

Ordinances for 1975

- File No. 1-1975- Amends Ordinance for the Parking of Vehicles on Public Street
- File No. 2-1975- Payment of Debts and Expenses for 1976
- File No. 3-1975- Fixing General and Special Taxes for 1976
- File No. 4-1975- Fixing Real Estate Transfer Tax for 1976
- File No. 5-1975- Imposing Occupational Tax for 1976
- File No. 6-1975 -Imposing Earned Income Tax for 1976

Ordinances for 1976

- File No. 1-1976- Granting a renewal of a Cable TV Franchise operation in Pittston
- File No. 2-1976- Erection of Traffic Signs on East Columbus Avenue and Swallow St.
- File No. 3-1976- Payment of Debts and Expenses for 1977
- File No. 4-1976- Fixing General and Special Taxes for 1977
- File No. 5-1976- Fixing Real Estate Transfer Tax for 1977
- File No. 6-1976- Imposing Occupational Tax for 1977
- File No. 7-1976- Imposing Earned Income Tax for 1977
- File No. 8-1976- Amends Ordinance for Firemen's Pension Fund
- File No. 9-1976- Creating the Non-Uniform Pension Fund

Ordinances for 1977

- File No. 1-1977- Establishing a Flood Plain District
- File No. 2-1977- Accepting Dedication of land for Public Use from Lehigh Valley Railroad
- File No. 3-1977- Payment of Debts and Expenses for 1978
- File No. 4-1977- Fixing General and Special Taxes for 1978
- File No. 5-1977- Fixing Real Estate Transfer Tax for 1978
- File No. 6-1977- Imposing Occupational Tax for 1978
- File No. 7-1977- Imposing Earned Income Tax for 1978

Ordinances for 1978

- File No. 1-1978- Erection of Traffic Signs on Ormsby Alley
- File No. 2-1978- Payment of Debts and Expenses for 1978
- File No. 3-1978- Fixing General and Special Taxes for 1978
- File No. 4-1978- Fixing Real Estate Transfer Tax for 1978
- File No. 5-1978- Imposing Occupational Tax for 1978
- File No. 6-1978- Imposing Earned Income Tax for 1978

FILE OF COUNCIL

No. 1 (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

MARCH 11, 1970

"AN ORDINANCE"

TO VACATE THAT PORTION OF CRON STREET LYING BETWEEN THE NORTHEASTERLY SIDE OF THE EXIT FROM THE DOWN RAMP "A" AND EXTENDING NORTHEASTERLY TO THE SOUTHWESTERLY SIDE OF DOWN RAMP "A" AT THE REQUIRED LIMIT OF SLOPE LINE. (ROUTE 232, PAR. SEC. 1)

Be it ordained by the Council of the City of Pittston and it is hereby ordained by the authority of the same that the said City vacate and discontinue that portion of Cron Street lying between the Northeasterly side of the exit from the down ramp "A" and the Southwesterly side of down ramp "A" at the limit of slope line Route 232, Par. Sec. 1.


All ordinances or parts of ordinances inconsistent herewith and the same are hereby rescinded.

PASSED FIRST READING: March 11, 1970

PASSED SECOND READING: April 8, 1970

PASSED THIRD READING: April 8, 1970

ATTESTED: April 8, 1970 APPROVED: April 8, 1970


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 2, (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

MAY 13, 1970

"A N O R D I N A N C E"

RELATING TO POLICE PENSION FUNDS IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, AUTHORIZING THE APPROPRIATION TO PITTSBURGH CITY POLICE PENSION FUND ASSOCIATION CERTAIN MONIES.

SECTION 1. Be it ordained by the City Council and Mayor of the City of Pittsburgh, Luzerne County, Pennsylvania, that it is hereby ordained by the authority of the same; that there shall be paid by the City of Pittsburgh annually to the Pittsburgh Police Pension Fund Association, an organization duly constituted as a non-profit corporation organized and existing under the Laws of the Commonwealth of Pennsylvania and having in charge the distribution of the police pension fund for the members of the Bureau of Police in the City of Pittsburgh, one-half of one per cent ($\frac{1}{2}$ of 1%) of all city taxes levied by the City of Pittsburgh, other than taxes levied to pay interest on or extinguish the debt of the municipality.

SECTION 2. That the Pittsburgh Police Pension Fund Association shall consist of the Chief of Police, Detectives, Lieutenants, and all regular appointed patrolman and other regularly appointed officers attached to the Bureau of Police. The said Pension Fund, as is now the present situation, shall elect a President, Vice-President, and a Secretary-Treasurer and five members elected as trustees. However, this is strictly discretionary on the members comprising the Pittsburgh Police Pension Fund Association. The said officers and trustees will not in any way have any right to direct, control, manage or regulate the Pittsburgh Police Pension Fund Association in any way or manner, but may from time to time report to the Pittsburgh Council on matters concerned with the said Pension Fund.

SECTION 3. The Council of the City of Pittsburgh shall control, direct and be responsible for the administration of the said Pittsburgh Police Pension Fund Association, however, the said Police Pension Fund Association will be committed to the custody and management of the First National Bank of Pittsburgh, a banking corporation authorized under law. The said First National Bank is to manage the Fund in the best welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the General Fund of the City of Pittsburgh.

SECTION 4. That the said Pension Fund shall maintain a Fund that shall be given by bequest, legacy, gifts, donations, fund appeals, or from funds subscribed by the public, or from unclaimed articles in possession of the police, which shall be known in the Pittsburgh Police Fund Association, this fund shall also consist of the funds allocated in Section 1, aforesaid.

SECTION 5. That in addition to the sum provided for the said Pension Fund by the City of Pittsburgh, all members of the said Fund as qualified under Section 2 of this Ordinance shall have deducted from his or her monthly pay, salary or compensation \$2.00 and not to exceed more than 4% of said salary, pay or compensation and \$1.00 for service increment, which is to be paid in monthly payments by the City Treasurer to the duly elected Treasurer of the said Pension Fund. omit
2.00

SECTION 6. The fund shall be used for the pensioning of the officers and employees mentioned in the aforesaid sections of this ordinance and widows and children of same as hereinafter provided.

SECTION 7. All expenditures necessary for the maintenance of the said Pension Fund shall be paid by the said Fund and will be the responsibility of the City of Pittston. No money except as heretofore set forth shall be paid out except for the purposes of pensions for members of the Police Bureau and other officers and their widows and children as contemplated by this ordinance. The said Pension Fund Association shall make an annual report to the City Council and Mayor on the 1st. Monday of January of each year. The report shall give an account of all receipts and disbursements of the fund of such other matters or shall properly be embodied in such report.

SECTION 8. (a) Payments for allowances shall not be a charge on any other fund in the treasury of the City or under its control save the Police Pension Fund herein provided for. The basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge, or retirement whichever is the higher, and except as to service increments provided for in subsection (b) of this section, shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly or average annual rate, whichever is the higher.

(b) Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this act during which a contributor has been employed by such City and paid out of the City Treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this act. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month.

(c) The widow of a member of the police force or a member who retires on pension who dies or if no widow survives or if she survives and subsequently dies or remarries, then the child or children under the age of eighteen years of a member of the police force or a member who retires on pension who dies on or after the effective date of this amendment, shall during her lifetime or so long as she does not remarry in the case of a widow or until reaching the age of eighteen years in the case of a child or children, be entitled to receive the pension the member was receiving or would have been receiving had he been retired at the time of his death.

(d) Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death on injuries received after ten years of service the compensation may be fifty per centum of his annual compensation.

The disability pension may be payable to the police officer during his life time and if he shall die, the pension payment

that he was receiving may be continued to be paid to his widow if she survives or if she subsequently dies or remarries, then the child or children under the age of eighteen years of the police officer.

SECTION 9. Every policeman or other employee in the Bureau of Police eligible under this ordinance who retires who shall have served for the term of 20 years and wishes to be retired at his own request may do so and be entitled to receive a pension. The pension being determined from date of said resignation is submitted to Council, provided however, the Council shall have the right to retire any police officer who shall have served twenty years or more, if, in its opinion, the said officer or employee is either physically, or mentally incapacitated from performing his or her duty in the bureau of police. That all people covered by this ordinance must retire from the Bureau of Police upon reaching the age of 65. This is a mandatory retirement age. Any member of the Bureau of Police who at the age of 65 has not completed 20 years of service is entitled to receive only the monies he has paid by contributing into the said Pension Fund.

SECTION 10. That all sums of money paid for any reason either for the expense of running the said Pension Fund or any sums used for the payment of pensions to the officers, employees, widows or children entitled thereto under this Ordinance shall be paid by check signed by the Treasurer and anyone else designated by Council.

SECTION 11. That any officer and employee under this ordinance shall be entitled to apply for a disability pension if he or she is permanently incapacitated from discharging the duties of his or her position by an injury or injuries or sickness received as a member of the said pension fund, while in the actual discharge of his or her duties, provided he or she has served continuously as a regular member of the Pittston Police Bureau for a period of not less than one (1) Year. Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service the compensation may be fifty per centum of his annual compensation.

Any aforesaid member entitled to compensation under this section and who dies, his beneficiary shall be entitled to a death benefit of \$50.00 for every year served under the aforesaid conditions. } omit

SECTION 12. That if a member shall resign before eligibility under this Ordinance or shall be dismissed by the proper authorities he shall be entitled only to receive the sum he has paid by contribution into the said Pension Fund without interest.

SECTION 13. That all officers and employees of the Bureau of Police who are now contributors to the said Pension Fund and all those so employed after the enactment of this Ordinance shall be subject to the provisions of this ordinance.

SECTION 14. That the City Treasurer of the City of Pittston has the right to inspect the books and records of the Pittston Police Pension Fund Association during the course of each annual year.

SECTION 15. The Pittston Police Pension Fund Association is hereby authorized to amend its by-laws to include provisions therein in accordance with this Ordinance.

SECTION 16. This Ordinance is declared to be urgent and necessary for the preservation of the public peace, health, safety, and welfare and after full discussion with all interested parties and shall take effect and be in force after due passage.

SECTION 17. The provisions of this Ordinance are severable if any part of same is declared invalid, the validity of the remaining provisions shall be unaffected thereby.

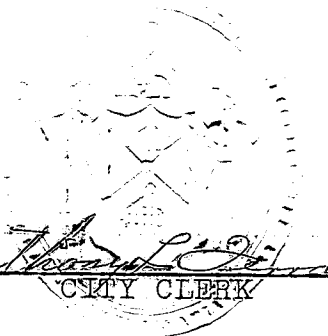
SECTION 18. That any and all former Laws and Ordinances of the City of Pittston concerning the Pittston City Police Pension Fund Association are hereby repealed to be replaced by this Ordinance.

PASSED FIRST READING: May 13, 1970

PASSED SECOND READING: June 10, 1970

PASSED THIRD READING: June 10, 1970

ATTESTED: June 10, 1970 APPROVED: June 10, 1970


Anthony L. DiIorio
CITY CLERK

Robert C. Affo
MAYOR

FILE OF COUNCIL

No. 3, (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

JULY 8, 1970

"AN ORDINANCE

TO VACATE THE ALLEY EXTENDING FROM THE EASTERLY SIDE OF CHURCH STREET IN A SOUTHEASTERLY DIRECTION TO "SANDS COURT" - AND BOUNDED ON THE NORTHEASTERLY SIDE BY THE KATHLEEN BRENNAN PROPERTY, ON THE SOUTHWESTERLY SIDE BY THE CATHERINE M. SMITH, FRANCES BARLOW, ANNA GALLAGHER, AND RAYMOND GAVIGAN PROPERTIES. THE ALLEY IS 125 FEET IN LENGTH."

Be it ordained by the Council of the City of Pittston and it is hereby ordained by the authority of the same that the said City vacate the alley extending from the Easterly side of Church Street in a Sougheasterly direction to "Sands Court" - and bounded on the Northeasterly side by the Kathleen Brennan Property, on the Southwesterly side by the Catherine M. Smith, Francés Barlow, Anna Gallagher, and Raymond Gavigan properties. The alley is 125 feet in length.

All ordinances or parts of ordinances inconsistent herewith and the same are hereby rescinded.

PASSED FIRST READING: July 8, 1970

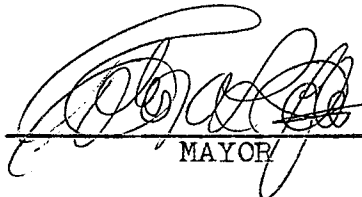
PASSED SECOND READING: August 12, 1970

PASSED THIRD READING: August 12, 1970

ATTESTED: August 12, 1970

APPROVED: August 12, 1970

Anthony L. Ferrara
CITY CLERK


MAYOR

FILE OF COUNCIL

No. 4, (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

SEPTEMBER 9, 1970

"A N O R D I N A N C E"

PROVIDING FOR THE ENACTMENT OF A PAID FIREMEN'S PENSION FUND FOR THE PURPOSE OF PENSIONING OF PAID FIREMEN IN THE BUREAU OF FIRE OF THE CITY OF PITTSBURGH, FIXING AND PRESCRIBING CONDITIONS OF ELIGIBILITY OF BENEFICIARIES; ESTABLISHING A BOARD OF MANAGERS; PROVIDING FOR THE INVESTMENT OF PENSION FUNDS; ESTABLISHING RATES OF CONTRIBUTION BY PAID FIREMEN AND THE CITY; PROVIDING FOR THE RIGHT IN THE CITY TO RECEIVE MONEY OR PROPERTY; REPEALING ALL PRIOR ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HERewith; IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF ASSEMBLY, APPROVED JUNE 23, 1931, P.L. 932 AND AS AMENDED.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH and it is hereby ordained by authority of the same:

SECTION 1. Fund Created; purpose of fund generally.

In accordance with and pursuant to the provisions of the Act of June 23, 1931, P.L. 932, Art. XLIII, Sec. 4230, et seq., as amended, there is hereby created in the city a pension fund to be designated as the "Paid Firemen's Pension Fund," for the purpose of providing pensions to the members of such fund and to such other beneficiaries as shall be specified in this Ordinance. Such fund shall receive property and funds and shall hold and distribute funds for the purpose and benefit of the members and other beneficiaries of the fund.

SECTION 2. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless the context clearly requires otherwise:

Fund: The "Paid Firemen's Pension Fund."

Member or Members: A person employed by the City as a paid and uniformed member of the bureau of fire.

Children: Children of a member or of a deceased member, but limited to children who are under eighteen years of age.

SECTION 3. Board of Managers - Established; composition; appointment of members.

The paid Firemen's Pension Fund shall be under the direction and control of a board of managers consisting of the Mayor, the director of accounts and finance, the director having charge of the bureau of fire, the City Controller, the Chief of the Bureau of Fire, ex officio, and two members of the Bureau of Fire to be chosen by the members of the Bureau of Fire. Of the first managers so chosen by the Bureau of Fire, one shall be chosen for a term of two years and one for a term of four years. Biennially thereafter, one manager shall be chosen for a term of four years to take the place of the manager whose term expires. In case of a vacancy among the managers chosen by the members of the Bureau of Fire, a successor shall be chosen by such members for the unexpired term.

SECTION 4. Board of Managers - Powers and Duties.

The paid Firemen's Pension Fund shall be applied under such regulations as the board of managers shall prescribe. It shall be the duty of the board of managers to present to the City Council, annually, a detailed statement of its assets and liabilities on or before the first meeting of the City Council in February of the following year. The board of managers shall have authority to do all things necessary to provide an effective and a financially sound fund and incur such expenses as they deem appropriate for such purposes.

SECTION 5. Acceptance and administration of gifts, grants, devises, etc.

The City may take by gift, grant, devise or bequest any money or property, real, personal or mixed, for the benefit of the Paid Firemen's Pension Fund. In such cases, the City shall observe all and singular the conditions and directions of the donors, and such property shall be administered by such of the board of managers who are officers of the City. Unless there is a specific ordinance adopted with reference to such gift, grant, devise or bequest, the same shall be transferred by such officers to the fund.

SECTION 6. Investment of funds.

If any funds under this article are invested, they shall be invested in accordance with the provisions of the Fiduciaries Investment Act of 1949, and the amendments thereto.

SECTION 7. Members of Fund designated.

All members on January 1, 1969, and all subsequently employed members shall be considered members of the Paid Firemen's Pension Fund.

SECTION 8. Contributions of members.

There shall be paid into the paid Firemen's Pension Fund by each member in the manner prescribed in this article two per cent of the salary of each member. Such sum shall be deducted at each payroll period by the City Treasurer and shall be paid by him forthwith to the Treasurer of the fund.

SECTION 9. Contributions by City from taxes.

The City shall pay annually to the paid Firemen's Pension Fund the sum of money not less than one-half of one per cent nor more than three per cent of all City taxes levied by the City, other than taxes levied to pay interest on or to extinguish the debt of the City of any part thereof, such sum to be paid at least quarterly during the fiscal year of the City, but the City Council may exceed the limitations imposed by this section if any additional amount is deemed necessary to provide sufficient funds for payments to widows of members retired on pension or killed or who die in the service.

SECTION 10. Accumulation of funds from tax on fire insurance companies.

The City Treasurer is hereby directed to receive from the treasurer of the Commonwealth the portion of the tax paid on premiums by foreign fire insurance companies, as provided in Purdon's Statutes, title 72, Section 2262, or amendments thereto, due to the City, and to pay over the same, when and

as soon as the tax from time to time is received by him, to the Treasurer of the Paid Firemen's Pension Fund.

SECTION 11. Use of funds, persons eligible to receive pension payments.

The Paid Firemen's Pension Fund shall be applied, under such regulations as the board of managers shall prescribe, for the benefit of such members of the bureau of fire as shall receive honorable discharge therefrom by reason of service or age or disability, widows of retired members, and the families of such as may be killed or who die in the service. All such pensions as shall be allowed to those who are retired by reason of the disabilities or of service or age shall be in conformity with a uniform scale together with service increments as hereinafter provided. Benefits allowed from such fund to families of such as are killed or who die in service shall take into consideration the member's widow and his minor children under eighteen years of age, if any survive.

Such regulations shall prescribe a minimum period of continuous service not less than twenty years, after which members of the bureau of fire may be retired or elect to be retired on pension from active duty, and such members as are retired shall be subject to service, from time to time, as a firemen's reserve in cases of emergency until unfitted for such service, when they may be finally discharged by reason of age or disability. Upon the death of a member who retires on pension or who could have retired on pension, or is killed or dies in the service, payments as provided in this article shall be made to his widow during her life so long as she does not remarry; and if there be no widow, but there are children who are eligible, payment shall be made to them until such children reach age eighteen.

SECTION 12. Pensions and service increments.

(a) Payments of pensions shall not be a charge on any fund in the treasury of the City or under its control save the Firemen's Pension Fund herein provided for. The basis of the pension of a member shall be determined by the monthly salary of the member at the date of retirement, or the highest average annual salary which he received during any five years of service preceding retirement, whichever is the higher, whether for disability, or by reason of age or service, and except as to service increments provided for in subsection (b) of this section, shall be one-half the annual salary of such member at the time of retirement computed at such monthly or average annual rate, whichever is higher. In the case of the payment of pensions to members for permanent injury incurred in service, and to families of members killed or who die in service, the amount and commencement of the payment of pensions shall be fixed by regulations of the board. Such regulations shall not take into consideration the amount and duration of workmen's compensation allowed by law. Payments to widows of members retired on pension or killed in the service on or after January 1, 1960, or who die in the service on or after January 1, 1968, shall be the amount payable to the member or which would have been payable had he been retired at the time of his death.

(b) In addition to the pension which is authorized to be paid from the Firemen's Pension Fund by this Ordinance and notwithstanding the limitations therein placed upon such pensions and upon contributions, every contributor who shall

become entitled to the pension shall also be entitled to the payment of a "Service increment" in accordance with and subject to the conditions hereinafter set forth.

(1) Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this Ordinance during which a contributor has been employed by such City and paid out by the City Treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this Ordinance. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred (\$100.00) Dollars per month.

(2) Each contributor, from and after the effective date of this Ordinance, shall pay into the pension fund a monthly sum in addition to his pension contribution, which shall not exceed the sum of one (\$1.00) dollar per month. And provided, that such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years.

(3) Any person who is a member of the department on the effective date of this Ordinance who has already reached the age of sixty-five years shall have his service increment computed on the years of employment prior to the date of reaching his sixty-fifth birthday.

(4) Service increment contributions shall be paid at the same time and in the same manner as pensions, and may be withdrawn in full, without interest, by persons who leave the employment of such City, subject to the same conditions by which retirement contributions may be withdrawn, or by persons who retire before becoming entitled to any service increment.

(5) All members of the bureau of fire who are now contributors to the pension fund and all those employed by the City after the effective date of this Ordinance, if required to become contributors to the pension fund, shall be subject to the provisions of this Ordinance.

SECTION 13. Separation from service prior to retirement.

If for any cause any member of the bureau of fire contributing to the pension fund shall cease to be a member of the bureau of fire before he becomes entitled to a pension, the total amount of the contributions paid into the pension fund by such member shall be refunded to him in full without interest. If any such member shall have returned to him the amount contributed, and shall afterward again become a member of the bureau of fire, he shall not be entitled to the pension designated until twenty years after his re-employment, unless he shall return to the pension fund the amount withdrawn, in which event the period of twenty years shall be computed from the time the member first became a member of the bureau of fire, excluding therefrom any period of time during which the member was not employed by the bureau of fire. In the event of the death of a member of the bureau of fire not in the line of service before the member becomes entitled to the pension aforesaid and such member is not survived by a widow or family entitled to payments as hereinbefore provided, the total amount of contributions paid into the pension fund by the member shall be paid over to his estate. In case of the death of a member not in the line of service before the member becomes entitled

to the pension aforesaid and such member is survived by a widow eligible to receive benefits as hereinbefore provided, the total amount of contributions paid into the pension fund by the member shall be paid over to such widow.

SECTION 14. Pensions not subject to attachment, assignment, levy, etc.

All pensions granted under this article, and every portion thereof, shall not be subject to pledge, assignment or transfer and shall be exempt from attachment and shall not be seized, taken or subject of detainer or levied upon by virtue of an execution or any process or proceeding whatsoever.

SECTION 15. Payments to be charged only to the fund.

Payments of pensions under this article shall not be a charge on any fund in the Treasury of the City or under its control, save the Paid Firemen's Pension Fund provided for in this article.

SECTION 16. The provisions of this Ordinance shall become effective immediately and remain in full force and effect thereafter.

