A group of individuals comprised of Township employees designated to review all applications for a Special Event and make recommendations regarding approval of the same. The committee shall include the Township Manager, Codes Enforcement Officer, Fire Marshal, Police Department and Public Works Department.

SPECIAL EVENT PERMIT - Any written authorization issued as required by this chapter for the conduct or performance of a Special Event.

Special Event Permit(s) are not required for the following:

- Events sponsored by or benefitting The Archie Project occurring at The Janet Johnston Housenick & William D. Housenick Memorial Park

- Outdoor scholastic/non-scholastic athletic events
- Indoor scholastic/non-scholastic athletic events

SECTION 3. Section 213-3. Applicability

Except as provided by law or in this Chapter, any non-exempt Special Event shall be in strict compliance with the regulations contained in this Chapter.

SECTION 4. Section 213-4. Permitting

A. Any person or organization seeking to conduct or sponsor a Special Event within Bethlehem Township shall first obtain a Special Event permit by contacting the Bethlehem Township municipal office. A Special Event Permit shall not be required for the following:

1. Funeral processions.
2. Any Special Event sponsored by the Township, whether or not occurring exclusively on Township property.
3. First amendment activity
4. Wedding processions.
5. Activities of governmental agencies.

B. Application for Permit

1. Any person or organization intending to conduct or sponsor a Special Event shall apply to the Township for a Special Event Permit at least sixty (60) days in advance of the date of the proposed event. In emergency situations, determined at the sole discretion of the Township, the Township may consider any application for a permit to conduct or sponsor a Special Event not filed within the time frame required by this section.

2. The application for a Special Event Permit shall be made in writing on a Special Event Permit application form provided by the Township. Upon receipt, the Township Review Committee shall review, approve/deny, and provide resources and action required for permitting. In order that adequate arrangements may be made for the proper policing of the Special Event and for other Township services, the application shall contain the following information and documentation:

- a. Date of Application
- b. Name of Organization
- c. Type of Event
- d. Location (map or route planned)
- e. Date of event (start time/end time)
- f. Contact Person(s)

C. Further Requirements

1. **Indemnification** - An indemnification agreement, signed by the applicant, pursuant to which the applicant agrees to reimburse the Township for any costs incurred in repairing damage to Township property occurring in connection with the permitted event and proximately caused by the Permittee, its officers, employees or agents or any person under the Permittee's control insofar as permitted by law, and, further, that the Permittee shall defend the Township against, and indemnify and hold the

Township harmless from, any liability to any persons resulting from any damage or injury occurring in connection with the permitted event proximately caused by the actions of the Permittee, its officers, employees or agents or any person under the control of the Permittee insofar as permitted by law. For purposes of this requirement, persons merely joining in a parade or event are not considered by that reason alone to be under the control of the Permittee.

2. **Insurance** - A certificate of insurance liability in the amount of One Million and 00/100 (\$1,000,000.00) Dollars, along with all required endorsements, naming Bethlehem Township, its officers, employees and agents as additional insureds, to be filed no less than 10 days prior to the scheduled event, indicating that the applicant possesses or will obtain public liability insurance in the form of a comprehensive general liability insurance policy with the following minimum limits; however, the Township may require the applicant to obtain higher insurance limits if the Township deems it necessary, based on the activity or activities planned as part of the Special Event.

3. Such other information the Review Committee deems necessary, including, but not limited to, the following:

(a) The type and estimated number of vehicles, animals and structures that will be used at the event and whether water aid stations or first aid stations will be provided;

(b) The provisions made for sanitary facilities for persons participating in or attending the event;

(c) Whether food or beverage or alcoholic beverages will be sold at the event

(d) The provisions made for monitors of the event;

(e) Parking needs for the event;

(f) If the Special Event is a parade, organizing and disbanding areas, the proposed route to be traveled and the proposed times when the event and any meeting or rally connected therewith are to be held, the portion of the streets to be occupied by the parade, the number, type and size of each float, the intervals of space to be provided between individual units in the parade, and the maximum size and material of any signs or banners to be carried along the parade route; and

(g) The applicant has secured signatures from all affected property owners in the event of a road closure (except for a Special Event Permit sought for a parade).