PASSED FIRST READING: September 9, 1970

PASSED SECOND READING: October 14, 1970

PASSED THIRD READING: October 14, 1970

ATTESTED: October 14, 1970 APPROVED: October 14, 1970

Anthony L. Ferrara
CITY CLERK

John A. LaFollette
MAYOR

PROPOSED BUDGET
FILE OF COUNCIL NO. 5 (1970)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 11, 1970

AN ORDINANCE

"TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1971 AND ENDING DECEMBER 31, 1971."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | | |
|------------------------------|----|----------|----------|
| Salary of Mayor | \$ | 1,500.00 | |
| Salary of Secretary to Mayor | | 5,000.00 | |
| Office Supplies | | 300.00 | |
| Communications | | 2,500.00 | |
| Premium on Bonds | | 30.00 | 9,330.00 |

BUREAU OF POLICE:

| | | | |
|--|----|-----------|------------|
| Salary of Chief of Police | \$ | 8,500.00 | |
| Salary of Sergeant (2) \$7,300.00 each | | 14,600.00 | |
| Salary of Patrolmen (11) \$7,200.00 each | | 79,200.00 | |
| Salary of Police Clerks (3) \$7,200.00 each | | 21,600.00 | |
| Wages of Relief Officers (@ \$2.50 per hr.) | | 10,000.00 | |
| Wages of School Patrolmen (@ \$2.15 per hr.) | | 7,500.00 | |
| Paid Holidays | | 4,000.00 | |
| Office Supplies - Uniforms - Clothing, etc. | | 2,000.00 | |
| Printing of Violation Tickets, etc. | | 600.00 | |
| Material for Repairs & Replacements - Auto. | | 1,000.00 | |
| Gas and Oil | | 1,000.00 | |
| Firearms-Ammunition-Police Equip.-Supplies | | 500.00 | |
| Traffic Signal Maintenance-Lamps-Supplies | | 500.00 | |
| Light Service for Traffic Signals | | 400.00 | |
| Street Marking-Signs-Material-Supplies | | 400.00 | |
| Maint.-Repair of Mobile Police Radio | | 250.00 | |
| Care and Feeding of Prisoners | | 150.00 | |
| Parking Meters Maint. and Repair | | 750.00 | |
| Police Schedule Bond - Insurance-Blue Cross | | 3,000.00 | |
| Capital Outlay: | | | |
| Major Equipment - Police Cruiser Car | | 3,000.00 | 158,950.00 |

November 11, 1970

Honorable Mayor & Members of Council
City of Pittston, Pennsylvania

Gentlemen:

The following are the estimated receipts for the year 1971 including
the General and Liquid Fuels Funds:

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 38,450.00

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax
Levy on \$8,618,867.00
Valuation at 23 mills.....\$198,233.94
Less 10% uncollectible current year... 19,823.40
Net Amount from current real estate tax 178,410.54

(b) Occupation Tax
Levy on \$461,318.00
Valuation at 23 mills\$ 10,610.31
Less 25% uncollectible current year... 2,652.58
Net Amount from current occupational tax..... 7,957.73

Delinquent Real Estate, Occupation, and Poll Taxes..... 26,501.73

Poll Tax (Current) 2,000.00

Tax on Poles 300.00

Earned Income Tax (Act 511) 75,000.00

Liquor Licenses 13,750.00

City Licenses and Permits 8,600.00

Parking Meter Fees 20,000.00

Parking Violations and Fines 18,500.00

Pittston Area School District 1/Share exp. of Treas. Off.. 9,180.00

Luzerne County Treasurer 1/3 Share exp. of Treas. Office.... 9,100.00

Rental of City Property and Equipment 200.00

Municipal Liens 400.00

Pave Cuts 400.00

Refunds 400.00

Street Improvements Liens 1,000.00

Miscellaneous Receipts 2,500.00

Real Prop. Trans. Tax of $\frac{1}{2}$ of 1 (Act 511) 6,000.00

Occupation Privilege Tax (Act 5 40,000.00

Ash and Garbage Removal Fees 35,000.00

Accounts Receivable 43,000.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes. 55,000.00

\$591,650.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 7,674.48

ESTIMATED RECEIPTS:

State Motor License Fund Grants from Commonwealth
of Pennsylvania - Act 145\$ 25,591.81

TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 33,266.29

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

General Fund\$ 591,650.00

Liquid Fuels Tax Fund 33,266.29

TOTAL\$ 624,916.29

Respectfully submitted,

PATRICK J. COLLINS,
Director Dept. of
Accounts and Finance

BUREAU OF ENGINEERING & BUILDING INSPECTION:

| | | |
|--------------------------------------|-------------|----------|
| Salary of Engineer & Bldg. Inspector | \$ 3,300.00 | |
| Salary of Clerk | 1,200.00 | |
| Office Supplies | 150.00 | |
| Premium on Bonds | 30.00 | |
| Periodicals | 25.00 | 4,705.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURERS:

| | | |
|--------------------------|-------------|----------|
| Salary of Health Officer | \$ 1,800.00 | |
| Office Supplies | 25.00 | |
| Parcel Post and Postage | 25.00 | |
| Premium on Bond | 30.00 | 1,880.00 |

TOTAL - DEPARTMENT OF PUBLIC AFFAIRS \$174,865.00

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTOR:

| | | |
|--------------------------------|-------------|----------|
| Salary of Director | \$ 1,000.00 | |
| Salary of Assistant Director | 6,000.00 | |
| Office Supplies | 1,000.00 | |
| Advertising & Printing Reports | 150.00 | |
| Premium on Bonds | 60.00 | 8,210.00 |

OFFICE OF CITY CLERK:

| | | |
|------------------------------------|-------------|-----------|
| Salary of City Clerk | \$ 8,500.00 | |
| Communications | 1,500.00 | |
| Office Supplies | 1,200.00 | |
| Advertising - Ordinances & Reports | 900.00 | |
| Other Expenses | 250.00 | |
| Premium on Bonds | 50.00 | 12,400.00 |

OFFICE OF CITY CONTROLLER:

| | | |
|----------------------|-------------|----------|
| Salary of Controller | \$ 1,000.00 | |
| Office Supplies | 150.00 | |
| Premium on Bonds | 30.00 | |
| Advertising | 150.00 | 1,330.00 |

OFFICE OF CITY TREASURER:

| | | | |
|--|----|-----------------|------------------|
| Salary of City Treasurer | \$ | 500.00 | |
| Salary of Tax Collector | | 3,500.00 | |
| Salary of Deputy Tax Collector | | 7,000.00 | |
| Salary of Tax Clerks (3) \$5,000.00 each | | 15,000.00 | |
| Office Supplies | | 1,500.00 | |
| Printing Tax Statements & Notices | | 500.00 | |
| Premium on Bonds & Insurance | | <u>2,250.00</u> | <u>30,250.00</u> |

OFFICE OF OCCUPATIONAL TAX

| | | | |
|--|----|-----------------|-----------------|
| Compensation - Collector | \$ | 1,800.00 | |
| Car Allowance | | 150.00 | |
| Postage, Advertising, Printing, & Supplies | | <u>2,000.00</u> | <u>3,950.00</u> |

OFFICE OF EARNED INCOME TAX

| | | | |
|--------------------------|----|-----------------|-----------------|
| Compensation - Collector | \$ | <u>5,000.00</u> | <u>5,000.00</u> |
|--------------------------|----|-----------------|-----------------|

LAW DEPARTMENT:

| | | | |
|--|----|---------------|-----------------|
| Salary of City Solicitor | \$ | 2,600.00 | |
| Office Supplies | | 50.00 | |
| Premium on Bonds | | 30.00 | |
| Filing of Liens & Judgements & Special Litigation | | <u>250.00</u> | <u>2,930.00</u> |

BUREAU OF TAX ASSESSMENT:

| | | | |
|---|----|---------------|-----------------|
| Salary of Assessor | \$ | 750.00 | |
| Salary of Sub-Assessors (5) \$700.00 each | | 3,500.00 | |
| Office Supplies | | 500.00 | |
| Maintenance of Addressograph | | <u>500.00</u> | <u>5,250.00</u> |

| | | | |
|--|--|--|---------------------------|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE | | | <u><u>\$69,320.00</u></u> |
|--|--|--|---------------------------|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

BUREAU OF FIRE:

| | | | |
|--|----|-----------|-----------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs (2) \$600.00 each | | 1,200.00 | |
| Salary of Fire Truck Drivers (6) \$7,150.00 each | | 42,900.00 | |
| Salary of Relief Drivers | | 3,000.00 | |
| Wages - Volunteer Firemen | | 5,000.00 | |
| Paid Holidays | | 1,500.00 | |
| Uniforms - Clothing, etc. | | 650.00 | |
| Hydrant Rentals - Water Supply | | 3,000.00 | |
| Material for Repairs & Replacements-Auto Eq. | | 1,000.00 | |
| Gas and Oil | | 500.00 | |
| Purchase of other Minor Equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance and Blue Cross | | 2,500.00 | |
| Maintenance and Repair of Mobile Radio | | 150.00 | |
| Material and Supplies | | 350.00 | |
| Fuel-Lights-Water | | 600.00 | |
| Rental Building - Eagle Hose Company | | 1,800.00 | 66,500.00 |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|----|--------|--------|
| Salary of Plumbing Inspector | \$ | 700.00 | 700.00 |
|------------------------------|----|--------|--------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|----|----------|----------|
| Telephone Rental, Tolls & Switchboard | \$ | 6,000.00 | |
| Fire Alarm System-Maintenance-Repair | | 600.00 | 6,600.00 |

TOTAL - DEPARTMENT OF PUBLIC SAFETY \$ 74,830.00

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | |
|--------------------|-------------|-----------------|
| Salary of Director | \$ 1,000.00 | |
| Premium on Bond | 30.00 | <u>1,030.00</u> |

BUREAU OF HIGHWAYS:

| | | |
|--|-----------------|------------------|
| Salary of Superintendant of Streets | \$ 6,500.00 | |
| Salary of Clerk | 5,400.00 | |
| Wages of Laborers-General Maint. (@ \$2.15 per hr.) | 30,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (@ \$2.15 per hr.) | 10,000.00 | |
| Wages of Laborers-St. Markings & Signs (@ \$2.15 per hr.) | 2,000.00 | |
| Road Materials & Maint.-Street Paving | 13,000.00 | |
| Salt for De-Icing Streets | 2,500.00 | |
| Material and Supplies | 2,500.00 | |
| Office Supplies | 100.00 | |
| Material for Repairs and Replacements- Automotive Equipment | 1,500.00 | |
| Gas and Oil | 2,000.00 | |
| Rental of Equipment - Snow Removal, and Major Excavations | 5,000.00 | |
| Fuel - Light - Water | 900.00 | |
| Premium on Bonds and Insurance | 1,500.00 | |
| Replacement Small Tools & Minor Equipment | 500.00 | |
| Other Expenses | <u>1,000.00</u> | <u>84,400.00</u> |

BUREAU OF STREET CLEANING:

| | | |
|---|-----------------|------------------|
| Wages - Laborers - Street Cleaning (@ \$2.15 per hr.) | \$12,000.00 | |
| Material for Repairs & Replacements - Automotive Equipment | 1,000.00 | |
| Material & Supplies-Sweeper, Brushes, etc. | <u>1,000.00</u> | <u>14,000.00</u> |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | |
|---|-----------------|------------------|
| Wages of Laborers (@ \$2.15 per hr.) | \$22,000.00 | |
| Material for Repairs & Replacements - Automotive Equipment | 750.00 | |
| Gas and Oil | 1,400.00 | |
| Sanitary Landfill Authority Fee | <u>9,300.00</u> | <u>33,450.00</u> |

BUREAU OF STREET LIGHTING:

| | | |
|---------------|--------------------|------------------|
| Light Service | <u>\$22,000.00</u> | <u>22,000.00</u> |
|---------------|--------------------|------------------|

TOTAL - DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS. . . \$154,880.00

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | |
|--------------------|-------------|-----------------------|
| Salary of Director | \$ 1,000.00 | |
| Premium on Bond | | <u>30.00 1,030.00</u> |

OPERATION AND MAINTENANCE - BUILDING:

| | | |
|---|-----------------|------------------|
| Salary of Janitor | \$ 3,000.00 | |
| Salary of Janitress | 1,200.00 | |
| Material and Supplies | 1,200.00 | |
| Fuel - Light - Water | 2,100.00 | |
| Insurance City Buildings | 700.00 | |
| Plumbing and Boiler Repairs | 900.00 | |
| Repairs and Improvements to City Bldgs. | <u>5,000.00</u> | <u>14,100.00</u> |

PARKS:

| | | |
|-------------------------|-----------------|-----------------|
| Park Leases | \$ 150.00 | |
| Maintenance and Repairs | <u>2,500.00</u> | <u>2,650.00</u> |

TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY \$ 17,780.00

MISCELLANEOUS ACCOUNTS:

| | | |
|---|--------------|--|
| Compensation and Liability Insurance | \$ 15,000.00 | |
| Blue Cross | 2,000.00 | |
| Tax Refunds | 500.00 | |
| Military, Library and Civic Contributions | 8,000.00 | |
| Indigents, Contagious Hospital | 150.00 | |
| Civil Defense | 3,000.00 | |
| Pennsylvania League of Cities | 325.00 | |
| Urban Planning-Redevelopment-Parking Auth.- Gen.Purposes-Wyo.Valley Sanitary Auth. | 50,000.00 | |
| Pittston City Master Plan Study | 5,000.00 | |
| Social Security | 10,000.00 | |

PENSIONS:

| | | |
|-----------|-----------------|------------------|
| Firemen | 3,000.00 | |
| Policemen | <u>3,000.00</u> | <u>99,975.00</u> |

TOTAL OPERATION AND MAINTENANCE - GENERAL FUND \$ 591,650.00

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES:

| | | |
|-------------------------------|------------------|------------------|
| 75% - Material and Wages | \$ 19,193.85 | |
| 25% - Construction of Streets | <u>14,072.44</u> | <u>33,266.29</u> |

SUMMARY OF ESTIMATED EXPENDITURES



GENERAL FUND\$ 591,650.00
LIQUID FUELS TAX FUND\$ 33,266.29
GRAND TOTAL\$ 624,916.29


PASSED FIRST READING: November 11, 1970

PASSED SECOND READING: December 9, 1970

PASSED THIRD READING: December 9, 1970

ATTESTED: December 9, 1970 APPROVED: December 9, 1970



ANTHONY L. FERRARA
City Clerk


ROBERT A. LOFTUS
Mayor

FILE OF COUNCIL

No. 6 (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 11, 1970

"A N O R D I N A N C E

FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1971."

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1971, and certain deficiencies prior thereto, a tax is hereby levied on all persons, occupations, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:

"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, there is hereby levied twenty-three (23) mills on the dollar of valuation, which is Two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."


SECTION 2. That for the purpose of general revenue for the fiscal year, 1971, a Poll Tax of One (\$1.00) Dollar, is hereby imposed and levied on all male inhabitants of the City, above the age of twenty-one (21) years.

PASSED FIRST READING: November 11, 1970

PASSED SECOND READING: December 9, 1970

PASSED THIRD READING: December 9, 1970

ATTESTED: December 9, 1970 APPROVED: December 9, 1970


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 7 (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 11, 1970

"A N O R D I N A N C E

RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSSTON WHICH IMPOSES A ONE-HALF OF ONE PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REAL ESTATE WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an ordinance imposing a one-half of one per-cent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1971.

NOW, THEREFORE, be it Ordained by the Council of the City of Pittston and it is hereby Ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1971.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective immediately upon final enactment.

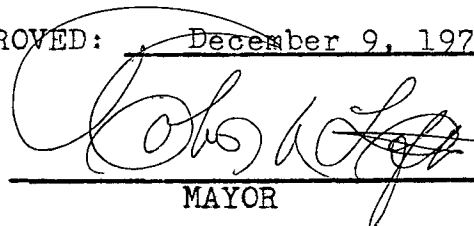
PASSED FIRST READING: November 11, 1970

PASSED SECOND READING: December 9, 1970

PASSED THIRD READING: December 9, 1970

ATTESTED: December 9, 1970

APPROVED: December 9, 1970


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 8 (1970)

MAYOR ROBERT A. LOFTUS, IN PLACE

NOVEMBER 11, 1970

"A N O R D I N A N C E"

Imposing a tax for general revenue purposes on all individuals for the privilege of engaging in occupations within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the City Treasurer; conferring and imposing powers and duties of administration of the City Treasurer, and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF PITSTON UNDER THE AUTHORITY OF THE ACT OF JUNE 25, 1947, (P.L. 1145) AND ITS AMENDMENTS, AS FOLLOWS:

SECTION 1. Definitions.

The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean any person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business, or undertaking of any type, kind or character, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the amount of Ten(\$10.00) Dollars levied by this ordinance.

(e) "Treasurer" shall mean the Treasurer of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the Twelve (12) month period beginning January 1, 1971 and ending December 31, 1971.

(g) "City of Pittston" shall mean the area within the corporate limits of the City of Pittstm.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female and neuter gender.

SECTION 2. Levy.

The City of Pittston hereby levies and imposes on each individual engaged in an occupation during the fiscal year of 1971 within the corporate limits of the City of Pittston an Occupation Privilege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston.

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1971, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars per annum.

SECTION 4. Duty of Employers.

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engage in business within the City of Pittston, is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Treasurer. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the Treasurer's Office, City Hall, Pittston, Pennsylvania. Each employer in filing this return and making payment of the Tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two per centum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collection thereof from the salary, wages or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the first day of January to the 15th. day of May, 1971 for determining the number of employees from whom said tax shall be deducted and paid over to the Treasurer on or before June 15, 1971. Supplemental reports shall be made by each employer on August 15, 1971 and October 15, 1971 of new employees as reflected on his employment records from May 15, 1971 to August 15, 1971 and from August 15, 1971 to October 15, 1971. Payments on these supplemental reports shall be made on September 15, 1971 and November 15, 1971, respectively.

SECTION 7. Individuals Engaged in More Than One Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of

this tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Treasurer, which form shall be evidence of deduction having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Treasurer on June 15, 1971, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed individuals Residing Beyond the Corporate Limits of the City of Pittston.

All Employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

SECTION 10. Administration of Tax.

(a) It shall be the duty of the Treasurer to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer or self-employed person together with the date the tax was received.

(b) The Treasurer is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred. Any person aggrieved by any decision of the Treasurer shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Treasurer is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Treasurer the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth,

the Treasurer may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six percent (6%) on the amount of said tax shall be calculated beginning with the due dates of said tax and a penalty of five percent (5%) shall be added to the flat rate of said tax for nonpayment thereof,. Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collection.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statement on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file any return required by this ordinance, shall, upon conviction before any Alderman or Magistrate, be sentenced to pay a fine or not more than Three Hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding thirty (30) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not affect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be construed to empower the City of Pittston to levy and collect the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the Court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15. Effective Date.

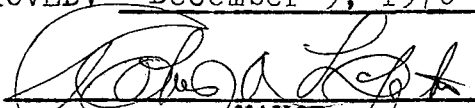
This ordinance shall become effective immediately and remain in force and effect for the fiscal year of 1971.

PASSED FIRST READING: November 11, 1970
PASSED SECOND READING: December 9, 1970
PASSED THIRD READING: December 9, 1970

ATTESTED: December 9, 1970

APPROVED: December 9, 1970

Anthony L. Zerrara
CITY CLERK


MAYOR

FILE OF COUNCIL

No. 9 (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 11, 1970

"A N O R D I N A N C E "

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES OF SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING THE PERIOD BEGINNING JANUARY 1, 1971, OR THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED BY RESIDENTS OF THE CITY OF PITTSBURGH, AND THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS: REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VIRTUE OF AND UNDER the authority vested in it by "The Local Tax Enabling Act" (Act # 511 of 1965) of December 31, 1965, P.L. 1257, as amended, (hereinafter referred to as "The Local Tax Enabling Act") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P.O. 1257, its supplements and amendments are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said Provisions of Section 13 is designated Addendum #1 and attached hereto and made an integral part of this Ordinance, as if more fully delineated in the body of the Ordinance.

SECTION 2. IMPOSITION OF TAX.

A tax for general revenue purposes in the amount of one-half of 1 per cent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st day of January, 1971, or the effective date of this Ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS.

Quarterly Payments.

1. Every taxpayer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the

tax due thereon in quarterly installments and shall file a final return, and pay to the officer the balance of the tax due, all as provided in Section 13, III, A, (1) II, (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. EARNED INCOME.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in Section 13, III, B, first paragraph of "The Local Tax Enabling Act", its supplements and amendments.

2. Quarterly Returns, Every taxpayer who is employed for a salary, wages or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quarter-annually the amount of tax shown as due on such returns, all as provided in Section 13, III, B, (2) of "The Local Tax Enabling Act", its supplements and amendments.

SECTION 4. COLLECTION AT SOURCE.

A. Every employer having an office, factory, workshop, brance, warehouse or other place of business within the corporate limits of the City of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, IV of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file return or pay taxes in the cases of domestic servants.

SECTION 5. POWERS AND DUTIES OF THE OFFICER.

The City Council of the City of Pittston shall designate by appropriate Resolution the Income Tax Officer who shall perform his duties in accord with Section 13, V, of "The Local Tax Enabling Act", and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the custodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quarter those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. ADMINISTRATION.

The Income Tax Officer shall be selected from time to time by Resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the posers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designated as Income Tax

Officer for the year 1971 the H.A. Berkheimer Associates, to serve at a compensation of 4% of the tax collected.

SECTION 8. APPLICABILITY.

The tax imposed in Section II of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

SECTION 9. SEVERABILITY.

The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 11.

The Ordinance shall become effective January 1, 1971.

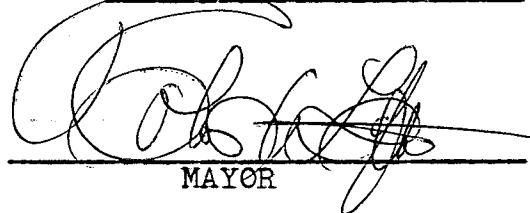
PASSED FIRST READING: November 11, 1970

PASSED SECOND READING: December 9, 1970

PASSED THIRD READING: December 9, 1970

ATTESTED: December 9, 1970

APPROVED: December 9, 1970


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 10 (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

DECEMBER 21, 1970

"AN ORDINANCE

AMENDING AN ORDINANCE ENTITLED: AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THEIR CONSTRUCTION, ALTERATION, EXTENSION, REPAIR, MAINTENANCE AND ALL FACILITIES IN OR ABOUT SUCH BUILDINGS AND STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE, DEPTH AND WIDTH OF YARDS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, MANUFACTURING, RESIDENCE OR OTHER PURPOSES; ESTABLISHING REGULATIONS FOR CONTROL OF STRIP MINING AND EXISTING JUNK YARDS; ESTABLISHING DISTRICTS AND THE BOUNDARIES THEREOF FOR SAID PURPOSES; PROVIDING FOR THE APPOINTMENT OF A BOARD OF ADJUSTMENT AND SETTING FORTH THE DUTIES AND FUNCTIONS OF SAID BOARD; AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE AND PENALTIES FOR VIOLATION THEREOF."

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH THAT;

The following changes and amendments to the City of Pittsburgh's Zoning Ordinance be and the same are hereby adopted by:

Amending Article 3.303 Special Uses - Classes 16-18 inclusive to read as follows:

Class 16 - Miscellaneous Residential Uses includes: Multi-family dwellings and apartment houses with a maximum of 30 dwelling units per building, funeral parlors on lots greater than 10,000 square feet; non-profit social halls, clubs, lodges, and residential conversions. Excepting further that multi-unit housing designed exclusively for elderly persons shall be permitted subject to the following special restrictions and limitations:

- (a) Maximum building height: 7 stories or 85 feet whichever is less.
- (b) Maximum building coverage: 40%
- (c) Minimum lot size: 1,500 square feet per dwelling unit.
- (d) Minimum width of lot: 80 feet.
- (e) Minimum depth of lot: 100 feet.
- (f) Minimum yard sizes: Front Yard - 20 ft., Rear Yard - 25 ft., Each Side Yard - 10 ft.
- (g) Parking: 1 parking space per each 2 D.U.'s.
- (h) Maximum dwelling units per building: 100

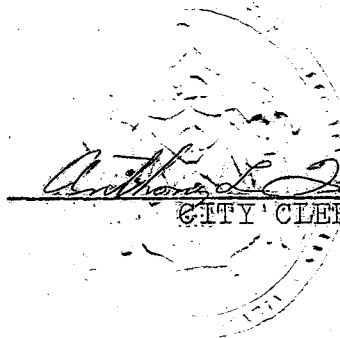
All ordinances or parts of ordinances inconsistent
herewith and the same are hereby rescinded.

PASSED FIRST READING: December 21, 1970

PASSED SECOND READING: January 13, 1971

PASSED THIRD READING: January 13, 1971

ATTESTED: January 13, 1971 APPROVED: January 13, 1971


Anthony L. Demma
CITY CLERK

Robert L. La Follette
MAYOR

FILE OF COUNCIL

No. 11 (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

DECEMBER 21, 1970

"A N O R D I N A N C E

AMENDING AN ORDINANCE ENTITLED: AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THEIR CONSTRUCTION, ALTERATION, EXTENSION, REPAIR, MAINTENANCE AND ALL FACILITIES IN OR ABOUT SUCH BUILDINGS AND STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE, DEPTH AND WIDTH OF YARDS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION AND THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, MANUFACTURING, RESIDENCE OR OTHER PURPOSES; ESTABLISHING REGULATIONS FOR CONTROL OF STRIP MINING AND EXISTING JUNK YARDS; ESTABLISHING DISTRICTS AND THE BOUNDARIES THEREOF FOR SAID PURPOSES; PROVIDING FOR THE APPOINTMENT OF A BOARD OF ADJUSTMENT AND SETTING FORTH THE DUTIES AND FUNCTIONS OF SAID BOARD; AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ORDINANCE AND PENALTIES FOR VIOLATION THEREOF."

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH THAT:

The Zoning Ordinance be changed for R-1 (Single Family Residential District) to R-2 (Two-Family Residential District) for the following areas:

1. A certain section bounded generally by River Street, Oak Street, the former right-of-way line of the Lackawanna and Wyoming Railroad, and Plank Street.

2. A certain section in North Pittston bounded generally by the Duryea Borough Line, the Hughestown Borough Line, North Main Street, and Panama Street.

All ordinances or parts of ordinances inconsistent herewith and the same are hereby rescinded.

PASSED FIRST READING: December 21, 1970

PASSED SECOND READING: January 13, 1971

PASSED THIRD READING: January 13, 1971

ATTESTED: January 13, 1971

APPROVED: January 13, 1971

Anthony L. Ferrara
CITY CLERK

Robert A. Loftus
MAYOR

FILE OF COUNCIL

No. 12, (1970)

MAYOR ROBERT A. LOFTUS IN PLACE

DECEMBER 21, 1970

"A N O R D I N A N C E"

RELATING TO POLICE PENSION FUNDS IN THE CITY OF PITSTON, PENNSYLVANIA, A THIRD CLASS CITY, AUTHORIZING THE APPROPRIATION TO PITSTON CITY POLICE PENSION FUND ASSOCIATION CERTAIN MONIES.

SECTION 1. Be it ordained by the City Council and Mayor of the City of Pittston, Luzerne County, Pennsylvania, that it is hereby ordained by the authority of the same; that there shall be paid by the City of Pittston annually to the Pittston Police Pension Fund Association, an organization duly constituted as a non-profit corporation organized and existing under the Laws of the Commonwealth of Pennsylvania and having in charge the distribution of the police pension fund for the members of the Bureau of Police in the City of Pittston, one-half of one per cent ($\frac{1}{2}$ of 1%) of all city taxes levied by the City of Pittston, other than taxes levied to pay interest on or extinguish the debt of the municipality.

SECTION 2. That the Pittston Police Pension Fund Association shall consist of the Chief of Police, Detectives, Lieutenants, and all regular appointed patrolman and other regularly appointed officers attached to the Bureau of Police. The said Pension Fund, as is now the present situation, shall elect a President, Vice-President, and a Secretary-Treasurer and five members elected as trustees. However, this is strictly discretionary on the members comprising the Pittston Police Pension Fund Association. The said officers and trustees will not in any way have any right to direct, control, manage or regulate the Pittston Police Pension Fund Association in any way or manner, but may from time to time report to the Pittston Council on matters concerned with the said Pension Fund.

SECTION 3. The Council of the City of Pittston shall control, direct and be responsible for the administration of the said Pittston Police Pension Fund Association, however, the said Police Pension Fund Association will be committed to the custody and management of the First National Bank of Pittston, a banking corporation authorized under law. The said First National Bank is to manage the Fund in the best welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the General Fund of the City of Pittston.

SECTION 4. That the said Pension Fund shall maintain a Fund that shall be given by bequest, legacy, gifts, donations, fund appeals, or from funds subscribed by the public, or from unclaimed articles in possession of the police, which shall be known in the Pittston Police Fund Association, this fund shall also consist of the funds allocated in Section 1, aforesaid.

SECTION 5. That in addition to the sum provided for the said Pension Fund by the City of Pittston, all members of the said Fund as qualified under Section 2 of this Ordinance shall have deducted from his or her monthly pay, salary or compensation \$2.00 and not to exceed more than 4% of said salary, pay or compensation and \$1.00 for service increment, which is to be paid in monthly payments by the City Treasurer to the duly elected Treasurer of the said Pension Fund.

SECTION 6. The fund shall be used for the pensioning of the officers and employees mentioned in the aforesaid sections of this ordinance and widows and children of same as hereinafter provided.

SECTION 7. All expenditures necessary for the maintenance of the said Pension Fund shall be paid by the said Fund and will be the responsibility of the City of Pittston. No money except as heretofore set forth shall be paid out except for the purposes of pensions for members of the Police Bureau and other officers and their widows and children as contemplated by this ordinance. The said Pension Fund Association shall make an annual report to the City Council and Mayor on the 1st. Monday of January of each year. The report shall give an account of all receipts and disbursements of the fund of such other matters or shall properly be embodied in such report.

SECTION 8. (a) Payments for allowances shall not be a charge on any other fund in the treasury of the City or under its control save the Police Pension Fund herein provided for. The basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge, or retirement whichever is the higher, and except as to service increments provided for in subsection (b) of this section, shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly or average annual rate, whichever is the higher.

(b) Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this act during which a contributor has been employed by such City and paid out of the City Treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this act. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month.

(c) The widow of a member of the police force or a member who retires on pension who dies or if no widow survives or if she survives and subsequently dies or remarries, then the child or children under the age of eighteen years of a member of the police force or a member who retires on pension who dies on or after the effective date of this amendment, shall during her lifetime or so long as she does not remarry in the case of a widow or until reaching the age of eighteen years in the case of a child or children, be entitled to receive the pension the member was receiving or would have been receiving had he been retired at the time of his death.

(d) Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death on injuries received after ten years of service the compensation may be fifty per centum of his annual compensation.

The disability pension may be payable to the police officer during his life time and if he shall die, the pension payment

that he was receiving may be continued to be paid to his widow if she survives or if she subsequently dies or remarries, then the child or children under the age of eighteen years of the police officer.

SECTION 9. Every policeman or other employee in the Bureau of Police eligible under this ordinance who retires who shall have served for the term of 20 years and wishes to be retired at his own request may do so and be entitled to receive a pension. The pension being determined from date of said resignation is submitted to Council, provided however, the Council shall have the right to retire any police officer who shall have served twenty years or more, if, in its opinion, the said officer or employee is either physically, or mentally incapacitated from performing his or her duty in the bureau of police. That all people covered by this ordinance must retire from the Bureau of Police upon reaching the age of 65. This is a mandatory retirement age. Any member of the Bureau of Police who at the age of 65 has not completed 20 years of service is entitled to receive only the monies he has paid by contributing into the said Pension Fund.

SECTION 10. That all sums of money paid for any reason either for the expense of running the said Pension Fund or any sums used for the payment of pensions to the officers, employees, widows or children entitled thereto under this Ordinance shall be paid by check signed by the Treasurer and anyone else designated by Council.

SECTION 11. That any officer and employee under this ordinance shall be entitled to apply for a disability pension if he or she is permanently incapacitated from discharging the duties of his or her position by an injury or injuries or sickness received as a member of the said pension fund, while in the actual discharge of his or her duties, provided he or she has served continuously as a regular member of the Pittston Police Bureau for a period of not less than one (1) Year. Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service the compensation may be fifty per centum of his annual compensation.

Any aforesaid member entitled to compensation under this section and who dies, his Beneficiary shall be entitled to a death benefit of \$50.00 for every year served under the aforesaid conditions.

SECTION 12. That if a member shall resign before eligibility under this Ordinance or shall be dismissed by the proper authorities he shall be entitled only to receive the sum he has paid by contribution into the said Pension Fund without interest.

SECTION 13. That all officers and employees of the Bureau of Police who are now contributors to the said Pension Fund and all those so employed after the enactment of this Ordinance shall be subject to the provisions of this ordinance.

SECTION 14. That the City Treasurer of the City of Pittston has the right to inspect the books and records of the Pittston Police Pension Fund Association during the course of each annual year.

SECTION 15. The Pittston Police Pension Fund Association is hereby authorized to amend its by-laws to include provisions therein in accordance with this Ordinance.

SECTION 16. This Ordinance is declared to be urgent and necessary for the preservation of the public peace, health, safety, and welfare and after full discussion with all interested parties and shall take effect and be in force after due passage.

SECTION 17. The provisions of this Ordinance are severable if any part of same is declared invalid, the validity of the remaining provisions shall be unaffected thereby.

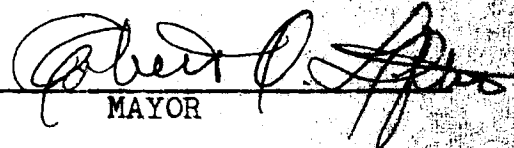
SECTION 18. That any and all former Laws and Ordinances of the City of Pittston concerning the Pittston City Police Pension Fund Association are hereby repealed to be replaced by this Ordinance.

PASSED FIRST READING: December 21, 1970

PASSED SECOND READING: January 13, 1971

PASSED THIRD READING: January 13, 1971

ATTESTED: January 13, 1971 APPROVED: January 13, 1971


MAYOR


CITY CLERK

CITY OF PITTSBURGH
PENNSYLVANIA

BUDGET FOR
YEAR 1972

PATRICK J. COLLINS

DIRECTOR OF ACCOUNTS AND FINANCE

November 22, 1971

Honorable Mayor & Members of Council
City of Pittston, Pennsylvania

Gentlemen:

The following are the estimated receipts for the year 1972 including the General and Liquid Fuels Funds:

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at Beginning of year.....\$ 50,232.00

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax
Levy on \$8,822,757.00
Valuation at 23 Mills.....\$202,923.41
Less 10% uncollectible current year..... 20,292.34
Net Amount from current real estate tax..... 182,631.07

(b) Occupation Tax
Levy on \$400,507.00
Valuation at 23 mills.....\$ 9,211.13
Less 25% uncollectible current year..... 2,302.78
Net Amount from current occupational tax..... 6,908.35

Delinquent Real Estate, Occupation, and Poll Taxes..... 26,501.58

Poll Tax (Current)..... 1,797.00

Tax on Poles 300.00

Earned Income Tax (Act 511)..... 75,000.00

Liquor Licenses 13,750.00

City Licenses and Permits 8,600.00

Parking Meter Fees 20,000.00

Parking Violations and Fines 18,500.00

Pittston Area School Dist. 1/3 Share Exp. of Treas. Off. 9,180.00

Luzerne County Treasurer 1/3 Share Exp. of Treas. Off. 9,100.00

Rental of City Property and Equipment 200.00

Municipal Liens 400.00

Pave Cuts 400.00

Refunds 400.00

Street Improvement Liens 1,000.00

Miscellaneous Receipts 2,500.00

Real Prop. Trans. Tax of $\frac{1}{2}$ of 1% (Act 511)..... 6,000.00

Occupation Privilege Tax (Act 511)..... 40,000.00

Ash and Garbage Removal Fees..... 35,000.00

Accounts Receivable 43,000.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes... 55,000.00

\$606,400.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year.....\$--0--

ESTIMATED RECEIPTS:

State Motor License Fund Grants from Commonwealth
of Pennsylvania-Act 145\$ 32,386.17
TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 32,386.17

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

General Fund\$ 606,400.00
Liquid Fuels Tax Fund32,386.17
TOTAL\$638,786.17

Respectfully submitted,

PATRICK J. COLLINS,
Director Dept. of
Accounts & Finance

PROPOSED BUDGET
FILE OF COUNCIL NO. 1 (1971)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 22, 1971

AN ORDINANCE

"TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSBURGH FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1972 AND ENDING DECEMBER 31, 1972."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | | |
|------------------------------|----|----------|----------|
| Salary of Mayor | \$ | 1,500.00 | |
| Salary of Secretary to Mayor | | 5,300.00 | |
| Office Supplies | | 300.00 | |
| Communications | | 2,500.00 | |
| Premium on Bonds | | 30.00 | 9,630.00 |

BUREAU OF POLICE:

| | | |
|---|-----------|------------|
| Salary of Chief of Police | 9,000.00 | |
| Salary of Sergeant (2) \$7,900.00 each | 15,800.00 | |
| Salary of Patrolman (11) \$7,500.00 each | 82,500.00 | |
| Salary of Police Clerks (3) \$7,500.00 each | 22,500.00 | |
| Wages of Relief Officers (@ \$2.65 per hr.) | 10,000.00 | |
| Wages of School Patrolman (@ \$2.25 per hr.) | 7,500.00 | |
| Paid Holidays | 4,000.00 | |
| Office Supplies-Uniforms-Clothing, Etc. | 2,000.00 | |
| Printing of Violation Tickets, etc. | 600.00 | |
| Material for Repairs & Replacements-Auto. | 1,000.00 | |
| Gas & Oil | 1,000.00 | |
| Firearms-Ammunition-Police Equip.-Supplies | 500.00 | |
| Traffic Signal Maintenance-Lamps-Supplies | 500.00 | |
| Light Service for Traffic Signals | 400.00 | |
| Street Marking-Signs-Material-Supplies | 400.00 | |
| Maint.-Repair of Mobile Police Radio | 250.00 | |
| Care and Feeding of Prisoners | 150.00 | |
| Parking Meters Maint. and Repair | 750.00 | |
| Police Schedule Bond - Insurance - Blue Cross | 3,000.00 | |
| <u>Capital Outlay:</u> | | |
| Major Equipment - Police Cruiser Car | 3,000.00 | 164,850.00 |

BUREAU OF ENGINEERING & BUILDING INSPECTION:

| | | |
|--------------------------------------|-------------|----------|
| Salary of Engineer & Bldg. Inspector | \$ 3,500.00 | |
| Salary of Clerk | 1,000.00 | |
| Office Supplies | 150.00 | |
| Premium on Bonds | 30.00 | |
| Periodicals | 25.00 | 4,705.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURES:

| | | |
|--------------------------|-------------|----------|
| Salary of Health Officer | \$ 1,800.00 | |
| Office Supplies | 25.00 | |
| Parcel Post and Postage | 25.00 | |
| Premium on Bond | 30.00 | 1,880.00 |

| | | |
|--|--|---------------------|
| TOTAL - DEPARTMENT OF PUBLIC AFFAIRS | | <u>\$181,065.00</u> |
|--|--|---------------------|

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTOR:

| | | |
|--------------------------------|-------------|----------|
| Salary of Director | \$ 1,000.00 | |
| Salary of Assistant Director | 6,400.00 | |
| Office Supplies | 1,000.00 | |
| Advertising & Printing Reports | 150.00 | |
| Premium on Bonds | 60.00 | 8,610.00 |

OFFICE OF CITY CLERK:

| | | |
|------------------------------------|-------------|-----------|
| Salary of City Clerk | \$ 9,000.00 | |
| Communications | 1,500.00 | |
| Office Supplies | 1,200.00 | |
| Advertising - Ordinances & Reports | 900.00 | |
| Other Expenses | 250.00 | |
| Premium on Bonds | 50.00 | 12,900.00 |

OFFICE OF CITY CONTROLLER:

| | | |
|----------------------|-------------|----------|
| Salary of Controller | \$ 1,000.00 | |
| Office Supplies | 150.00 | |
| Premium on Bonds | 30.00 | |
| Advertising | 150.00 | 1,330.00 |

OFFICE OF CITY TREASURER:

| | | | |
|--|----|-----------------|------------------|
| Salary of City Treasurer | \$ | 500.00 | |
| Salary of Tax Collector | | 3,500.00 | |
| Salary of Deputy Tax Collector | | 7,400.00 | |
| Salary of Tax Clerks (3) \$5,300.00 each | | 15,900.00 | |
| Office Supplies | | 1,500.00 | |
| Printing Tax Statements & Notices | | 500.00 | |
| Premium on Bonds & Insurances | | <u>2,250.00</u> | <u>31,550.00</u> |

OFFICE OF OCCUPATIONAL TAX:

| | | | |
|--|--|-----------------|-----------------|
| Compensation - Collector | | 1,800.00 | |
| Car Allowance | | 150.00 | |
| Postage, Advertising, Printing, & Supplies | | <u>2,000.00</u> | <u>3,950.00</u> |

OFFICE OF EARNED INCOME TAX:

| | | | |
|--------------------------|----|-----------------|-----------------|
| Compensation - Collector | \$ | <u>5,000.00</u> | <u>5,000.00</u> |
|--------------------------|----|-----------------|-----------------|

LAW DEPARTMENT:

| | | | |
|---|----|--------------|-----------------|
| Salary of City Solicitor | \$ | 2,800.00 | |
| Office Supplies | | 50.00 | |
| Premium on Bonds | | 30.00 | |
| Filing of Liens & Judgements & Special Litigation | | <u>50.00</u> | <u>2,930.00</u> |

BUREAU OF TAX ASSESSMENT:

| | | | |
|---|----|---------------|-----------------|
| Salary of Assessor | \$ | 750.00 | |
| Salary of Sub-Assessors (5) \$700.00 each | | 3,500.00 | |
| Office Supplies | | 500.00 | |
| Maintenance of Addressograph | | <u>500.00</u> | <u>5,250.00</u> |

| | | | |
|--|--|--|----------------------------|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE | | | <u><u>\$ 71,520.00</u></u> |
|--|--|--|----------------------------|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

BUREAU OF FIRE:

| | | | |
|---|----|-----------|-----------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs (2) \$600.00 each | | 1,200.00 | |
| Salary of Fire Truck Drivers (6) \$7,500.00 each | | 45,000.00 | |
| Salary of Relief Drivers | | 3,000.00 | |
| Wages - Volunteer Firemen | | 5,000.00 | |
| Paid Holidays | | 2,000.00 | |
| Uniforms - Clothing, Etc. | | 600.00 | |
| Hydrants Rentals - Water Supply | | 2,500.00 | |
| Material for Repairs & Replacements-Auto Equip. | | 1,000.00 | |
| Gas & Oil | | 500.00 | |
| Purchase of Other Minor equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance and Blue Cross | | 2,500.00 | |
| Maintenance and Repair of Mobile Radio | | 150.00 | |
| Material and Supplies | | 350.00 | |
| Fuel-Lights-Water | | 600.00 | |
| Rental Building - Eagle Hose Company | | 1,800.00 | 68,550.00 |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|--|--------|--------|
| Salary of Plumbing Inspector | | 700.00 | 700.00 |
|------------------------------|--|--------|--------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|--|----------|----------|
| Telephone Rental, Tolls & Switchboard | | 6,000.00 | |
| Fire Alarm System-Maintenance-Repair | | 600.00 | 6,600.00 |

| | | | |
|---|--|--|-------------|
| TOTAL - DEPARTMENT OF PUBLIC SAFETY | | | \$76,880.00 |
|---|--|--|-------------|

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | |
|--------------------|-------------|-----------------|
| Salary of Director | \$ 1,000.00 | |
| Premium on Bond | 30.00 | <u>1,030.00</u> |

BUREAU OF HIGHWAYS:

| | | |
|--|-------------|--|
| Salary of Superintendant of Streets | \$ 6,900.00 | |
| Salary of Clerk | 5,700.00 | |
| Wages of Laborers-General Maintenance (\$2.25 pr. hr.) | 30,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (\$2.25 pr. hr.) | 10,000.00 | |
| Road Materials & Maint.-Street Paving | 8,000.00 | |
| Salt for De-Icing Streets | 2,500.00 | |
| Material and Supplies | 2,500.00 | |
| Office Supplies | 100.00 | |
| Material for Repairs and Replacements- Automotive Equipment | 1,500.00 | |
| Gas & Oil | 2,000.00 | |
| Rental of Equipment-Snow Removal, and Major Excavations | 3,000.00 | |
| Fuel-Light-Water | 900.00 | |
| Premium on Bonds and Insurance | 1,500.00 | |
| Replacement Small Tools & Minor Equipment | 500.00 | |
| Other Expenses | 1,000.00 | |

CAPITAL OUTLAY:

| | | |
|------------------------|------------------|------------------|
| Major Equipment-Trucks | <u>12,000.00</u> | <u>88,100.00</u> |
|------------------------|------------------|------------------|

BUREAU OF STREET CLEANING:

| | | |
|---|-----------------|------------------|
| Wages-Laborers-Street Cleaning (\$2.25 per hr.) | 10,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | <u>1,000.00</u> | <u>11,000.00</u> |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | |
|--|-----------------|------------------|
| Wages of Laborers (\$2.25 per hr.) | 22,000.00 | |
| Material for repairs & replacements- Automotive Equipment | 750.00 | |
| Gas & Oil | 1,400.00 | |
| Sanitary Landfill Authority Fee | <u>9,300.00</u> | <u>33,450.00</u> |

BUREAU OF STREET LIGHTING:

| | | |
|---------------|------------------|------------------|
| Light Service | <u>25,000.00</u> | <u>25,000.00</u> |
|---------------|------------------|------------------|

TOTAL - DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS \$ 158,580.00

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | |
|--------------------|-------------|----------|
| Salary of Director | \$ 1,000.00 | |
| Premium on Bond | 30.00 | 1,030.00 |

OPERATION AND MAINTENANCE-BUILDING:

| | | |
|---|----------|-----------|
| Salary of Janitor | 3,200.00 | |
| Salary of Janitress | 1,200.00 | |
| Material and Supplies | 1,200.00 | |
| Fuel-Light-Water | 2,500.00 | |
| Insurance City Buildings | 700.00 | |
| Plumbing and Boiler Repairs | 900.00 | |
| Repairs and Improvements to City Bldgs. | 5,000.00 | 14,700.00 |

PARKS:

| | | |
|-------------------------|----------|----------|
| Park Leases | 150.00 | |
| Maintenance and Repairs | 2,500.00 | 2,650.00 |

TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY. \$18,380.00

MISCELLANEOUS ACCOUNTS:

| | | |
|--|--------------|--|
| Compensation and Liability Insurance | \$ 15,000.00 | |
| Blue Cross | 2,000.00 | |
| Tax Refunds | 500.00 | |
| Military, Library, and Civic Contributions | 6,000.00 | |
| Indigents, Contagious Hospital | 150.00 | |
| Civil Defense | 3,000.00 | |
| Pennsylvania League of Cities | 325.00 | |
| Urban Planning-Redevelopment-Parking Auth. Gen. Purposes-Wyo. Valley Sanitary Auth. | 50,000.00 | |
| Pittston City Master Plan Study | 5,000.00 | |
| Social Security | 10,000.00 | |

PENSIONS:

| | | |
|-----------|----------|-----------|
| Firemen | 4,000.00 | |
| Policemen | 4,000.00 | 99,975.00 |

TOTAL OPERATION AND MAINTENANCE - GENERAL FUND. \$606,400.00

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES:

| | | |
|-------------------------------|--------------|-----------|
| 75% - Material and Wages | \$ 24,289.63 | |
| 25% - Construction of Streets | 8,096.54 | 32,386.17 |

SUMMARY OF ESTIMATED EXPENDITURES

GENERAL FUND\$ 606,400.00
LIQUID FUELS TAX FUND\$ 32,386.17
GRAND TOTAL\$ 638,786.17

PASSED FIRST READING: November 22, 1971

PASSED SECOND READING: December 29, 1971

PASSED THIRD READING: December 29, 1971

ATTESTED: December 29, 1971 APPROVED: December 29, 1971

ROBERT A. LOFTUS
Mayor

ANTHONY L. FERRARA
City Clerk

FILE OF COUNCIL

No. 2 (1971)

65

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 22, 1971

"A N O R D I N A N C E"

FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1972".