(h) Any supplemental information deemed by the Code Enforcement Officer and/or the Review Committee to be reasonably necessary to determine whether a Special Event Permit shall be issued.

D. Issuance or Denial of Permit

1. The Township shall approve or disapprove all applications for a Special Event Permit with modifications or conditions as it deems appropriate, not less than 15 days prior to the scheduled date of the Special Event as shown on the application. The decision of the Township shall be final. The Township reserves the right to disapprove or cancel a Special Event if they deem necessary to do so.

2. **Standards of Issuance** – The Township shall issue a Special Event Permit upon approval of the Special Event application and upon agreement by the applicant, in writing, to the terms and conditions of the permit, provided that the Review Committee determines that:

a. The time, route and size of the Special Event requested by the applicant will not disrupt to an unreasonable extent the movement of vehicle traffic in or through the Township; or

b. The time, route and size of the Special Event will not require the diversion of so great a number of police officers of the Township to properly police the parade route or event and the areas

contiguous thereto that issuance of the Special Event Permit will disrupt to an unreasonable extent police protection to the Township;

c. The Special Event will not interfere with another Special Event for which a permit has been issued; and

d. The applicant has complied with the requirements of this chapter, including without limitation those provisions pertaining to indemnification, insurance, and the payment of applicable fees and deposits.

3. Standards of Denial- The Township, in their discretion, may deny an application for a Special Event Permit and shall notify the applicant of such denial, in writing, if any of the following applies:

a. The information contained in the application is found to be false or incomplete in any material detail.

b. The applicant refused to comply with an inspection required by one or more Township departments or the property proposed for the Special Event failed an inspection.

c. The applicant refuses to comply with any and all conditions of the permit.

d. A Special Event Permit application submitted prior in time has been approved for an event at the same time and place requested, or so close in time and place as to cause undue traffic congestion, or approval of both events will render the Police Department unable to meet the needs for police services for both events.

e. The proposed event will unduly disrupt the safe and orderly movement of traffic adjacent to the event site or will prevent proper police, fire or ambulance services to areas adjacent to the event site.

f. The size of the event will require diversion of such police resources in order to ensure the orderly conduct of the Special Event that protection of the remainder of the Township will be compromised.

g. The location of the parade or other Special Event will substantially interfere with construction or maintenance work scheduled to take place on Township streets, sidewalks, or any other property previously granted permit approval.

E. Application Fee - Except as provided herein, each applicant for a permit to conduct a Special Event shall pay an application fee to defray the administrative costs of the Township in reviewing and distributing the application, and making preparations for such Special Event, in an amount set forth in the Township's Fee Schedule.

F. Revocation of Permit - Any Special Event Permit issued pursuant to this chapter may be summarily revoked by the Township at any time when by reason of the occurrence of a disaster, public calamity, riot, inclement weather or other emergency, the Township determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered, in writing, to the Permittee by personal service or by certified mail. Revocation of the permit may take place up to and during the Special Event.

SECTION 5. Section 213-5 Violations

Any person who violates or permits the violation of any provision of this chapter shall, upon conviction thereof in a summary proceeding brought before a District Justice, be guilty of a summary offense and shall be subject to the payment of a fine of not less than \$100 and not more than \$1,000,

plus the costs of prosecution. In default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days. Each section or provision of this chapter that is violated shall constitute a separate offense, and each day or portion thereof in which a violation of this chapter is found to exist shall constitute a separate offense, each of which violations shall be punishable by a separate fine imposed by the District Justice of not less than \$100 and not more than \$1,000, plus the costs of prosecution, or upon default of payment thereof, the defendant may be sentenced to imprisonment in the county prison for a term of not more than 30 days.

SECTION 6. SEVERABILITY. The provisions of this Ordinance are severable, and if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

SECTION 7. REPEALER. All Ordinances or parts of Ordinances or Resolutions conflicting with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 8. EFFECTIVE DATE. This Ordinance shall be effective five (5) days after adoption.

ORDAINED AND ENACTED this ____ day of _____, 2021, at a regular public meeting.

ATTEST:

BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF BETHLEHEM

By: _____
Doug Bruce, Township Manager

By: _____
Michael D. Hudak, President