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1972, and certain deficiencies prior thereto, a tax is hereby levied on all persons, occupations, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:

"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, there is hereby levied twenty-three (23) mills on the dollar of valuation, which is Two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."

SECTION 2. That for the purpose of general revenue for the fiscal year, 1972, a Poll Tax of One (\$1.00) Dollar, is hereby imposed and levied on all male inhabitants of the City, above the age of twenty-one (21) years.

PASSED FIRST READING: November 22, 1971

PASSED SECOND READING: December 29, 1971

PASSED THIRD READING: December 29, 1971

ATTESTED: December 29, 1971 APPROVED: December 29, 1971

Anthony L. Ferrara
CITY CLERK

Robert A. Loftus
MAYOR

FILE OF COUNCIL

No. 3 (1971)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 22, 1971

"A N O R D I N A N C E

RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSTON WHICH IMPOSES A ONE-HALF OF ONE PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REAL ESTATE WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an ordinance imposing a one-half of one per-cent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1971.

NOW, THEREFORE, be it Ordained by the Council of the City of Pittston and it is hereby Ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1972.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.


SECTION 3. This ordinance shall become effective immediately upon final enactment.


PASSED FIRST READING: November 22, 1971

PASSED SECOND READING: December 29, 1971

PASSED THIRD READING: December 29, 1971

ATTESTED: December 29, 1971 APPROVED: December 29, 1971


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 4 (1971)

MAYOR ROBERT A. LOFTUS, IN PLACE

NOVEMBER 22, 1971

"AN ORDINANCE"

Imposing a tax for general revenue purposes on all individuals for the privilege of engaging in occupations within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the City Treasurer; conferring and imposing powers and duties of administration of the City Treasurer, and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF PITSTON UNDER THE AUTHORITY OF THE ACT OF JUNE 25, 1947, (P. L. 1145) AND ITS AMENDMENTS, AS FOLLOWS:

SECTION 1. Definitions.

The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean any person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business or undertaking of any type, kind or character, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars levied by this ordinance.

(e) "Treasurer" shall mean the Treasurer of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the Twelve (12) months period beginning January 1, 1972 and ending December 31, 1972.

(g) "City of Pittston" shall mean the area within the corporate limits of the City of Pittston.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female and neuter gender.

SECTION 2. Levy.

The City of Pittston hereby levies and imposed on each individual engaged in an occupation during the fiscal year of 1972 within the corporate limits of the City of Pittston an Occupation Privilege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston.

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1972, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the amount of Ten (\$10.00) dollars per annum.

SECTION 4. Duty of Employers

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engage in business within the City of Pittston, is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Treasurer. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the Treasurer's Office, City Hall, Pittston, Pennsylvania. Each employer in filing this return and making payment of the Tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two percentum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collection thereof from the salary, wages or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the first day of January to the 15th. day of May, 1972 for determining the number of employees from whom said tax shall be deducted and paid over to the Treasurer on or before June 15, 1972. Supplemental reports shall be made by each employer on August 15, 1972 and October 15, 1972 of new employees as reflected on his employment records from May 15, 1972 to August 15, 1972 and from August 15, 1972 to October 15, 1972. Payments on these supplemental reports shall be made on September 15, 1972 and November 15, 1972, respectively.

SECTION 7. Individuals Engages in More than one Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of

this tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Treasurer, which form shall be evidence of deduction having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Treasurer on June 15, 1972, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed individuals residing beyond the Corporate Limits of the City of Pittston.

All Employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

SECTION 10. Administration of Tax

(a) It shall be the duty of the Treasurer to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer or self-employed person together with the date the tax was received.

(b) The Treasurer is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred. Any person aggrieved by any decision of the Treasurer shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Treasurer is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Treasurer the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth, the Treasurer may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six percent (6%) on the amount of said tax shall be calculated beginning with the due dates of said tax and a penalty of five percent (5%) shall be added to the flat rate of said tax for nonpayment thereof., Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collection.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statements on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file any return required by this ordinance, shall, upon conviction before any Alderman or Magistrate, be sentenced to pay a fine or not more than Three Hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding thirty (30) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not affect or invalidate any of the remaining provisions. It is Hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be construed to empower the City of Pittston to levy and collect the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the Court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15. Effective Date.

This ordinance shall become effective immediately and remain in force and effect for the fiscal year of 1972.

PASSED FIRST READING: November 22, 1971

PASSED SECOND READING: December 29, 1971

PASSED THIRD READING: December 29, 1971

ATTESTED: December 29, 1971

APPROVED: December 29, 1971

Anthony L. Devarra
CITY CLERK

Robert A. Riga
MAYOR

FILE OF COUNCIL

No. 5 (1971)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 22, 1971

"A N O R D I N A N C E"

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES OF SALARIES, WAGES COMMISSIONS AND OTHER COMPENSATION EARNED DURING THE PERIOD BEGINNING JANUARY 1, 1971, OR THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED BY RESIDENTS OF THE CITY OF PITTSBURGH, AND NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS: REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VIRTUE OF AND UNDER the authority vested in it by "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P. L. 1257, as amended, (hereinafter referred to as "The Local Tax Enabling Act") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P. O. 1257, its supplements and amendments are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said Provisions of section 13 is designated Addendum #1 and attached hereto and made an integral part of this Ordinance, as if more fully delineated in the body of the Ordinance.

SECTION 2. IMPOSITION OF TAX.

A. tax for general revenue purposes in the amount of one-half of 1 per cent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st day of January, 1972, or the effective date of this Ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS.

Quarterly Payments.

1. Every taxpayer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the

tax due thereon in quarterly installments and shall file a final return, and pay to the officer the balance of the tax due, all as provided in Section 13, III, A. (1) II, (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. Earned Income.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in Section 13, III, B, first paragraph of "The Local Tax Enabling Act", its supplements and amendments.

2. Quarterly Returns, every taxpayer who is employed for a salary, wages or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quarter-annually the amount of tax shown as due on such returns, all as provided in Section 13, III, B, (2) of "the Local Tax Enabling Act.", its supplements and amendments.

SECTION 4. COLLECTION AT SOURCE.

A. Every employer having an office, factory, workshop, warehouse or other place of business within the corporate limits of the City of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, IV of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file return or pay taxes in the cases of domestic servants.

SECTION 5. POWERS AND DUTIES OF THE OFFICER.

The City Council of the City of Pittston shall designate by appropriate Resolution the Income Tax Officer who shall perform his duties in accord with Section 13, V, of "the Local Tax Enabling Act", and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the custodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quarter those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. ADMINISTRATION.

The Income Tax Officer shall be selected from time to time by Resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designate as Income Tax Officer for the year 1972 the H. A. Berkheimer Associates, to serve at a compensation of 4% of the tax collected.

SECTION 8. APPLICABILITY.

The tax imposed in Section II of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

SECTION 9. SEVERABILITY.

The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 11.


The Ordinance shall be come effective January 1, 1972.

PASSED FIRST READING November 22, 1971

PASSED SECOND READING: December 29, 1971

PASSED THIRD READING: December 29, 1971

ATTESTED: December 29, 1971 APPROVED December 29, 1971


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 6 (1971)

MAYOR ROBERT A. LOFTUS, IN PLACE

November 22, 1971

"A N O R D I N A N C E"

GRANTING a non-exclusive franchise to Northeastern Pennsylvania T. V. Cable Co., a Pennsylvania corporation, its successors and assigns, to operate and maintain a community television system, pay television system and closed circuit television system in the City of Pittston, Pa; setting forth conditions accompanying the grant of a none-exclusive franchise; providing for municipal regulation and use of the system; providing for payment to the municipality for operation of system; and prescribing penalties for the violation of its provisions.

BE IT ENACTED AND ORDAINED BY the City Council of the City of Pittston, Luzerne County, Pennsylvania, and it is hereby enacted by the authority of the same as follows;

SECTION I. Short Title. This Ordinance shall be known and may be cited as the "Closed Circuit Television Franchise Ordinance."

SECTION II. Definitions. For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (1) "Municipality" is the City of Pittston, Pa.
- (2) "Company" is the Northeastern Pennsylvania T. V. Cable Corporation, grantee of rights under this franchise, or its assignee or successor,
- (3) "Governing Body" is the City Council of the City of Pittston, Luzerne County, Pennsylvania.

(4) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

SECTION III. Grant of Authority. The municipality hereby grants the right and privilege of the Company to construct, erect, operate and maintain in, upon, along, across, above, over and under the streets, alleys, public ways and public places now laid out or dedicated, and all extensions thereof, and additions thereto, in the Municipality; poles, wires, cables, underground conduits, manholes and other television conductors and fixtures necessary for the maintenance and operation in the Municipality of a community television system and for closed circuit cable service.

(a) Non-exclusive Grant. The right to use and occupy said streets, alleys, public ways and places for the purpose herein set forth shall not be exclusive, and the Municipality reserves the right to grant a similar use of said streets, alleys, public ways and places, to any person at any time during the period of this franchise.

(b) State Highway Department and Municipal Permits. The within grant by the Municipality is subject to the provisions of the Code of the Commonwealth of Pennsylvania particularly to the provisions of that Code which may require that before any conduits, pipe or other structures be erected upon or in any portion of a Municipal road a permit must be obtained from the State Highway Department for such purpose and such construction is made under the conditions, restrictions and regulations as may be prescribed in such State Highway Department permit. In Addition the within grant by the Municipality is subject to the provisions of the Municipal ordinances which may require that a permit be obtained before any conduits, pipe or other structures be erected upon or in any portion of a road and that such construction be made under the conditions, restrictions, and regulations as may be prescribed by such permit.

(c) Grant of Prescribed Rights. The within grant is further subject to the company obtaining any and all necessary easements, rights-of-way and other grants from any and all property owners who may be affected by the construction, operation and maintenance of the aforesaid conductors and fixtures.

SECTION IV. Compliance with Applicable Laws and Ordinances.

The Company shall, at all times during the life of this franchise, be subject to all lawful exercise of the police power by the Municipality and to such reasonable regulation, pursuant to the exercise of such police power, as shall hereafter by resolution or ordinance provide.

(a) Interference. If there is any interference on any television set, radio or other electronic device not on the conductors or fixtures of the Company caused by the conductors or fixtures of the Company, the Company shall immediately at its own cost and expense eliminate such interference. If such interference cannot be eliminated within forty-eight (48) hours, Municipality shall have the power to suspend wholly or partially the operations of the Company within the Municipality until such interference is eliminated.

(b) Building Permits. In addition Company shall apply for and take out any and all building permits required for any construction to be undertaken by said Company.

SECTION V. Company Liability, Indemnification. It is expressly understood and agreed by and between the Company and the Municipality that the Company shall save the Municipality harmless from all loss sustained on account of any suit, judgement, execution, claim or demand whatsoever, resulting from the operations of the Company in the construction, operation or maintenance of its Television system in the Municipality. The Municipality shall notify the Company's representative within ten (10) days after the presentation of any claim or demand, either by suit or otherwise, made against the Municipality on account of any damage or losses as aforesaid resulting from the operations of the Company.

The Company shall furnish at least fifteen (15) days prior to its commencement of performance of any act or deed directly or indirectly in pursuance of its franchise, but not less than thirty (30) days from the enactment date of this ordinance satisfactory evidence in writing that the Company has in force and will maintain in force during the term of this franchise public liability insurance of not less than \$500,000.00 for any one person and \$1,000,000.00 for any one accident and property damage insurance of not less than \$500,000.00 duly issued by an Insurance Company or Insurance Companies authorized to do business in this Commonwealth.

SECTION VI. Company Rules. The Company shall have the authority to promulgate such rules, regulations, terms and conditions governing the conduct of its business as shall be reasonably necessary to enable the Company to exercise its rights and perform its obligations under this franchise, and to assure an uninterrupted service to each and all of its customers. Provided, however, that such rules, regulations, terms and conditions shall not be in conflict with the provisions hereof or of laws of the State of Pennsylvania.

SECTION VII. Conditions on Street Occupancy.

(a) Use. All transmission and distribution structures, lines and equipment erected by the Company within the municipality shall be so located as to cause minimum interference with the proper use of streets, alleys and other public ways and places, and to cause minimum interference with the rights or reasonable convenience of property owners who adjoin any of the said streets, alleys or other public ways and places.

(b) Restoration. In case of any disturbance of pavement, sidewalk, driveway, or other surfacing, the Company shall at its own cost and expense and in a manner approved by the Municipal Engineer, replace and restore all paving, sidewalk, driveway or surfaces of any street or alley disturbed, in as good condition as before said work was commenced. Said restoration shall also be subject to the provisions of the Ordinances of the City of Pittston.

(c) Relocation. In event that at any time during the period of this franchise the Municipality shall lawfully elect to alter, or change the grade of, any street, alley or other public way, the Company, upon reasonable notice by the Municipality, shall remove, rely, and relocate its poles, wires, cables, underground conduits, manholes and other telephone fixtures at its own expense.

(d) Placement of Fixtures. The Company, insofar as it is reasonable possible to do so, shall locate its wires, cables, conduits and other television conductors and fixtures on existing utility poles of either the electric or the telephone company. The Company shall not place poles or other fixtures where the same will interfere with any gas, electric or telephone fixtures, water hydrant or main, and all such poles or other fixtures placed in any street shall be placed at the outer edge of the sidewalk and inside the curb line, and those placed in alleys shall be placed close to the lines of the lot abutting on said alley, and then in such a manner as not to interfere with usual travel on said streets, alleys and public ways.

(e) Temporary Removal of Wire for Building Moving. The Company shall, on the request of any person holding a building moving permit issued by the Municipality, temporarily raise or lower its wires to permit the moving of buildings. The expense of such temporary removal, raising or lowering of wires shall be paid by the person requesting the same, and the Company shall have the authority to require such payment in advance. The Company shall be given not less than forty-eight (48) hours advance notice to arrange for such temporary wire changes.

SECTION VIII. Assignment. The franchise or privilege granted hereunder shall be fully and freely assignable, but no assignment to any person, firm or corporation shall be effective until the assignee has filed with Governing Body of the Municipality, an instrument, duly executed, reciting the fact of

such assignment, accepting the terms of this franchise, and agreeing to perform all the conditions hereof.

SECTION IX. Municipal Right in Franchise.

(a) Municipal Rules. The right is hereby reserved to the Municipality to adopt, in addition to the provisions herein contained and existing applicable ordinances, such additional regulations as it shall find necessary in the exercise of the police power; provided that such regulations, by ordinance or otherwise, shall be reasonable, and not in conflict with the rights herein granted, and shall not be in conflict with the laws of the State of Pennsylvania.

(b) Use of System by Municipality. The Municipality shall have the right, during the life of this franchise, free of charge, where aerial construction exists, of maintaining upon the poles of the Company within the Municipality limits wire and pole fixtures necessary for a police and fire alarm system, such wires and fixtures to be constructed and maintained to the satisfaction of the Company in accordance with its specification.

(c) Inspection. The Municipality shall have the right to inspect all construction or installation work during such construction or installation or at any time after completion thereof, in order to insure compliance with the provisions of this ordinance and all other governing ordinance.

SECTION X. Payment. The Company shall pay to the Municipality for the privilege of operating its Community Television System under this franchise the sum of 3% of the gross receipts of the Cable Co., for the City of Pittston, Penna.

Termination of operation or failure to undertake operation by the Company shall terminate liability under this taxing provision. The Company shall make payments to the Municipality of the amounts it is obliged to pay hereunder in annual installments prior to April 1, of each year.

SECTION XI. Records and Reports. The Company shall at all times maintain adequate records of the gross receipts from service rental income, which shall be available at all reasonable times to inspection by the Municipality through its duly designated agents or officers.

SECTION XII. Term of Franchise. This Franchise shall remain in force and effect from and after the enactment date hereof, and shall continue in force and effect thereafter for the term of twelve (12) years.

SECTION XIII. Publication Costs. The Company shall assume the costs of publication of this ordinance as such publication is required by law.

SECTION XIV. Penalties. Any violation by the Company, its vendee, lessee or successor of the provisions of this franchise or any material portion or portions thereof, or the failure promptly to perform any of the provisions thereof, shall be cause for the forfeiture of this franchise and all rights hereunder to the Municipality after written notice to the Company and continuation of such violation, failure or default.

SECTION XV. Binding Effect. No ordinance or resolution under any Act of Assembly now in force or hereafter passed shall be enacted during the term hereof which shall alter, amend, repeal, impair or in any manner affect the purpose, intent and the obligation of this ordinance (granting the within nonexclusive franchise), it being the express intent hereof that the term of this nonexclusive franchise as set forth in Section XII herein, shall constitute a full and unabridged term of the within granted nonexclusive franchise without modification, until either the Company terminates its operation or the term of the franchise expires, whichever occurs first.

SECTION XVI. Waiver of Objections. By the adoption of this ordinance the Municipality hereby expressly waives any and

all objections it has or may have to the legal right of the Company to attach its cables, equipment and transmission lines to the poles of Pennsylvania Power and Light Company and The Bell Telephone Company,

and to the authority of said public utilities to grant said right to the company, subject, however, to the company obtaining the necessary permits and grants from the State Highway Department and affected property owners as set forth in Section III of the within ordinance.

SECTION XVII. Taxation. During the effective term of this contract, the Municipality expressly agrees that it will not enact any ordinance or adopt any resolution which will impose a tax on the Company that is discriminatory insofar as said Company is concerned, but that the Company shall occupy the same status taxwise as any other owner of real or personal property, or owner or operator of any business enterprise within the corporate limits of the Municipality.

SECTION XVIII. Severance. If any article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrase or word in this ordinance is, for any reason declared to be illegal, unconstitutional or invalid, by any Court of competent jurisdiction, such decision shall not affect or impair the validity of the ordinance as a whole, or any other article, section, subsection, provision, regulation, limitation, restriction, sentence, clause, phrases and words thereof, irrespective of the fact that any one or more of the sections subsections, provisions, regulations, limitations, restrictions, sentences, clauses, phrases, or word may be declared illegal, unconstitutional or invalid.

SECTION XIX. Effective Date. This ordinance shall become effective upon date of enactment.

SECTION XX. Repealer. All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

This ordinance shall become effective immediately upon final adoption.

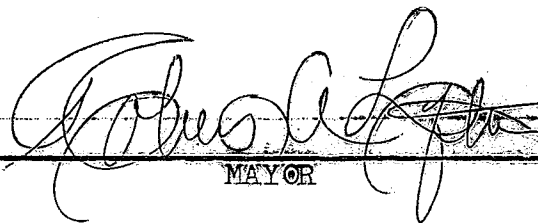
PASSED FIRST READING: November 22, 1971

PASSED SECOND READING: December 29, 1971

PASSED THIRD READING: December 29, 1971

ATTESTED: December 29, 1971

APPROVED: December 29, 1971


MAYOR



CITY CLERK

FILE OF COUNCIL

NO. 1 (1972)

Mayor ROBERT A. LOFTUS IN PLACE

JANUARY 3, 1972

"AN ORDINANCE"

AMENDING FILE OF COUNCIL NO. 7 OF 1962, ENTITLED "AN ORDINANCE SIGNIFYING THE INTENTION OF THE MUNICIPAL AUTHORITIES TO ORGANIZE A MUNICIPALITY AUTHORITY UNDER THE MUNICIPALITY AUTHORITIES ACT OF 1945 JOINTLY WITH OTHER MUNICIPALITIES; AUTHORIZING THE EXECUTION OF ARTICLES OF INCORPORATION FOR SUCH AUTHORITY IN THE FORM HEREINHEREIN CONTAINED; DIRECTING NOTICE OF THIS ORDINANCE TO BE PUBLISHED IN THE MANNER PROVIDED BY SAID ACT: DIRECTING THE FILING OF SAID ARTICLES: DETERMINING THE INITIAL PROJECT TO BE UNDERTAKEN BY SAID AUTHORITY; APPOINTING THE FIRST MEMBERS OF THE BOARD OF SAID AUTHORITY AND FIXING THEIR TERMS OF OFFICE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING THAT THIS ACT SHALL TAKE EFFECT IMMEDIATELY."

WHEREAS, the City of Pittston desires to limit and specify the project or projects to be undertaken by the Wyoming Valley Sanitary Authority and that no other projects shall be undertaken by said Authority other than those specified.

NOT, THEREFORE, BE IT ENACTED AND ORDAINED, by the City Council of the City of Pittston and it is hereby enacted and ordained by authority of the same;

SECTION 1. That Section 6 of Ordinance No. 7 of 1962 be stricken from said Ordinance and that the following as Section 6 be and is hereby substituted as an amendment therefor;

SECTION 6. The initial and only project to be undertaken by the Authority is the financing, construction and/or provision of facilities for the primary treatment and disposal of sewage, as the physical facilities of the Wyoming Valley Sanitary Authority exist today."

SECTION 2. That all Ordinances or parts of Ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. That this Ordinance shall take effect immediately and be in force from and after its approval as required by law.

PASSED FIRST READING: January 3, 1972

PASSED SECOND READING: January 7, 1972

PASSED THIRD READING: January 7, 1972

ATTESTED: January 7, 1972

APPROVED January 7, 1972


MAYOR


ANTHONY L. FERRARA - CITY CLERK

FILE OF COUNCIL

NO. 2, (1972)

MAYOR ROBERT A. LOFTUS, IN PLACE

MARCH 8, 1972

A N O R D I N A N C E

"REGULATING TRAFFIC ON CERTAIN STREETS IN THE CITY OF PITTSSTON; PROVIDING FOR THE ERECTION OF TRAFFIC SIGNS AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HEREWITH".

BE IT ORDAINED by the Council of the City of Pittston, and it is hereby ordained by the authority of the same, that,

SECTION 1. On Carroll Streets, traffic shall move only in a Westerly direction from Radcliffe Street to Church Street.

SECTION 2. A sign indicating the direction of traffic, shall be erected and maintained at every intersection where movement of traffic in the opposite direction is prohibited.

SECTION 3. ANY person or persons violating the provisions hereof shall, upon conviction thereof, before the Mayor of the City of Pittston, pay a fine of not more than Ten (\$10.00) Dollars, and in default thereof be committed to the City Jail for a period not exceeding five (5) days.

SECTION 4. All Ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.

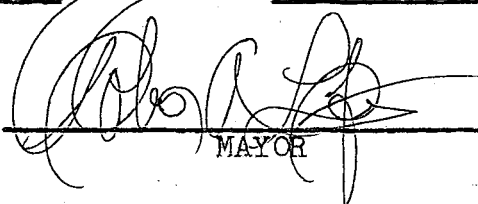
PASSED FIRST READING: March 8, 1972

PASSED SECOND READING: April 12, 1972

PASSED THIRD READING: April 12, 1972

ATTESTED: April 12, 1972

APPROVED: April 12, 1972


MAYOR


CITY CLERK

November 17, 1972

Honorable Mayor & Members of Council
City of Pittston, Pennsylvania

Gentlemen:

The following are the estimated receipts for the year 1973
including the General and Liquid Fuels Funds:

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at Beginning of year\$ 50,000.00

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax
Levy on \$8,822,757.00
Valuation at 23 Mills\$202,923.41
Less 10% uncollectible current year.... 20,292.34
Net Amount from Current real estate tax.....182,631.07

(b) Occupation Tax
Levy on \$400,507.00
Valuation at 23 Mills\$ 9,211.13
Less 25% uncollectible current year.... 2,302.78
Net Amount from current occupational tax..... 6,908.35

Delinquent Real Estate & Occupation Taxes 26,501.58

Federal Revenue Sharing 77,000.00

Earned Income Tax (Act 511) 76,797.00

Liquor Licenses 13,750.00

City Licenses and Permits 8,900.00

Parking Meter Fees 20,000.00

Parking Violations and Fines 18,500.00

Pittston Area School Dist. 1/3 Share Exp. of Treas. Off. 9,180.00

Luzerne County Treasurer 1/3 Share Exp. of Treas. Off. 9,100.00

Rental of City Property and Equipment 432.00

Municipal Liens 400.00

Pave Cuts 400.00

Refunds 400.00

Street Improvement Liens 1,000.00

Miscellaneous Receipts 2,500.00

Real Prop. Trans. Tax of $\frac{1}{2}$ of 1% (Act 511) 6,000.00

Occupation Privilege Tax (Act 511) 40,000.00

Ash and Garbage Removal Fees 35,000.00

Accounts Receivable 28,900.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes 55,000.00

\$669,300.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 10,859.47

ESTIMATED RECEIPTS:

State Motor License Fund Grants from
Commonwealth of Pennsylvania - Act 145\$ 43,437.88

TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 54,297.35

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

General Fund\$ 669,300.00

Liquid Fuels Tax Fund54,297.35

TOTAL :.....\$ 723,597.35

Respectfully submitted,

PATRICK J. COLLINS,
Director Dept. of
Accounts & Finance

PROPOSED BUDGET

FILE OF COUNCIL NO. 3 (1972)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 17, 1972

AN ORDINANCE

"TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1973 AND ENDING DECEMBER 31, 1973."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | | |
|------------------------------|----|----------|----------|
| Salary of Mayor | \$ | 1,500.00 | |
| Salary of Secretary to Mayor | | 5,600.00 | |
| Office Supplies | | 300.00 | |
| Communications | | 2,500.00 | |
| Premium on Bonds | | 30.00 | 9,930.00 |

BUREAU OF POLICE:

| | |
|---|-----------|
| Salary of Chief of Police | 9,500.00 |
| Salary of Sergeant (2) \$8,500.00 each | 17,000.00 |
| Salary of Patrolman (11) \$8,000.00 each | 88,000.00 |
| Salary of Police Clerks (3) \$8,000.00 each | 24,000.00 |
| Wages of Relief Officers (@ \$2.90 per hr.) | 10,000.00 |
| Wages of School Patrolman (@ \$2.50 per hr.) | 7,500.00 |
| Paid Holidays | 4,000.00 |
| Office Supplies -Uniforms-Clothing, Etc. | 2,000.00 |
| Printing of Violation Tickets, Etc. | 600.00 |
| Material for Repairs & Replacements-Auto. | 1,000.00 |
| Gas & Oil | 1,000.00 |
| Firearms-Ammunition-Police Equip.-Supplies | 500.00 |
| Traffic Signal Maintenance-Lamps-Supplies | 500.00 |
| Light Service for Traffic Signals | 400.00 |
| Street Marking-Signs-Material-Supplies | 400.00 |
| Maint.-Repair of Mobile Police Radio | 250.00 |
| Care and Feeding of Prisoners | 150.00 |
| Parking Meters Maint. and Repair | 750.00 |
| Police Schedule Bond - Insurance - Blue Cross | 5,000.00 |

Capital Outlay:

| | | |
|--------------------------------------|----------|------------|
| Major Equipment - Police Cruiser Car | 3,000.00 | 175,550.00 |
|--------------------------------------|----------|------------|

BUREAU OF ENGINEERING & BUILDING INSPECTION:

| | | | |
|--------------------------------------|----|----------|----------|
| Salary of Engineer & Bldg. Inspector | \$ | 3,500.00 | |
| Salary of Clerk | | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Periodicals | | 25.00 | 4,705.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURES:

| | | | |
|--------------------------|----|----------|----------|
| Salary of Health Officer | \$ | 1,800.00 | |
| Office Supplies | | 25.00 | |
| Parcel Post and Postage | | 25.00 | |
| Premium on Bond | | 30.00 | 1,880.00 |

| | | | |
|--|--|--|---------------------|
| TOTAL - DEPARTMENT OF PUBLIC AFFAIRS | | | <u>\$192,065.00</u> |
|--|--|--|---------------------|

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTOR:

| | | | |
|--------------------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Salary of Assistant Director | | 6,800.00 | |
| Office Supplies | | 1,000.00 | |
| Advertising & Printing Reports | | 150.00 | |
| Premium on Bonds | | 60.00 | 9,010.00 |

OFFICE OF CITY CLERK:

| | | | |
|------------------------------------|----|----------|-----------|
| Salary of City Clerk | \$ | 9,500.00 | |
| Communications | | 2,500.00 | |
| Office Supplies | | 1,200.00 | |
| Advertising - Ordinances & Reports | | 900.00 | |
| Other Expenses | | 250.00 | |
| Premium on Bonds | | 50.00 | 14,400.00 |

OFFICE OF CITY CONTROLLER:

| | | | |
|----------------------|----|----------|----------|
| Salary of Controller | \$ | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Advertising | | 150.00 | 1,330.00 |

OFFICE OF CITY TREASURER:

| | | | |
|--|----|-----------|-----------|
| Salary of City Treasurer | \$ | 500.00 | |
| Salary of Tax Collector | | 3,500.00 | |
| Salary of Deputy Tax Collector | | 7,900.00 | |
| Salary of Tax Clerks (3) \$5,600.00 each | | 16,800.00 | |
| Office Supplies | | 1,500.00 | |
| Printing Tax Statements & Notices | | 500.00 | |
| Premium on Bonds & Insurances | | 2,250.00 | 32,950.00 |

OFFICE OF OCCUPATIONAL TAX:

| | | | |
|--|--|----------|----------|
| Compensation - Collector | | 1,800.00 | |
| Car Allowance | | 150.00 | |
| Postage, Advertising, Printing, & Supplies | | 2,000.00 | 3,950.00 |

OFFICE OF EARNED INCOME TAX:

| | | | |
|--------------------------|----|----------|----------|
| Compensation - Collector | \$ | 5,500.00 | 5,500.00 |
|--------------------------|----|----------|----------|

LAW DEPARTMENT:

| | | | |
|---|--|----------|----------|
| Salary of City Solicitor | | 3,000.00 | |
| Office Supplies | | 50.00 | |
| Premium on Bonds | | 30.00 | |
| Filing of Liens & Judgements & Special Laws | | 50.00 | 3,130.00 |

BUREAU OF TAX ASSESSMENT:

| | | | |
|---|----|----------|----------|
| Salary of Assessor | \$ | 750.00 | |
| Salary of Sub-Assessors (5) \$700.00 each | | 3,500.00 | |
| Office Supplies | | 500.00 | |
| Maintenance of Addressograph | | 500.00 | 5,250.00 |

| | | | |
|--|--|--|--------------|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE . . . | | | \$ 75,520.00 |
|--|--|--|--------------|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | <u>1,030.00</u> |

BUREAU OF FIRE:

| | | | |
|---|----|-----------------|------------------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs(2)\$600.00ea. | | 1,200.00 | |
| Salary of Fire Truck Drivers (6)\$8,000.00ea. | | 48,000.00 | |
| Salary of Relief Drivers | | 3,000.00 | |
| Wages - Volunteer Firemen | | 5,000.00 | |
| Paid Holidays | | 2,000.00 | |
| Uniforms - Clothing, Etc. | | 900.00 | |
| Hydrants Rentals - Water Supply | | 2,500.00 | |
| Material for Repairs & Replacements-Auto Eq. | | 1,000.00 | |
| Gas & Oil | | 500.00 | |
| Purchase of Other Minor Equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance and Blue Cross | | 3,500.00 | |
| Maintenance and Repair of Mobile Radio | | 150.00 | |
| Material and Supplies | | 350.00 | |
| Fuel-Light-Water | | 600.00 | |
| Rental Building - Eagle Hose Company | | <u>1,800.00</u> | <u>72,850.00</u> |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|----|---------------|---------------|
| Salary of Plumbing Inspector | \$ | <u>700.00</u> | <u>700.00</u> |
|------------------------------|----|---------------|---------------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|----|---------------|-----------------|
| Telephone Rental, Tolls & Switchboard | \$ | 6,000.00 | |
| Fire Alarm System-Maintenance-Repair | | <u>600.00</u> | <u>6,600.00</u> |

| | | | |
|---|--|--|---------------------|
| TOTAL - DEPARTMENT OF PUBLIC SAFETY | | | <u>\$ 81,180.00</u> |
|---|--|--|---------------------|

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | <u>1,030.00</u> |

BUREAU OF HIGHWAYS:

| | | | |
|--|----|-----------------|-------------------|
| Salary of Superintendant of Streets | \$ | 7,400.00 | |
| Salary of Clerk | | 6,100.00 | |
| Wages of Laborers-General Maintenance (@ \$2.50 per hr.) | | 30,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (@ \$2.50 per hr.) | | 10,000.00 | |
| Road Materials & Maint.-Street Paving | | 8,000.00 | |
| Salt for De-Icing Streets | | 2,500.00 | |
| Material and Supplies | | 2,500.00 | |
| Office Supplies | | 100.00 | |
| Material for Repairs & Replacements- Automotive Equipment | | 1,500.00 | |
| Gas & Oil | | 2,000.00 | |
| Rental of Equipment-Snow Removal, Storm Sewers, & Major Excavations | | 50,000.00 | |
| Fuel-Light-Water | | 900.00 | |
| Premium on Bonds and Insurance | | 1,500.00 | |
| Replacement Small Tools & Minor Equipment | | 500.00 | |
| Other Expenses | | <u>1,000.00</u> | <u>124,000.00</u> |

BUREAU OF STREET CLEANING:

| | | | |
|---|----|-----------------|------------------|
| Wages-Laborers-Street Cleaning (@ \$2.50 per hr.) | \$ | 10,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | | <u>1,000.00</u> | <u>11,000.00</u> |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | | |
|--|----|-----------------|------------------|
| Wages of Laborers (@ \$2.50 per hr.) | \$ | 22,000.00 | |
| Material for Repairs & Replacements- Automotive Equipment | | 750.00 | |
| Gas & Oil | | 1,400.00 | |
| Sanitary Landfill Authority Fee | | <u>9,300.00</u> | <u>33,450.00</u> |

BUREAU OF STREET LIGHTING:

| | | | |
|---------------|----|------------------|------------------|
| Light Service | \$ | <u>25,000.00</u> | <u>25,000.00</u> |
|---------------|----|------------------|------------------|

| | | | |
|--|--|--|---------------------|
| TOTAL - DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS. . . | | | <u>\$194,480.00</u> |
|--|--|--|---------------------|

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

OPERATION AND MAINTENANCE-BUILDING:

| | | | |
|---|----|----------|-----------|
| Salary of Janitor | \$ | 3,400.00 | |
| Salary of Janitress | | 1,200.00 | |
| Material and Supplies | | 1,200.00 | |
| Fuel-Light-Water | | 2,500.00 | |
| Insurance City Buildings | | 700.00 | |
| Plumbing and Boiler Repairs | | 900.00 | |
| Repairs and Improvements to City Bldgs. | | 5,000.00 | 14,900.00 |

PARKS:

| | | | |
|-------------------------|----|----------|----------|
| Park Leases | \$ | 150.00 | |
| Maintenance and Repairs | | 2,500.00 | 2,650.00 |

TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY \$18,580.00

MISCELLANEOUS ACCOUNTS:

| | | | |
|---|----|-----------|--|
| Compensation and Liability Insurance | \$ | 15,000.00 | |
| Blue Cross | | 4,500.00 | |
| Tax Refunds | | 500.00 | |
| Military, Library, and Civic Contributions | | 6,000.00 | |
| Indigents, Contagious Hospital | | 150.00 | |
| Civil Defense | | 3,000.00 | |
| Pennsylvania League of Cities | | 325.00 | |
| Urban Planning-Redevelopment-Parking Auth.- Gen. Purposes-Wyo. Valley Sanitary Auth. | | 50,000.00 | |
| Pittston City Master Plan Study | | 10,000.00 | |
| Social Security | | 10,000.00 | |

PENSIONS:

| | | | |
|-----------|--|----------|------------|
| Firemen | | 4,000.00 | |
| Policemen | | 4,000.00 | 107,475.00 |

TOTAL - OPERATION AND MAINTENANCE - GENERAL FUND \$669,300.00

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES:

| | | | |
|-------------------------------|----|-----------|-------------|
| 75% - Material and Wages | \$ | 32,578.41 | |
| 25% - Construction of Streets | | 21,718.94 | \$54,297.35 |

SUMMARY OF ESTIMATED EXPENDITURES

GENERAL FUND\$ 669,300.00
LIQUID FUELS TAX FUND...\$ 54,297.35
GRAND TOTAL\$ 723,597.35

PASSED FIRST READING: November 17, 1972

PASSED SECOND READING: December 20, 1972

PASSED THIRD READING: December 20, 1972

ATTESTED: December 20, 1972

APPROVED: December 20, 1972

ROBERT A. LOFTUS
Mayor

ANTHONY L. FERRARA
City Clerk

FILE OF COUNCIL

No. 4 (1972)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 17, 1972

"A N O R D I N A N C E

FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1973."

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1973, and certain deficiencies prior thereto, a tax is hereby levied on all persons, above the age of eighteen (18) years, occupations, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:

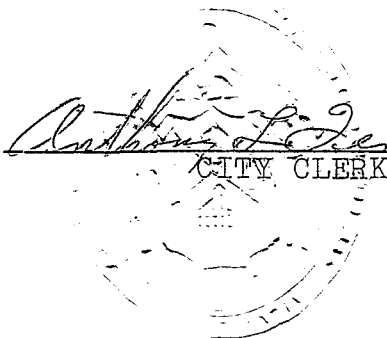
"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, there is hereby levied twenty-three (23) mills on the dollar of valuation, which is Two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."

PASSED FIRST READING: November 17, 1972

PASSED SECOND READING: December 20, 1972

PASSED THIRD READING: December 20, 1972

ATTESTED: December 20, 1972 APPROVED: December 20, 1972


Anthony L. DiMara
CITY CLERK


MAYOR

FILE OF COUNCIL

No. 5 (1972)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 17, 1972

"A N O R D I N A N C E

RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSSTON WHICH IMPOSES A ONE-HALF OF ONE PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REAL ESTATE WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an ordinance imposing a one-half of one per-cent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1973.

NOW, THEREFORE, be it Ordained by the Council of the City of Pittston and it is hereby Ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1973.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective immediately upon final enactment.


PASSED FIRST READING: November 17, 1972

PASSED SECOND READING: December 20, 1972

PASSED THIRD READING: December 20, 1972

ATTESTED: December 20, 1972 APPROVED: December 20, 1972


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 6 (1972)

MAYOR ROBERT A. LOFTUS, IN PLACE

NOVEMBER 17, 1972

"A N O R D I N A N C E"

Imposing a tax for general revenue purposes on all individuals for the privilege of engaging in occupations within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the City Treasurer; conferring and imposing powers and duties of administration of the City Treasurer, and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF PITTSTON UNDER THE AUTHORITY OF THE ACT OF JUNE 25, 1947, (P. L. 1145) AND ITS AMENDMENTS, AS FOLLOWS:

SECTION 1. Definitions.

The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean an person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business or undertaking of any type, kind or characted, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the samount of Ten (\$10.00) Dollars levied by this ordinance.

(e) "Treasurer" shall mean the Treasurer of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the Twelve (12) months period beginning January 1, 1973 and ending December 31, 1973.

(g) "City of Pittston" shall mean the area within the corporate limits of the City of Pittston.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female, and neuter gender.

SECTION 2. Levy.

The City of Pittston hereby levies and imposed on each individual engaged in an occupation during the fiscal year of 1972 within the corporate limits of the City of Pittston an Occupation Privilege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston.

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1973, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the Amount of Ten (\$10.00) dollars per annum.

SECTION 4. Duty of Employers

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engage in business within the City of Pittston, is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Treasurer. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the Treasurer's Office, City Hall, Pittston, Pennsylvania. Each employer in filing this return and making payment of the Tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two percentum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collection thereof from the salary, wages, or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the first day of January to the 15th. day of May, 1973 for determining the number of employees from whom said tax shall be deducted and paid over to the Treasurer on or before June 15, 1973. Supplemental reports shall be made by each employer on August 15, 1973 and October 15, 1973 of new employees as reflected on his employment records from May 15, 1973 to August 15, 1973 and from August 15, 1973 to October 15, 1973. Payments on these supplemental reports shall be made on September 15, 1973 and November 15, 1973, respectively.

SECTION 7. Individuals Engaged in More than one Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of

this tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Treasurer, which form shall be evidence of deduction having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address, and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Treasurer on June 15, 1973, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed individuals residing beyond the Corporate Limits of the City of Pittston.

All Employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

SECTION 10. Administration of Tax.

(a) It shall be the duty of the Treasurer to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer or self-employed person together with the date the tax was received.

(b) The Treasurer is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred. Any person aggrieved by any decision of the Treasurer shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Treasurer is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Treasurer the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth, the Treasurer may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six percent (6%) on the amount of said tax shall be calculated beginning with the due dates of said tax and a penalty of five percent (5%) shall be added to the flat rate of said tax for nonpayment thereof. Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collection.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statements on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file any return required by this ordinance, shall, upon conviction before any Alderman or Magistrate, be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding thirty (30) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not affect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be construed to empower the City of Pittston to levy and collect the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the Court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15. Effective Date.

This ordinance shall become effective immediately and

remain in force and effect for the fiscal year of 1973.

PASSED FIRST READING: November 17, 1972



PASSED SECOND READING: December 20, 1972

PASSED THIRD READING: December 20, 1972

ATTESTED: December 20, 1972

APPROVED: December 20, 1972


MAYOR



CITY CLERK

FILE OF COUNCIL

No. 7 (1972)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 17, 1972

"A N O R D I N A N C E

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES OF SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING THE PERIOD BEGINNING JANUARY 1, 1973, or THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS; REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VIRTUE OF AND UNDER THE AUTHORITY VESTED IN IT BY "THE LOCAL TAX ENABLING ACT" (Act #511 of 1965) OF DECEMBER 31, 1965, P.L. 1257, as amended, (hereinafter referred to as "The Local Tax Enabling Act") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P.O. 1257, its supplements and amendments are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said Provisions of section 13 is designated Addendum #1 and attached hereto and made an integral part of this Ordinance, as if more fully delineated in the body of the Ordinance.

SECTION 2. IMPOSITION OF TAX.

A tax for general revenue purposes in the amount of one-half of 1 per cent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st day of January, 1973, or the effective date of this Ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS.

Quarterly Payments.

1. Every taxpayer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall

file a final return, and pay to the officer the balance of the tax due, all as provided in Section 13, III, A. (1) II, (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. Earned Income.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in Section 13, III, B, first paragraph of "The Local Tax Enabling Act", its supplements and amendments.

Quarterly Returns.

2. Every taxpayer who is employed for a salary, wages, or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quarter-annually the amount of tax shown as due on such returns, all as provided in Section 13, III, B, (2) of "The Local Tax Enabling Act.", its supplements and amendments.

SECTION 4. COLLECTION AT SOURCE.

A. Every employer having an office, factory, workshop, warehouse or other place of business within the corporate limits of the City of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, IV of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file returns or pay taxes in the cases of domestic servants.

SECTION 5. POWER AND DUTIES OF THE OFFICER.

The City Council of the City of Pittston shall designate, by appropriate resolution, the Income Tax Officer who shall perform his duties in accord with Section 13, V, of "The Local Tax Enabling Act", and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the custodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quarter those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. ADMINISTRATION.

The Income Tax Officer shall be selected from time to time by Resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designate as Income Tax Officer for the year 1973 the H.A. Berkheimer Associates, to serve at a compensation of 4% of the tax collected.

SECTION 8. APPLICABILITY.

The tax imposed in Section II of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

SECTION 9. SEVERABILITY.

The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 11.

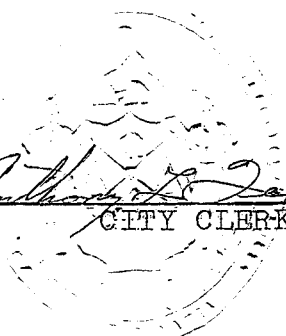
The Ordinance shall become effective January 1, 1973.


PASSED FIRST READING: November 17, 1972

PASSED SECOND READING: December 20, 1972

PASSED THIRD READING: December 20, 1972

ATTESTED: December 20, 1972 APPROVED: December 20, 1972


Anthony J. Zarrara
CITY CLERK


MAYOR

FILE OF COUNCIL

No. 8 (1972)

MAYOR ROBERT A. LOFTUS IN PLACE

DECEMBER 13, 1972

"A N O R D I N A N C E

IN THE INTEREST OF SAFETY AND GENERAL WELFARE, GOVERNING AND REGULATION THE CONSTRUCTION, ALTERATION, ENLARGEMENT, EQUIPMENT, REPAIR, DEMOLITION, REMOVAL, CONVERSION, USE, OR MAINTENANCE OF ALL BUILDING AND STRUCTURES; KNOWN AS THE BUILDING CODE; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OR INSPECTIONS; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE REGULATIONS CONTAINED HEREIN; AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF; DECLARING AND ESTABLISHING FIRE LIMITS.

BE IT ORDAINED AND ENACTED BY THE PITTSBURGH CITY COUNCIL OF THE CITY OF PITTSBURGH, STATE OF PENNSYLVANIA, AS FOLLOWS:

ARTICLE 1. There is hereby adopted by the City of Pittsburgh, Luzerne County, Pennsylvania, for the purpose of establishing rules, regulations, provisions, penalties, conditions, and terms for the control and construction of buildings and structures and other similar work, that certain Building Code, being marked and designated as the "BOCA Basic Building Code", 1970 Fifth Edition published by the Building Officials Conference of America, Inc., and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which not less than three copies have been and now are filed in the office of the Clerk of the City of Pittsburgh, Luzerne County, Pennsylvania, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from and after the date of the passage and publication of this ordinance The Provisions Thereof, shall be controlling in the construction of all buildings and other subjects therein contained within the corporate limits of the City of Pittsburgh, Luzerne County, Pennsylvania, which identification shall be substituted for the phrase "Name of municipality" wherever such phrase appears in the above-described BOCA Basic Building Code.

ARTICLE 2. That Section 118.0 of the BOCA Basic Building Code, 1970 Fifth Edition, is hereby amended as follows:

Section 118.3 Moving of Buildings . The fee for a building

permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be at the rate of \$1.00 per hundred (100) dollar of the estimated cost of moving plus the cost of new foundations and all work necessary to place the building or structure in its completed condition in the new location.

Section 118.4 Demolition. The fee for a permit for demolishing or wrecking a building or structure shall be at the rate of \$0.50 for each 1,000 cubic feet of volume of the building or structure.

Section 122.3 Violation of Penalties. Any person who shall violate a provision of the Basic Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of the Basic Code shall be guilty of a misdemeanor, punishable by a fine of not more than 100 dollars or by imprisonment not exceeding one(1) year, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Section 123.2 Unlawful Continuance. Any person who shall continue any work in or about the building after having been served with a stop order except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than 10 dollars or more than 100 dollars.

Section 126.3 Compensation of Board of Survey. The third member of the board shall receive for his services a fee of 25 dollars to be paid by the appellant.

Section 127.22 Qualifications of Board Members, is hereby amended and changed as follows:

Section 127.22 Qualifications of Board Members. Each member of the Board shall be a person who is a licensed professional

engineer or architect, or a builder or superintendent of building construction, or who is or has been active in the building construction or related field in a professional or supervisory capacity; each member shall have not less than five years experience of responsibility in charge of work.

Section 301.0 Fire District Subdivisions, is amended by changing the same as follows:

Section 301.0 Fire District Subdivisions. For the purpose of control of use and construction of buildings based on the inherent fire hazard of use groups of buildings, there are hereby established limiting districts designated Fire District Limits for the City of Pittston, Pennsylvania which shall be as shown on the attached map dated May 13, 1964, which is made a part of this ordinance. Such area shall be designated as "Within Fire Limits", which shall include "Fire Districts Nos. 1 and 2 as defined in section 301.1 & 301.2 and all other areas shall be designated as "Outside Fire Limits."

ARTICLE 3. Validity. Each section of this Building Code and every part thereof is hereby declared to be an independent section or part of a section, and if any section, subsection, sentence, clause, or phrase of this Building Code, shall for any reason be held by any Court to be invalid, it is the intent that the validity of the remaining phrases, clauses, sentences, subsections, and sections of the Building Code shall not be affected thereby.

ARTICLE 4. Inconsistent Ordinances Repealed. That all ordinances or parts of ordinances heretofore enacted and ordained which are in conflict herewith are hereby repealed.

ARTICLE 5. Date of Effect. This ordinance shall take effect immediately after its approval as required by law.

PASSED FIRST READING: December 13, 1972

PASSED SECOND READING: January 10, 1973

PASSED THIRD READING: January 10, 1973

ATTESTED: January 10, 1973 APPROVED: January 10, 1973


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 9 (1972)

MAYOR ROBERT A. LOFTUS IN PLACE

DECEMBER 13, 1972

"A N O R D I N A N C E

IN THE INTEREST OF SAFETY AND GENERAL WELFARE, ADOPTING A FIRE PREVENTION CODE AND PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION."

BE IT ORDAINED AND ENACTED by the Pittston City Council of the City of Pittston, State of Pennsylvania, as follows:

SECTION 1. There is hereby adopted by the City of Pittston Luzerne County, Pennsylvania, for the purpose of establishing rules, regulations, provisions, penalties, conditions, and terms for preserving regulations governing conditions hazardous to life and property from fire or explosion, that certain Fire Prevention Code, being marked and designated as "the BOCA Fire Prevention Code" 1970 Second Edition, as published by the Building Officials Conference of America, Inc., and the whole thereof, of which not less than three copies have been and are now filed in the office of the Clerk of the City of Pittston, Luzerne County, Pennsylvania, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from and after the date of the passage and publication of this Ordinance the Provisions thereof shall be controlling in prescribing regulations governing conditions hazardous to life and property from fire or explosion contained within the corporate limits of the City of Pittston, Luzerne County, Pennsylvania.

SECTION 2. Validity. Each section of this Fire Prevention Code and every part thereof is hereby declared to be an independent section or part of a section, and if any section, subsection, sentence, clause, or phrase of this Fire Prevention Code, shall for any reason be held by any Court to be invalid, it is the

intent that the validity of the remaining phrases, clauses, sentences, subsections and sections of the Fire Prevention Code shall not be affected thereby.

SECTION 3. Inconsistent Ordinances Repealed. That all ordinances or parts of ordinances heretofore enacted and ordained which are in conflict herewith are hereby repealed.

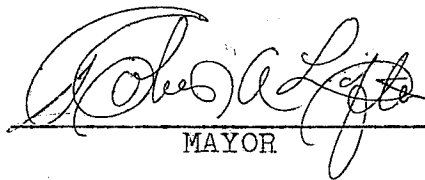
PASSED FIRST READING: December 13, 1972

PASSED SECOND READING: January 10, 1973

PASSED THIRD READING: January 10, 1973

ATTESTED: January 10, 1973

APPROVED: January 10, 1973


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 10, (1972)

MAYOR ROBERT A. LOFTUS IN PLACE

DECEMBER 13, 1972

"A N O R D I N A N C E

AMENDING AN ORDINANCE IN THE INTEREST OF SAFETY AND GENERAL WELFARE, REGULATING SUPPLIED FACILITIES, MAINTENANCE, AND OCCUPANCY OF DWELLINGS AND DWELLING UNITS."

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, STATE OF PENNSYLVANIA, AS FOLLOWS:

ARTICLE 1. There is hereby adopted by the City of Pittsburgh, Luzerne County, Pennsylvania, for the purpose of establishing minimum standards for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space, use and location; and for safe and sanitary maintenance for cooking equipment in all dwellings and multi-family dwellings now in existence; fixing the responsibilities of owners, operators, and occupants of dwellings and multi-family dwellings; providing for administration, enforcement and penalties; being marked and designated as the "BOCA Basic Housing Code" 1970 Second Edition, as published by the Building Officials Conference of America, Inc., and the whole thereof, of which not less than three copies have been and are on file in the office of the City Clerk of the City of Pittsburgh, Luzerne County, Pennsylvania, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from and after the date of the passage and publication of this Ordinance The Provisions Thereof shall be controlling in regulating supplied facilities, maintenance, and occupancy of dwellings and dwelling units contained within the corporate limits of the City of Pittsburgh, Luzerne County, Pennsylvania, except as follows:

Section H-336.4 of said Housing Ordinance shall be added to read:

Maintenance of Interior Walls, etc: Every interior wall,

ceiling, door and floor or parts thereof, shall be maintained in sound condition and repair, free of any holes, cracks, loose plaster or other defects that would provide access for insects or rodents. All interior surfaces shall be finished with wall paper, paint or other accepted material so as to be easily cleanable, reasonably smooth, clean and tight. Floors shall also be reasonably true and level, free of any fixed, irregular or broken surface material that would create a tripping hazard.

ARTICLE 2. Validity. Each section of this Housing Code and every part thereof is hereby declared to be an independent section or part of a section, and if any section, subsection, sentence, clause or phrase of this Housing Code, shall for any reason be held by any Court to be invalid, it is the intent that the validity of the remaining phrases, clauses, sentences, subsections and sections of the Housing Code shall not be affected thereby.

ARTICLE 3. Inconsistent Ordinances Repealed. That all ordinances or parts of ordinances heretofore enacted and ordained which are in conflict herewith are hereby repealed.

ARTICLE 4. Date of Effect. This ordinance shall take effect immediately after its approval as required by law.

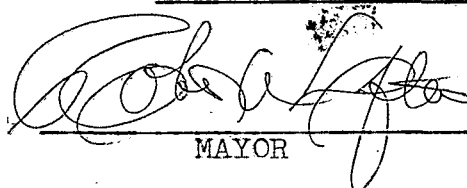
PASSED FIRST READING: December 13, 1972

PASSED SECOND READING: January 10, 1973

PASSED THIRD READING: January 10, 1973

ATTESTED: January 10, 1973

APPROVED: January 10, 1973


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 11, (1972)

MAYOR ROBERT A. LOFTUS IN PLACE

DECEMBER 13, 1972

"A N O R D I N A N C E

IN THE INTEREST OF ESTABLISHING MINIMUM PLUMBING STANDARDS IN TERMS OF PERFORMANCE OBJECTIVES, IMPLEMENTED BY SPECIFIC REQUIREMENTS, WHICH WILL PROVIDE REASONABLE SAFEGUARDS FOR SANITATION TO PROTECT THE PUBLIC HEALTH AGAINST THE HAZARDS OF INADEQUATE, DEFECTIVE OR INSANITARY PLUMBING INSTALLATIONS."

BE IT ORDAINED AND ENACTED BY THE PITTSTON CITY COUNCIL OF THE CITY OF PITTSTON, STATE OF PENNSYLVANIA, AS FOLLOWS:

ARTICLE 1. There is hereby adopted by the City of Pittston, Luzerne County, Pennsylvania, for the purpose of establishing rules, regulations, provisions, penalties, conditions, and terms for the construction of buildings and structures and other similar work, that certain Plumbing Code, being marked and designated as the "BOCA Basic Plumbing Code", 1970 Second Edition published by the Building Officials Conference of America, Inc., and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which not less than three copies have been and now are filed in the office of the Clerk of the City of Pittston, Luzerne County, Pennsylvania, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from and after the date of the passage and publication of this ordinance The Provisions Thereof, shall be controlling in the construction of all buildings and other subjects therein contained within the corporate limits of the City of Pittston, Luzerne County, Pennsylvania, which identification shall be substituted for the phrase "Name of Municipality" wherever such phrase appears in the above-described BOCA Basic Plumbing Code.

ARTICLE 2. That Section P-313.3 of the BOCA Basic Plumbing Code, 1970 Second Edition, is hereby amended as follows:

P-313.3 Freezing. Water service piping and sewers shall be installed below recorded frost penetration but not less below grade than four (4) feet 0 inches for water piping and two (2) feet 0 inches for sewers. In climates with freezing temperatures plumbing piping in exterior building walls shall be adequately protected against freezing by insulation or heat or both.

ARTICLE 3. That Section P-1606.35 of the BOCA Basic Plumbing Code, 1970 Second Edition, is hereby amended as follows:

P-1606.35 The inlets and outlets of a hot water storage tank shall be not less than the main hot water distribution pipe of the building.

All automatic gas and electric hot water tanks shall be as listed by AGA. and / or UL. All dip tubes for hot water tanks shall be of a non-corrosible materials and stable at 400° F.

All storage tanks shall be protected against excessive temperatures and pressure conditions as specified in this Code.

ARTICLE 4. Validity. Each section of this Housing Code and every part thereof is hereby declared to be an independent section or part of a section, and if any section, subsection, sentence, clause or phrase of this Plumbing Code, shall for any reason be held by any Court to be invalid, it is the intent that the validity of the remaining phrases, clauses, sentences, subsections and sections of the Plumbing Code shall not be affected thereby.

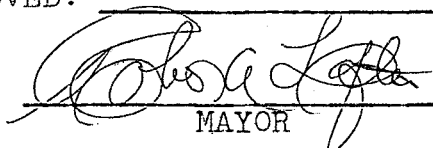
ARTICLE 5. Inconsistent Ordinances Repealed. That all ordinances or parts of ordinances heretofore enacted and ordained which are in conflict herewith are hereby repealed.

ARTICLE 6. Date of Effect. This ordinance shall take effect immediately after its approval as required by law.

PASSED FIRST READING: December 13, 1972
PASSED SECOND READING: January 10, 1973
PASSED THIRD READING: January 10, 1973

ATTESTED: January 10, 1973 APPROVED: January 10, 1973


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 12, (1972)

MAYOR ROBERT A. LOFTUS IN PLACE

DECEMBER 13, 1972

"A N O R D I N A N C E

ADOPTING RULES AND REGULATIONS AFFECTING ELECTRIC WIRING AND APPARATUS NOW IN EXISTENCE AND IN THE CONSTRUCTION, RECONSTRUCTION, ALTERATION OR REPAIR OF BUILDINGS, STRUCTURES, OR ANY OUTDOOR ELECTRICAL DISPLAYS OR SIGNS, DEFINING THE DUTIES AND POWERS OF THE BUILDING OFFICIAL, INCLUDING PERMITS AND PENALTIES FOR THE VIOLATIONS THEREOF."

BE IT ORDAINED BY THE PITTSTON CITY COUNCIL OF THE CITY OF PITTSTON, LUZERNE COUNTY, PENNSYLVANIA, AS FOLLOWS;

SECTION 1. Adoption of National Electrical Code. There is hereby adopted by the Pittston City Council of the City of Pittston for the purpose of establishing rules and regulations for the installation, renewal, extension, and reception of electric wiring and electric apparatus in existing buildings, structures, or outdoor electrical displays or signs, or in the construction, reconstruction, alteration or repair of buildings, structures or outdoor electrical displays or signs, that certain code known as the "National Electrical Code" as recommended by the National Fire Protection Association, being particularly the 1971 Edition thereof and the whole thereof, hereinafter referred to as the "National Electrical Code", of which not less than three (3) copies have been and now are filed in the office of the City Clerk and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling for all existing and future electrical wiring and apparatus in buildings, structures, or outdoor electrical displays or signs within the corporate limits of the City.

SECTION 2. ENFORCEMENT. The "National Electrical Code" adopted in Section 1 hereof shall be enforced by the office

of building official of the City of Pittston, heretofore created by ordinance of the City, and the executive official in charge shall be known as the Building Official. The Building Official shall, upon the installation, renewal, extension and reception of any electric wiring and electric apparatus pursuant to this ordinance cause an inspection or inspections to be made by himself or his duly authorized agents, to determine that the electrical work conforms with the provisions of the "National Electrical Code" and this ordinance and the provisions of the ordinances of this City and the statutes of the State of Pennsylvania.

SECTION 3. Prohibition Without Permit. No person, copartnership, firm, association, corporation or other legal entity shall hereafter install, receive, renew or extend electrical wire or conductors to be used for the transmission of electric current for electric light, heat or power purposes in existing buildings, structures, or outdoor electrical displays or signs or in the construction, reconstruction, alteration, repair of buildings, structures, or outdoor electrical displays or signs, without first applying for and obtaining a permit to do so pursuant to the provision of this ordinance.

(a) All such applications for a permit shall be made to the Building Official in writing on forms supplied by said Building Official.

(b) Any person making any false answers to any of the questions or items set forth in such application form shall forthwith forfeit and surrender any permit issued pursuant thereto.

(c) Such application form shall contain questions designed to elicit information to determine whether or not said proposed electric wiring and electric apparatus complies with the "National Electrical Code" and any other ordinance of the City or the laws of the State of Pennsylvania.

(d) Each such application form shall be accompanied by a fee prescribed by this ordinance.

(e) Each applicant for a permit shall furnish to the Building Official proof in writing that an application for inspection of the proposed electric wiring and electric apparatus has been made to "Middle Department Association of Fire Underwriters", a non-profit corporation, hereinafter referred to as "Underwriters", or a similar organization that specializes in such inspections, to determine that the electrical work conforms with the provisions of the "National Electrical Code" and this ordinance. The payment of all inspection fees and charge of the "Underwriters" or a similar organization shall be borne by the applicant.

(f) Each applicant for a permit shall cause the premises covered by the application to be open for inspection or inspections to the Building Official and his agents and the representative or representatives of the "Underwriters" or similar organizations at all reasonable times.

(g) Upon the Building Official's determination that the proposed electric wiring and electric apparatus comply with the "National Electrical Code" and the provisions of this ordinance and the provisions of the ordinance of the City and the laws of the State of Pennsylvania, a permit shall issue forthwith.

(h) All permits shall expire at expiration of one year from the date of issuance by the Building Official.

SECTION 4. Inspection of Work Under Permit.

(a) All inspections shall be made to insure that the proposed electrical work complies with the provisions of the "National Electrical Code". No electric wiring shall be concealed unless inspected and approved by the Building Official and his agents and the representative or representatives of

the "Underwriters" or similar organizations, but such inspection or reinspection shall be made within a reasonable time after notice of the completion of the electrical work sought to be inspected for approval. A duplicate record of each written approval made by the "Underwriters" or similar organizations shall be filed with the Building Official.

(b) All decisions made to determine whether or not the proposed electrical work complies with the provisions of the "National Electrical Code" shall be made by the Building Official.

(c) The Building Official shall have the power to stop electrical work and order the removal thereof when he determines that such work is being installed not in conformity with the "National Electrical Code" and this ordinance and the provisions of the ordinances of the City and the laws of the State of Pennsylvania.

(d) The Building Official may waive his inspection of all or that portion of the proposed electrical work for which he shall have received a duplicate record of approval by the "Underwriters" or similar organizations that it complies with the provisions of the "National Electrical Code" and this ordinance. Notice of the Waiver of inspection shall be served on the applicant so that the approved work can be concealed.

SECTION 5. Inspection of Existing Electrical Wiring and Apparatus. In order to safeguard persons and property against the hazards and perils incident to defective electric wiring and apparatus that are or may now be in existence within the corporate limits of the City, the Building Official is hereby given the duty to inspect with his agents and the representative or representatives of the "Underwriters" or similar organizations when requested by proper authority, or when public interest so requires, any premise within the City at reasonable times to insure that the existing electric wiring system and apparatus is not defective and unsafe.

(a) All decisions that the existing electric wiring system and apparatus is defective shall be made by the Building Official in writing on notice to the owner of the premises served forthwith personally or by regular mail addressed to the address as shown on the latest tax records, with reasons for his decision.

(b) Upon the Building Officials's decision that the existing electric wiring system is defective and unsafe, aforesaid, the system or portions of the system which are defective and unsafe shall be discontinued until it is corrected and made to comply with the provisions of the "National Electrical Code" in accordance with this ordinance.

SECTION 6. Hearing. Every applicant and owner of the premises and other parties in interest shall have the right to demand in writing a hearing before the Building Official to contest any decision or order made by him. Such demand for a hearing shall be signed by the contesting party stating what portions of the Building Official's decision or orders are contested and his, her, or their interest in the premises.

(a) The Building Official shall fix a time and place for the hearing not less than 10 days nor more than 30 days after receiving such demand for a hearing and cause a notice of the hearing to be served personally or by regular mail on the contestant, owner of the premises and other parties in interest.

(b) The contestant, owner of the premises and other parties in interest shall have the right to appear in person, or other wise, and give testimony at the hearing, and the rules of evidence prevailing in the courts shall not be controlling.

(c) The Building Official, within a reasonable time after such hearing shall make his decision in writing with a finding of the facts and the reasons for his decision, and serve a copy of his decision personally or by regular mail on the contestant owner of the premises and other parties in interest.

SECTION 7. Approved Materials. Only the materials, fittings,

and devices enumerated in the "List of Inspected Appliances" of Underwriters Laboratories, Inc. as revised from time to time shall be used in the electrical work regulated by the "National Electrical Code" and this ordinance.

SECTION 8. Supplements. The "National Electrical Code" herein adopted is supplemented by adding thereto the following which is made a part thereof.

(a) Whenever a permit is required under the terms of this ordinance for electrical wiring and apparatus to be done in connection with a gas or oil burner installation in any ~~existing~~ building or structure or in the construction, reconstruction, alteration or repair of buildings or structures, there shall be installed an emergency shut off switch with a red plate thereon marked "oil burner" or "gas burner" as the case may be, at the entrance to the basement or heating room.

SECTION 9. Modification on Application. The Building Official shall have the power to modify any of the provisions of this ordinance, upon application in writing by the owner of a premise or his agent, when there are practical difficulties in the way of carrying out the strict letter of this ordinance, provided that the spirit of this ordinance shall be observed, public safety secured, and substantial justice done.

SECTION 10. Records. All records of the Building Official pursuant to this ordinance shall be open to public inspection for good and sufficient reasons during office hours, but shall not be removed from the office of the Building Official without his written consent.

SECTION 11. Exemption. No permit shall be required under this ordinance for the following electrical work:

(a) Minor repair work such as the replacement of lamps and fuses.

(b) The connection of portable electrical appliances to suitable permanently installed appliances.

(c) Equipment installed or work performed by or for a public utility as defined by applicable laws of the State of Pennsylvania and operating under authority granted by the State of Pennsylvania.

(d) Equipment installed or work performed by a railway utility in the exercise of its function as a utility and located in or on its right of way.

(e) Equipment used in connection with commercial radio and television transmission.

(f) Repair manufacturing and maintenance work on premises occupied by a firm or corporation, and installation work on existing buildings occupied by a firm or corporation and performed by a regular employee who is a qualified journeyman electrician.

SECTION 12. Fee. Fees for permits or renewals thereof required by this ordinance shall be as follows:

(a) Where the total valuation of the electrical work as determined by the Building Official is less than \$25.00 no fee shall be required for the permit.

(b) More than \$25.00 and not more than \$100.00 the sum of one dollar (\$1.00).

(c) More than \$100.00 and not more than \$200.00, the sum of two dollars (\$2.00).

(d) More than \$200.00 and not more than \$500.00, the sum of five dollars (\$5.00).

(e) More than \$500.00 and not more than \$1,000.00, the sum of ten dollars (\$10.00).

(f) More than \$1,000.00, the sum of ten dollars (\$10.00) plus the sum of \$1.00 for each \$1,000.00 or fraction thereof of total valuation.

SECTION 13. Penalties. Any person who shall violate any

of the provisions of this ordinance or of the "National Electrical Code" hereby adopted or fail to comply therewith or who shall violate or fail to comply with any order made thereunder, or who shall do or cause to be done electrical work in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Building Official within the time fixed therein, shall severally for each and every such violation and noncompliance respectively be guilty of violating this ordinance, punishable by a fine not exceeding one hundred dollars (\$100.00) or by imprisonment for not exceeding ninety (90) days or by both such fine and imprisonment within the discretion of the Magistrate before whom such conviction is obtained. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited condition are maintained shall constitute a separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 14. Repeal of Conflicting Ordinances. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance or of the "National Electrical Code" hereby adopted are hereby repealed.

SECTION 15. Validity. The invalidity of any section or part of this ordinance shall not affect the remaining sections.

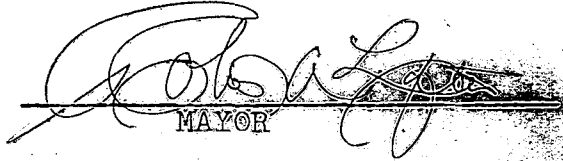
SECTION 16. Date of Effect. This ordinance shall take effect immediately upon its final passage and publication according to law.

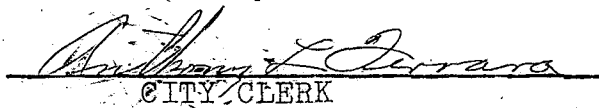
PASSED FIRST READING: December 13, 1972

PASSED SECOND READING: January 10, 1973

~~PASSED~~ THIRD READING: January 10, 1973

ATTESTED: & January 10, 1973 APPROVED: January 10, 1973


MAYOR


CITY CLERK

November 27, 1973

Honorable Mayor & Members of Council
City of Pittston, Pennsylvania

Gentlemen:

The following are the estimated receipts for the year 1974
including the General and Liquid Fuels Fund: and Federal Revenue
Sharing Fund:

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at Beginning of year\$ 118,479.35

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax
Levy on \$8,882,958.00
Valuation at 23 Mills\$204,308.03
Less 5% uncollectible current year.... 10,215.40
Net Amount from Current Real Estate Tax 194,092.63

(b) Occupation Tax
Levy on \$381,600.00
Valuation at 23 Mills\$ 8,776.80
Less 20% uncollectible current year... 1,755.36
Net Amount from current occupational tax 7,021.44

Delinquent Real Estate & Occupation Taxes 26,501.58

Earned Income Tax (Act 511) 130,000.00

Liquor Licenses 13,750.00

City Licenses and Permits 10,000.00

Parking Meter Fees 20,000.00

Parking Violations and Fines 25,000.00

Pittston Area School Dist. 1/3 Share Exp. of Treas. Off... 10,000.00

Luzerne County Treasurer 1/3 Share Exp. of Treas. Off.... 10,000.00

Rental of City Property and Equipment 500.00

Municipal Liens 1,500.00

Pave Cuts 500.00

Refunds 3,000.00

Street Improvement Liens 1,000.00

Miscellaneous Receipts 2,500.00

Real Prop. Trans. Tax of $\frac{1}{2}$ of 1% (Act 511) 6,000.00

Occupation Privilege Tax (Act 511) 25,000.00

Ash and Garbage Removal Fees 35,000.00

Accounts Receivable 28,900.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes 75,000.00

\$ 743,745.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 7,320.84

ESTIMATED RECEIPTS:

State Motor License Fund Grants from
Commonwealth of Pennsylvania - Act I45 45,485.46

TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 52,806.30

FEDERAL REVENUE SHARING FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$141,613.79

ESTIMATED RECEIPTS:

Federal Revenue Sharing Grants\$ 97,000.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$238,613.79

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

General Fund\$ 743,745.00

Liquid Fuels Tax Fund 52,806.30

Federal Revenue Sharing Fund. 238,613.79

TOTAL\$1,035,165.09

Respectfully submitted,

PATRICK J. COLLINS,
Director Dept. of
Accounts & Finance

PROPOSED BUDGET
FILE OF COUNCIL NO. 1 (1973)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 27, 1973

AN ORDINANCE

"TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1974 AND ENDING DECEMBER 31, 1974."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | | |
|------------------------------|----|----------|-----------|
| Salary of Mayor | \$ | 1,500.00 | |
| Salary of Secretary to Mayor | | 5,900.00 | |
| Office Supplies | | 300.00 | |
| Communications | | 2,500.00 | |
| Premium on Bonds | | 30.00 | 10,230.00 |

BUREAU OF POLICE:

| | | |
|--|-----------|------------|
| Salary of Chief of Police | 10,000.00 | |
| Salary of Sergeant (2) \$9,000.00 each | 18,000.00 | |
| Salary of Patrolman (11) \$8,500.00 each | 93,500.00 | |
| Salary of Police Clerks (3) \$8,500.00 each | 25,500.00 | |
| Wages of Relief Officers (@ \$3.10 per Hr.) | 25,000.00 | |
| Wages of School Patrolman (@ \$2.65 per Hr.) | 7,500.00 | |
| Paid Holidays | 4,500.00 | |
| Office Supplies-Uniforms-Clothing, Etc. | 2,500.00 | |
| Printing of Violation Tickets, Etc. | 600.00 | |
| Material for Repairs & Replacement-Auto. | 1,000.00 | |
| Gas & Oil | 1,000.00 | |
| Firearms-Ammunition-Police Equip.-Supplies | 500.00 | |
| Traffic Signal Maintenance-Lamps-Supplies | 500.00 | |
| Light Service for Traffic Signals | 400.00 | |
| Street Marking-Signs-Material-Supplies | 400.00 | |
| Maint.-Repair of Mobile Police Radio | 250.00 | |
| Care and Feeding of Prisoners | 150.00 | |
| Parking Meters Maint. and Repair | 750.00 | |
| Police Schedule Bond - Insurance-Blue Cross | 7,500.00 | |
| Capital Outlay: | | |
| Major Equipment - Police Cruiser Car | 3,000.00 | 202,550.00 |

BUREAU OF ENGINEERING & BUILDING INSPECTOR:

| | | | |
|--------------------------------------|----|----------|----------|
| Salary of Engineer & Bldg. Inspector | \$ | 3,500.00 | |
| Salary of Clerk | | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Periodicals | | 25.00 | 4,705.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURES:

| | | | |
|--------------------------|----|----------|----------|
| Salary of Health Officer | \$ | 1,800.00 | |
| Office Supplies | | 25.00 | |
| Parcel Post and Postage | | 25.00 | |
| Premium on Bond | | 30.00 | 1,880.00 |

TOTAL - DEPARTMENT OF PUBLIC AFFAIRS 219,365.00

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTOR:

| | | | |
|--------------------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Salary of Assistant Director | | 7,200.00 | |
| Office Supplies | | 1,000.00 | |
| Advertising & Printing Reports | | 150.00 | |
| Premium on Bonds | | 60.00 | 9,410.00 |

OFFICE OF CITY CLERK:

| | | | |
|------------------------------------|----|-----------|-----------|
| Salary of City Clerk | \$ | 10,000.00 | |
| Communications | | 2,500.00 | |
| Office Supplies | | 1,200.00 | |
| Advertising - Ordinances & Reports | | 900.00 | |
| Other Expenses | | 250.00 | |
| Premium on Bonds | | 50.00 | 14,900.00 |

OFFICE OF CITY CONTROLLER:

| | | | |
|----------------------|----|----------|----------|
| Salary of Controller | \$ | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Advertising | | 150.00 | 1,330.00 |

OFFICE OF CITY TREASURER:

| | | | |
|---------------------------------------|----|-----------------|------------------|
| Salary of City Treasurer | \$ | 500.00 | |
| Salary of Tax Collector | | 3,500.00 | |
| Salary of Deputy Tax Collector | | 8,400.00 | |
| Salary of Tax Clerks (3) \$5,900 each | | 17,700.00 | |
| Office Supplies | | 1,500.00 | |
| Printing Tax Statements & Notices | | 500.00 | |
| Premium on Bonds & Insurances | | <u>2,250.00</u> | <u>34,350.00</u> |

OFFICE OF OCCUPATIONAL TAX:

| | | | |
|--|--|-----------------|-----------------|
| Compensation - Collector | | 1,800.00 | |
| Car Allowance | | 150.00 | |
| Postage, Advertising, Printing, & Supplies | | <u>2,000.00</u> | <u>3,950.00</u> |

OFFICE OF EARNED INCOME TAX:

| | | | |
|--------------------------|----|-----------------|-----------------|
| Compensation - Collector | \$ | <u>5,500.00</u> | <u>5,500.00</u> |
|--------------------------|----|-----------------|-----------------|

LAW DEPARTMENT:

| | | | |
|---|--|--------------|-----------------|
| Salary of City Solicitor | | 3,200.00 | |
| Office Supplies | | 50.00 | |
| Premium on Bonds | | 30.00 | |
| Filing of Liens & Judgements & Special Laws | | <u>50.00</u> | <u>3,330.00</u> |

BUREAU OF TAX ASSESSMENT:

| | | | |
|---|----|---------------|-----------------|
| Salary of Assessor | \$ | 750.00 | |
| Salary of Sub-Assessors (5) \$700.00 each | | 3,500.00 | |
| Office Supplies | | 500.00 | |
| Maintenance of Addressograph | | <u>500.00</u> | <u>5,250.00</u> |

| | | | |
|--|--|--|---------------------|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE | | | <u>\$ 78,020.00</u> |
|--|--|--|---------------------|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|--------------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | <u>30.00</u> | <u>1,030.00</u> |

BUREAU OF FIRE:

| | | | |
|--|----|-----------------|------------------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs (2)\$600.00ea. | | 1,200.00 | |
| Salary of Fire Truck Drivers (6)\$8,500.00 ea. | | 51,000.00 | |
| Salary of Relief Drivers | | 10,000.00 | |
| Wages - Volunteer Firemen | | 5,000.00 | |
| Paid Holidays | | 3,500.00 | |
| Uniforms - Clothing, Etc. | | 1,500.00 | |
| Hydrants Rentals - Water Supply | | 2,500.00 | |
| Material for Repairs & Replacements-Auto Eq. | | 1,000.00 | |
| Gas & Oil | | 500.00 | |
| Purchase of other Minor Equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance and Blue Cross | | 5,000.00 | |
| Maintenance and Repair of Mobile Radio | | 150.00 | |
| Material & Supplies | | 350.00 | |
| Fuel-Light-Water | | 600.00 | |
| Rental Building - Eagle Hose Company | | <u>1,800.00</u> | <u>86,450.00</u> |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|----|---------------|---------------|
| Salary of Plumbing Inspector | \$ | <u>700.00</u> | <u>700.00</u> |
|------------------------------|----|---------------|---------------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|----|---------------|-----------------|
| Telephone Rental, Tolls & Switchboard | \$ | 6,000.00 | |
| Fire Alarm System-Maintenance-Repair | | <u>600.00</u> | <u>6,600.00</u> |

TOTAL - DEPARTMENT OF PUBLIC SAFETY \$ 94,780.00

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | <u>1,030.00</u> |

BUREAU OF HIGHWAYS:

| | | | |
|--|----|-----------|-------------------|
| Salary of Superintendant of Streets | \$ | 7,400.00 | |
| Salary of Clerk | | 6,400.00 | |
| Wages of Labores-General Maintenance (@ \$2.65 per hr.) | | 30,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (@ \$2.65 per hr.) | | 10,000.00 | |
| Road Material & Maint.-Street Paving | | 8,000.00 | |
| Salt for De-Icing Streets | | 2,500.00 | |
| Material and Supplies | | 2,500.00 | |
| Office Supplies | | 100.00 | |
| Material for Repairs & Replacements- Automotive Equipment | | 1,500.00 | |
| Gas & Oil | | 2,000.00 | |
| Rental of Equipment-Snow Removal, Storm Sewers, & Major Excavations | | 20,000.00 | |
| Fuel-Light-Water | | 900.00 | |
| Premium on Bonds and Insurance | | 1,500.00 | |
| Replacement Small Tools & Minor Equipment | | 500.00 | |
| Other Expenses | | 1,000.00 | |
| <u>Capital Outlay:</u> Major Equipment - Trucks | | 12,000.00 | <u>106,300.00</u> |

BUREAU OF STREET CLEANING:

| | | | |
|---|----|-----------|------------------|
| Wages-Laborers-Street Cleaning (@ \$2.65 per hr.) | \$ | 10,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | | 1,000.00 | <u>11,000.00</u> |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | | |
|--|--|-----------|------------------|
| Wages of Laborers (@ \$2.65 per hr.) | | 22,000.00 | |
| Material for Repairs & Replacements- Automotive Equipment | | 750.00 | |
| Gas & Oil | | 1,400.00 | |
| Sanitary Landfill Authority Fee | | 9,300.00 | <u>33,450.00</u> |

BUREAU OF STREET LIGHTING:

| | | | |
|---------------|----|-----------|------------------|
| Light Service | \$ | 25,000.00 | <u>25,000.00</u> |
|---------------|----|-----------|------------------|

| | | | |
|---|--|--|---------------------|
| TOTAL - DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS | | | <u>\$176,780.00</u> |
|---|--|--|---------------------|

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

OPERATION AND MAINTENANCE-BUILDING:

| | | | |
|---|----|----------|-----------|
| Salary of Janitor | \$ | 3,600.00 | |
| Salary of Janitress | | 1,200.00 | |
| Material & Supplies | | 1,200.00 | |
| Fuel-Light-Water | | 2,500.00 | |
| Insurance City Buildings | | 700.00 | |
| Plumbing and Boiler Repairs | | 900.00 | |
| Repairs and Improvements to City Bldgs. | | 5,000.00 | 15,100.00 |

PARKS:

| | | | |
|-------------------------|----|-----------|-----------|
| Park Leases | \$ | 150.00 | |
| Maintenance and Repairs | | 15,000.00 | 15,150.00 |

| | | | |
|---|--|--|--------------|
| TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY | | | \$ 30,250.00 |
|---|--|--|--------------|

MISCELLANIOUS ACCOUNTS:

| | | | |
|--|----|-----------|--|
| Compensation and Liability Insurance | \$ | 15,000.00 | |
| Blue Cross | | 4,500.00 | |
| Tax Refunds | | 500.00 | |
| Military, Library, and Civic Contributions | | 6,000.00 | |
| Indigents, Contagious Hospital | | 150.00 | |
| Civil Defense | | 3,000.00 | |
| Pennsylvania League of Cities | | 400.00 | |
| Urban Planning-Redevelopment-Parking Auth. Gen. Purposes-Wyo. Valley Sanitary Auth. | | 75,000.00 | |
| Pittston City Master Plan Study | | 20,000.00 | |
| Social Security | | 12,000.00 | |

PENSIONS:

| | | | |
|-----------|--|----------|------------|
| Firemen | | 4,000.00 | |
| Policemen | | 4,000.00 | 144,550.00 |

| | | | |
|--|--|--|---------------|
| TOTAL - OPERATION AND MAINTENANCE - GENERAL FUND | | | \$ 743,745.00 |
|--|--|--|---------------|

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES:

| | | | |
|-------------------------------|----|-----------|--------------|
| 75% - Material and Wages | \$ | 34,114.09 | |
| 25% - Construction of Streets | | 18,692.21 | \$ 52,806.30 |

ESTIMATED FEDERAL REVENUE SHARING FUND EXPENDITURES:

| | |
|---------------------------|--------------------------------|
| Operation and Maintenance | \$ 97,000.00 |
| Capital Outlay | <u>141,613.79 \$238,613.79</u> |

SUMMARY OF ESTIMATED EXPENDITURES

| | |
|---------------------------------------|-----------------------|
| General Fund | \$ 743,745.00 |
| Liquid Fuels Tax Fund ... | \$ 52,806.30 |
| Federal Revenue Sharing Fund | <u>\$ 238,613.79</u> |
| Grand Total | <u>\$1,035,165.09</u> |

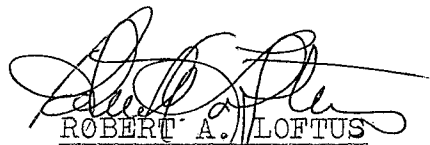
PASSED FIRST READING: November 27, 1973

PASSED SECOND READING: December 28, 1973

PASSED THIRD READING: December 28, 1973

ATTESTED: December 28, 1973

APPROVED December 28, 1973


ROBERT A. LOFTUS
Mayor


ANTHONY L. FERRARA
City Clerk

FILE OF COUNCIL

NO. 2 (1973)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 27, 1973

"A N O R D I N A N C E"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1974."

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1974, and certain deficiencies prior thereto, a tax is hereby levied on all persons, above the age of eighteen (18) years, occupation, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:

"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, thereis hereby levied twenty-three (23) mills on the dollar of valuation, which is two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."

PASSED FIRST READING: November 27, 1973


PASSED SECIND READING: December 28, 1973

PASSED THIRD READING: December 28, 1973

ATTESTED: December 28, 1973

APPROVED: December 28, 1973


Anthony A. Ferrara
CITY CLERK


MAYOR

FILE OF COUNCIL

NO. 3 (1973)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 27, 1973

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSTON WHICH IMPOSES A ONE-HALF OF ONE-PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REAL ESTATE WITHIN THE CITY."

Whereas, the City of Pittston has presently in force an ordinance imposing a one-half of one percent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

Whereas, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1974.

NOW, THEREFORE, be it ordained by the Council of the City of Pittston and it is hereby ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1974.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

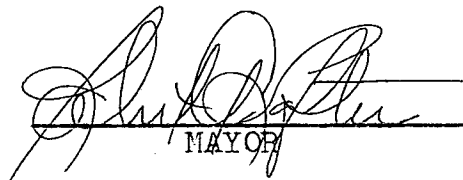
SECTION 3. This ordinance shall become effective immediately upon final enactment.

PASSED FIRST READING: November 27, 1973

PASSED SECOND READING: December 28, 1973

PASSED THIRD READING: December 28, 1973

ATTESTED: December 28, 1973 APPROVED: December 28, 1973


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 4 (1973)

MAYOR ROBERT A. LOFTUS, IN PLACE

NOVEMBER 27, 1973

"A N O R D I N A N C E"

Imposing a tax for general revenue purposes on all individuals for the privilege of engaging in occupations within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the City Treasurer; conferring and imposing powers and duties of administration of the City Treasurer, and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF PITSTON UNDER THE AUTHORITY OF THE ACT OF JUNE 25, 1947, (P. L. 1145) AND ITS AMENDMENTS, AS FOLLOWS:

SECTION 1. Definitions.

The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean an person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business or undertaking of any type, kind or characted, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars levied by this ordinance.

(e) "Treasurer" shall mean the Treasurer of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the Twelve (12) months period beginning January 1, 1974 and ending December 31, 1974.

(g) "City of Pittston" shall mean the area within the corporate limits of the City of Pittston.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female, and neuter gender.

SECTION 2. Levy.

The City of Pittston hereby levies and imposed on each individual engaged in an occupation during the fiscal year of 1973 within the corporate limits of the City of Pittston an Occupation Privilege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston.

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1974, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the Amount of Ten (\$10.00) dollars per annum.

SECTION 4. Duty of Employers.

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engage in business within the City of Pittston, is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Treasurer. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the Treasure's Office, City Hall, Pittston, Pennsylvania, Each employer in filing this return and making payment of the Tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two percentum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collection thereof from the salary, wages, or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determing Tax Liability and Payment.

Each employer shall use his employment records from the first day of January to the 15th. day of May, 1974 for determining the number of employees from whom said tax shall be deducted and paid over to the Treasurer on or before June 15, 1974. Supplemental reports shall be made by each employer on August 15, 1974 and October 15, 1974 of new employees as reflected on his employment records from May 15, 1974 to August 15, 1974 and from August 15, 1974 to October 15, 1974. Payments on these supplemental reports shall be made on September 15, 1974 and November 15, 1974, respectively.

SECTION 7. Individuals Engaged in More than one Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of

this tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Treasurer, which form shall be evidence of deduction having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address, and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Treasurer on June 15, 1974, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed individuals residing beyond the Corporate Limits of the City of Pittston.

All Employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

SECTION 10. Administration of Tax.

(a) It shall be the duty of the Treasurer to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer or self-employed person together with the date the tax was received.

(b) The Treasurer is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred, Any person aggrieved by any decision of the Treasurer shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Treasurer is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Treasurer the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth, the Treasurer may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six percent (6%) on the amount of said tax shall be calculated beginning with the due dates of said tax and a penalty of five percent (5%) shall be added to the flat rate of said tax for nonpayment thereof. Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collection.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statements on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file any return required by this ordinance, shall, upon conviction before any Alderman or Magistrate, be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding thirty (30) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not affect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be construed to empower the City of Pittston to levy and collect the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the Court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15. Effective Date.

This ordinance shall become effective immediately and

remain in force and effect for the fiscal year of 1974.

PASSED FIRST READING: November 27, 1973

PASSED SECOND READING: December 28, 1973

PASSED THIRD READING: December 28, 1973

ATTESTED: December 28, 1973 APPROVED: December 28, 1973



MAYOR



CITY CLERK

FILE OF COUNCIL

NO. 5 (1973)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 27, 1973

"A N O R D I N A N C E"

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES OF SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING THE PERIOD BEGINNING JANUARY 1, 1974, OR THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS; REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VIRTUE OF AND UNDER THE AUTHORITY VESTED IN IT BY "THE LOCAL TAX ENABLING ACT" (Act #511 of 1965) OF DECEMBER 31, 1965, P.L. 1257, as amended, (hereinafter referred to as "The Local Tax Enabling Act") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P.O. 1257, its supplements and amendments are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said Provisions of section 13 is designated Addendum #1 and attached hereto and made an integral part of this Ordinance, as if more fully delineated in the body of the Ordinance.

SECTION 2. IMPOSITION OF TAX.

A tax for general revenue purposes in the amount of one-half of 1 per cent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st. day of January, 1974, or the effective date of this Ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS.

Quarterly Payments.

1. Every taxpayer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall

file a final return, and pay to the officer the balance of the tax due, all as provided in section 13, 111, A. (1) 11, (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. Earned Income.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in Section 13, 111, B, first paragraph of "The Local Tax Enabling Act", its supplements and amendments.

Quarterly Returns.

2. Every taxpayer who is employed for a salary, wages, or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quarter-annually the amount of tax shown as due on such returns, all as provided in Section 13, 111, B, (2) of "The Local Tax Enabling Act.", its supplements and amendments.

SECTION 4. COLLECTION AT SOURCE.

A. Every employer having an office, factory, workshop, warehouse or other place of business within the corporate limits of the City of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, IV of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file returns or pay taxes in the cases of domestic servants.

SECTION 5. POWER AND DUTIES OF THE OFFICER.

The City Council of the City of Pittston shall designate, by appropriate resolution, the Income Tax Officer who shall perform his duties in accord with Section 13, V, of "The Local Tax Enabling Act", and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the custodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quarter those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. ADMINISTRATION.

The Income Tax Officer shall be selected from time to time by Resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designate as Income Tax Officer for the year 1974 the H.A. Berkheimer Associates, to serve at a compensation of 4% of tax collected.

SECTION 8. APPLICABILITY.

The tax imposed in Section 11 of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

SECTION 9. SEVERABILITY.

The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intension of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 11.


The Ordinance shall become effective January 1, 1974.

PASSED FIRST READING: November 27, 1973

PASSED SECOND READING: December 28, 1973

PASSED THIRD READING: December 28, 1973

ATTESTED: December 28, 1973 APPROVED: December 28, 1973



MAYOR



CITY CLERK

FILE OF COUNCIL

No. 1, (1974)

MAYOR ROBERT A. LOFTUS IN PLACE

FEBRUARY 13, 1974

"A N O R D I N A N C E"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 2 (1970) RELATING TO POLICE PENSION FUNDS IN THE CITY OF PITTSSTON, PENNSYLVANIA, A THIRD CLASS CITY, AUTHORIZING THE APPROPRIATION TO PITTSSTON CITY POLICE PENSION FUND ASSOCIATION CERTAIN MONIES, AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH."

SECTION 1. Be it ordained by the City Council and Mayor of the City of Pittston, Luzerne County, Pennsylvania, that it is hereby ordained by the authority of the same; that there shall be paid by the City of Pittston annually to the Pittston Police Pension Fund Association, an organization duly constituted as a non-profit corporation organized and existing under the Laws of the Commonwealth of Pennsylvania and having in charge the distribution of the Police Pension Fund for the members of the Bureau of Police in the City of Pittston, one-half of one per cent ($\frac{1}{2}$ of 1%) of all city taxes levied by the City of Pittston, other than taxes levied to pay interest on or extinguish the debt of the municipality.

SECTION 2. That the Pittston Police Pension Fund Association shall consist of the Chief of Police, Detectives, Lieutenants, and all regular appointed patrolman and other regularly appointed officers attached to the Bureau of Police. The said Pension Fund, as is now the present situation, shall elect a President, Vice-President, and a Secretary-Treasurer and five members elected as trustees. However, this is strictly discretionary on the members comprising the Pittston Police Pension Fund Association. The said officers and trustees will not in any way have any right to direct, control, manage or regulate the Pittston Police Pension Fund Association in any way or manner, but may from time to time report to the Pittston Council on matters concerned with the said Pension Fund.

SECTION 3. The Council of the City of Pittston shall control direct and be responsible for the administration of the said Pittston Police Pension Fund Association, however, the said Police Pension Fund Association will be committed to the custody and management of the First National Bank of Pittston, a banking corporation authorized under law. The said First National Bank is to manage the Fund in the best welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the General Fund of the City of Pittston.

SECTION 4. That the said Pension Fund shall maintain a Fund that shall be given by bequest, legacy, gifts, donations, fund appeals, or from funds subscribed by the public, or from unclaimed articles in possession of the police, which shall be known in the Pittston Police Fund Association, this fund shall also consist of the funds allocated in Section 1, aforesaid.

SECTION 5. That in addition to the sum provided for the said Pension Fund by the City of Pittston, all members of the said Fund as qualified under Section 2 of this Ordinance shall have deducted from his or her monthly pay, salary or compensation 2% and not to exceed more than 4% of said salary, pay or compensation and \$1.00

for service increment, which is to be paid in monthly payments by the City Treasurer to the duly elected Treasurer of the said Pension Fund.

SECTION 6. The fund shall be used for the pensioning of the officers and employees mentioned in the aforesaid sections of this ordinance and widows and children of same as hereinafter provided.

SECTION 7. All expenditures necessary for the maintenance of the said Pension Fund shall be paid by the said Fund and will be the responsibility of the City of Pittston. No money except as heretofore set forth shall be paid out except for the purposes of pensions for members of the Police Bureau and other officers and their widows and children as contemplated by this ordinance. The said Pension Fund Association shall make an annual report to the City Council and Mayor on the 1st. Monday of January of each year. The report shall give an account of all receipts and disbursements of the fund of such other matters or shall properly be embodied in such report.

SECTION 8. (a) Payments for allowances shall not be a charge on any other fund in the treasury of the City under its control save the Police Pension Fund herein provided for. The basis of the apportionment of the Pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge, or retirement whichever is the higher, and except as to service increments provided for in subsection (b) of this section, shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly or average annual rate, whichever is the higher.

SECTION 8. Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this act during which a contributor has been employed by such City and paid out of the City Treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this act. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred dollars (\$100.00) per month.

(c) The widow of a member of the police force or a member who retires on pension who dies or if no widow survives or if she survives and subsequently dies or remarries, then the child or children under the age of eighteen years of a member of the police force or a member who retires on pension who dies on or after the effective date of this amendment, shall during her lifetime or so long as she does not remarry in the case of a widow or until reaching the age of eighteen years in the case of a child or children, be entitled to receive the pension the member was receiving or would have been receiving had he been retired at the time of his death.

(d) Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death on injuries received after ten years of service the compensation may be fifty per centum of his annual compensation.

The disability pension may be payable to the police officer during his life time and if he shall die, the pension payment

that he was receiving may be continued to be paid to his widow if she survives or if she subsequently dies or remarries, then the child or children under the age of eighteen years of the police officer.

SECTION 9. Every policeman or other employee in the Bureau of Police eligible under this ordinance who retires who shall have served for the term of 20 years and wishes to be retired at his own request may do so and be entitled to receive a pension. The pension being determined from date of said resignation is submitted to Council, provided however, the Council shall have the right to retire any police officer who shall have served twenty years or more, if, in its opinion, the said officer or employee is either physically, or mentally incapacitated from performing his or her duty in the bureau of police. That all people covered by this ordinance must retire from the Bureau of Police upon reaching the age of 65. This is a mandatory retirement age. Any member of the Bureau of Police who at the age of 65 has not completed 20 years of service is entitled to receive only the monies he has paid by contributing into the said Pension Fund.

SECTION 10. That all sums of money paid for any reason either for expense of running the said Pension Fund or any sums used for the payment of pensions to the officers, employees, widows or children entitled thereto under this Ordinance shall be paid by check signed by the Treasurer and anyone else designated by Council.

SECTION 11. That any officer and employee under this ordinance shall be entitled to apply for a disability pension if he or she is permanently incapacitated from discharging the duties of his or her position by an injury or injuries or sickness received as a member of the said pension fund, while in the actual discharge of his or her duties, provided he or she has served continuously as a regular member of the Pittston Police Bureau for a period of not less than one (1) Year. Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service the compensation may be fifty per centum of his annual compensation.

SECTION 12. That if a member shall resign before eligibility under this Ordinance or shall be dismissed by the proper authorities he shall be entitled only to receive the sum he has paid by contribution into said Pension Fund without interest.

SECTION 13. That all officers and employees of the Bureau of Police who are now contributors to the said Pension Fund and all those so employed after the enactment of this Ordinance shall be subject to the provisions of this Ordinance.

SECTION 14. That the City Treasurer of the City of Pittston has the right to inspect the books and records of the Pittston Police Pension Fund Association during the course of each annual year.

SECTION 15. The Pittston Police Pension Fund Association is hereby authorized to amend its by-laws to include provisions therein in accordance with this Ordinance.

SECTION 16. This Ordinance is declared to be urgent and necessary for the preservation of the public peace, health, safety, and welfare and after full discussion with all interested parties and shall take effect and be in force after due passage.

SECTION 17. The provisions of this Ordinance are severable if any part of same is declared invalid, the validity of the remaining provisions shall be unaffected thereby.

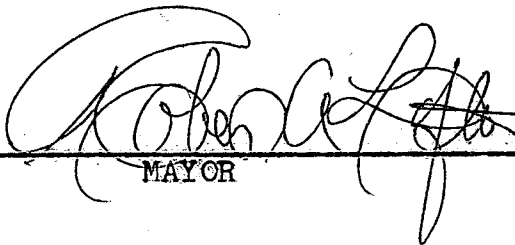
SECTION 18. That any and all former Laws and Ordinances of the City of Pittston concerning the Pittston City Police Pension Fund Association are hereby repealed to be replaced by this Ordinance.

PASSED FIRST READING: February 13, 1974

PASSED SECOND READING: March 13, 1974

PASSED THIRD READING: March 13, 1974

ATTESTED: March 13, 1974 APPROVED: March 13, 1974


MAYOR


CITY CLERK

• SUGGESTED
BUILDING PERMIT ORDINANCE PROVISIONS
TO BE USED IN COMPLIANCE WITH

SECTION 1910.3(b)

of

THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS

ORDINANCE NO. 2 (1974)

AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR THE CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT, ALTERATION, OR RELOCATION OF ANY BUILDING OR STRUCTURE; PROVIDING FOR THE ISSUANCE OF SUCH BUILDING PERMITS; AND PROVIDING FOR PENALTIES FOR ANY PERSONS WHO FAIL OR REFUSE TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

BE IT ENACTED and ORDAINED by the ** Council

City of Pittston, Luzerne

County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

* Name of Legislative Body

** Name of Municipality

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PART I

ARTICLE I - GENERAL PROVISIONS

Section 1.00 - Statement of Intent

The intent of this Ordinance to:

- A. promote the general health, welfare, and safety of the community;
- B. encourage the utilization of appropriate construction practices to minimize flood damage in the future;
- C. to minimize danger to public health by protecting water supply and natural drainage.

Section 1.01 - Applicability

- A. It shall be unlawful for any person, partnership, business or corporation to undertake or cause to be undertaken, the construction, reconstruction, enlargement, alteration, or relocation of any building or structure unless an approved building permit has been obtained from the Municipal Building Permit Officer.
- B. A building permit shall not be required for minor repairs to existing buildings or structures, provided that no structural changes or modifications are involved.

Section 1.02 - Abrogation and Greater Restrictions

This Ordinance supersedes any provisions currently in effect in flood-prone areas. However, any underlying ordinance shall remain in full force and effect to the extent that those provisions are more restrictive.

Section 1.03 - Severability

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Section 1.04 - Municipal Liability

The grant of a permit or approval of a subdivision plan in the identified flood-prone area(s) shall not constitute a representation, guarantee, or warranty of any kind by the municipality or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the municipality, its officials or employees.

ARTICLE II - ADMINISTRATION

Section 2.00 - Issuance of Permit

The Building Permit Officer shall issue a building permit only after it has been determined that the proposed construction will be in conformance with all applicable requirements and regulations.

(Note) If any proposed new construction is located within a designated flood-prone area, prospective building permit applicants shall also comply with the provisions of Part II of this Ordinance.

Section 2.01 - Application Procedures

Application for such a building permit shall be made, in writing, to the Building Permit Officer on forms supplied by the municipality. Such application shall contain at least the following:

- A. Name and address of applicant.
- B. Name and address of owner of land on which proposed construction is to occur.
- C. Name and address of contractor.
- D. Site location.
- E. Brief description of proposed work and estimated cost.
- F. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

Section 2.02 - Changes

After the issuance of a building permit by the Building Permit Officer, no changes of any kind shall be made to the application, permit, or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Building Permit Officer.

Section 2.03 - Placards

In addition to the building permit, the Building Permit Officer shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the building permit, the date of its issuance and be signed by the Building Permit Officer.

Section 2.04 - Start of Construction

Work on the proposed construction shall begin within six (6) months after the date of issuance of the building permit or the permit shall expire unless a time extension is granted, in writing, by the Building Permit Officer. Construction shall be considered to have started with the first placement of permanent construction of the site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof on its pilings or foundation, or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction does not include land preparation, land clearing, grading, filling, excavation for basement, footings, piers, or foundations, erection of temporary forms, the installation of piling under proposed subsurface footings, or the installation of sewer, gas and water pipes, or electric or other service lines from the street.

Section 2.05 - Inspection and Revocation

During the construction period, the Building Permit Officer or other authorized official may inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. In the event the Building Permit Officer discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Building Permit Officer shall revoke the building permit and report such fact to the * _____

Pittston City Council

for whatever action it considers necessary.

Section 2.06 - Fees

Applications for a building permit shall be accompanied by a fee, payable to the municipality, based upon the estimated cost of the proposed construction as determined by the Building Permit Officer at the following rates:

| <u>Estimated Cost</u> | <u>Fee</u> |
|---|------------|
| \$ 0.00 to \$200.00 | \$0.00 |
| 201.00 to \$1,000.00 | 5.00 |
| Each additional \$1,000.00, or part thereof beyond the first \$1,000.00 | 1.00 |

Section 2.07 - Appeals

Any person aggrieved by the Building Permit Officer's estimate of the cost of the proposed construction may appeal to the * _____

Pittston City Council

Such appeal must be filed, in writing, within thirty (30) days after the determination by

Q:



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PART II

ARTICLE.III - ADDITIONAL ADMINISTRATIVE REQUIREMENTS

Section 3.00 - Additional Application Information

To insure that all new construction within the identified flood-prone area(s) will be conducted employing adequate flood damage controls the Building Permit Officer shall require the following specific information to be included as part of an application for a permit.

- A. A plan which accurately locates the construction proposal with respect to the flood-prone area boundaries, stream channel and existing flood-prone developments. Included shall be all plans for proposed subdivision and/or land development to assure that:
 - 1. all such proposals are consistent with the need to minimize flood damage;
 - 2. all public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage; and
 - 3. adequate drainage is provided so as to reduce exposure to flood hazards.
- B. Such plan shall also include existing and proposed contours and elevation of the ground, storage elevations, size of the structure, location and elevations of streets, water supply, sanitary facilities, soil types and floodproofing measures.

- C. A document certified by a registered professional engineer or architect that adequate precautions against flood damage have been taken with respect to the design of any building or structure, and that the plans for the development of the site adhere to the restrictions cited in Article V of this Ordinance.

Section 3.01. - Review of Application by County Conservation District

A copy of all applications and plans for new construction in the identified flood-prone areas to be considered for approval shall be submitted by the Building Permit Officer to the County Conservation District for review and comment prior to the issuance of a building permit. The recommendations of the Conservation District shall be considered by the municipal code enforcement officer for possible incorporation into the proposed plan.

Section 3.02 - Review of Application by Others

A copy of all plans and applications for new construction in the identified flood-prone areas to be considered for approval may be submitted by the Building Permit Officer to any other appropriate agencies and/or individuals (eg., planning commission, municipal engineer, etc.) for review and comment.

ARTICLE IV - DESIGNATION OF FLOOD-PRONE AREA(S)

Section 4.00 - Identification

The "Flood-prone Area(s)" shall be any areas(s) of the ** Pittston City

which are identified as being flood-prone through a study of special flood hazard areas by the Federal Insurance Administration.

Section 4.01 - Changes in Designation of Area(s)

The boundaries of areas considered to be flood-prone may be revised and modified by

the * Pittston City Council where there are changes through natural or other causes, or where further detailed engineering studies or information indicate the need and provide the basis for such modification or revision.

Section 4.02 - Boundary Disputes

Should a dispute concerning any district boundary arise, an initial determination shall be made by the Municipal Planning Commission and any party aggrieved by this decision may appeal to the.*

Pittston City Council
The burden of proof shall be on the appellant.

ARTICLE V - SPECIFIC REQUIREMENTS

Section 5.00 - General

- A. In the identified Flood-prone Area(s), the development and/or use of any land shall be permitted provided that the development and/or use adheres to the restrictions and requirements of all other applicable codes and ordinances in force in the municipality.
- B. All first floor levels (including basements) in residential structures shall be constructed at an elevation of at least one (1) foot above the established flood elevation.*
- C. Non-residential structures, or parts thereof, may be constructed below the established flood elevation provided these structures are designed to preclude and/or withstand inundation to an elevation of, at least, one (1) foot above the established flood elevation.

Section 5.01 - Fill

- A. All fill shall extend laterally fifteen (15) feet beyond the building line from all points.
- B. All fill shall consist of soil and/or small rock materials only. Sanitary land fills shall be prohibited. The fill material shall be compacted to provide the necessary permeability and resistance to erosion or scouring.

*A municipality may choose to apply these regulations to an elevation other than the "one (1) foot above the established flood elevation" as suggested in this Ordinance. A certain amount of flexibility is allowed here to the point that the regulations must be applied, at a minimum, up to the established flood elevation.

- C. Fill slopes shall be no steeper than one (1) vertical unit to two (2) horizontal units, unless substantiating data justifying steeper slopes are submitted to and approved by the Municipal Code Enforcement Officer.
- D. Fill shall be permitted only to the extent to which it does not adversely affect adjacent properties.

Section 5.02 - Anchoring

- A. All buildings or structures shall be anchored to prevent movement or collapse.
- B. All air ducts, large pipes and storage tanks located at or below the established flood elevation shall be firmly anchored to prevent flotation.

Section 5.03 - Placement of Buildings and Structures

- A. All buildings and structures shall be designed, constructed and placed on the lot so as to offer the minimum obstruction to the flow of water.
- B. The following shall not be placed or caused to be placed in identified flood-prone areas: fences, except two-wire fences, other structures or other matter which may impede, retard or change the direction of the flow of water, or that will catch or collect debris carried by such water, or that is placed where the natural flow of the stream or flood waters would carry the same downstream to the damage or detriment of either public or private property adjacent to the flood-prone areas.

Section 5.04 - Floors, Walls and Ceilings

- A. Wood floorings used below an elevation of one (1) foot above the established flood elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without incurring structural damage to the building.
- B. All finished flooring below an elevation of one (1) foot above the established flood elevation shall be made of materials which are stable and resistant to water damage resulting from submersion.
- C. All carpeting or carpet cushions employed as a finished flooring surface below an elevation of one (1) foot above the established flood elevation shall be made of materials which are resistant to water damage resulting from submersion.
- D. Plywood used below an elevation of one (1) foot above the established flood elevation shall be of an "exterior" or "marine" grade and of a water-resistant or water-proof variety.
- E. Basement ceilings below an elevation of one (1) foot above the established flood elevation shall have sufficient wet strength and be so installed as to survive inundation.

Section 5.05 - Electrical Systems

- A. All electrical water heaters, electric furnaces, and other critical electrical installations shall be prohibited below an elevation of one (1) foot above the established flood elevation.

- B. Electrical distribution panels shall be placed at least three (3) feet above the established flood elevation.
- C. Separate electrical circuits serving areas below the established flood elevation shall be dropped from above.

Section 5.06 - Plumbing

- A. Water heaters, furnaces, and other critical mechanical installations shall be prohibited below an elevation of one (1) foot above the established flood elevation.
- B. No part of any on-site sewage disposal system shall be allowed within the identified flood-prone area(s).
- C. Water supply systems and sanitary sewage systems shall be designed to preclude infiltration of flood waters into the systems and discharges from the system into flood waters.
- D. All gas and oil supply systems shall be designed to preclude the infiltration of flood waters into the systems and discharges from the systems into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

Section 5.07 - Paints and Adhesives

- A. Adhesives used below an elevation of one (1) foot above the established flood elevation shall have a bonding strength that is unaffected by inundation.

- B. Doors and all wood trim used below an elevation of one (1) foot above the established flood elevation shall be sealed with a waterproof paint or similar product.
- C. Paints or other finishes used below an elevation of one (1) foot above the established flood elevation shall be capable of surviving inundation.

Section 5.08 - Storage

- A. No materials that are buoyant, flammable, explosive or in times of flooding, could be injurious to human, animal, or plant life, shall be stored in a flood-prone area unless they are properly anchored and/or floodproofed to preclude their causing damage to life and property.

PART III

ARTICLE VI - DEFINITIONS

Section 6.00 - General

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.

Section 6.01 - Specific Definitions

- A. Accessory Use or Structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- B. Building - a combination of materials to form a permanent structure having walls and a roof. Included shall be all mobile homes and trailers to be used for human habitation.
- C.* Established Flood Elevation - the elevation at a point on the boundary of the identified flood-prone area which is nearest to the construction site in question.
- D.* Flood-prone Area - a relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source; and/or any Flood-prone Area as identified in Article IV of this Ordinance.
- E. Minor Repair - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep; but not including any addition, change or modification in construction, exit facilities, or permanent fixtures or equipment.

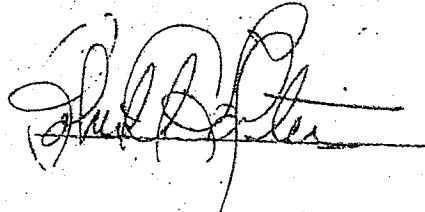
*Definitions specifically included for use with Part II of this ordinance.

- F.* New Construction - the construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building, structure, and/or improvements such as streets, utilities, etc. Also, for purposes of this Ordinance, all proposed subdivision and/or land development shall be considered to be new construction.
- G.* Obstruction - any wall, dam, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory flood hazard area which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to the damage of life or property.
- H. Person - any person, persons, partnership, business or corporation.
- I. Structure - anything constructed or erected on the ground or attached to the ground, including but not limited to, buildings, factories, sheds, cabins, mobile homes, and other similar items.

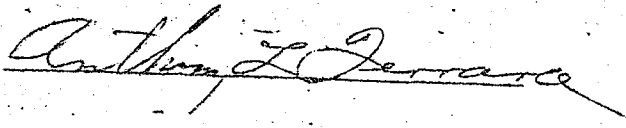
ARTICLE VII - EFFECTIVE DATE

This Ordinance shall become effective on April 10., 1974, and shall remain in force until modified, amended, or rescinded by the ** Council, City of Pittston, Luzerne County, Pennsylvania.

Adopted by * The City of Pittston this 10th. day of April, 1974.

Signed: 

Attest:



CITY OF PITTSBURGH
PENNSYLVANIA

BUDGET FOR
YEAR 1975

PATRICK J. COLLINS

DIRECTOR OF ACCOUNTS AND FINANCE

Honorable Mayor & Members of Council
City of Pittston, Pennsylvania

November 29, 1974

Gentlemen:

The following are the estimated receipts for the year 1975
including the General and Liquid Fuels Fund: and Federal Revenue
Sharing Fund:

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 63,479.35

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax

Levy on \$8,882,958.00

Valuation at 23 Mills\$204,308.03

Less 5% uncollectible current year 10,215.40

Net Amount from Current Real Estate Tax 194,092.63

(b) Occupation Tax

Levy on \$381,600.00

Valuation at 23 Mills\$ 8,776.80

Less 20% uncollectible current year.... 1,755.36

Net Amount from current occupational tax 7,021.44

Delinquent Real Estate & Occupational Taxes 26,501.58

Earned Income Tax (Act 511) 150,000.00

Liquor Licenses 13,750.00

City Licenses and Permits 15,000.00

Parking Meter Fees 20,000.00

Parking Violations and Fines 25,000.00

Pittston Area School Dist. 1/3 Share Exp. of Treas. Off... 10,840.00

Luzerne County Treasurer 1/3 Share Exp. of Treas. Off..... 10,840.00

Rental of City Property and Equipment 500.00

Municipal Liens 1,500.00

Pave Cuts 500.00

Refunds 3,000.00

Pittston Housing Auth. and Pa. Utility Realty Tax 5,000.00

Street Improvements Liens 1,000.00

Miscellaneous Receipts 2,500.00

Real Prop. Trans. Tax of $\frac{1}{2}$ of 1 % (Act 511) 6,000.00

Occupation Privilege Tax (Act 511) 25,000.00

Ash and Garbage Removal Fees 35,000.00

Accounts Receivable 28,900.00

Luzerne County Human Resources 70,000.00

Dept. of Community Affairs (Recreation) 50,000.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes 75,000.00

\$840,425.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 20,000.00

ESTIMATED RECEIPTS:

State Motor License Fund Grants from
Commonwealth of Pennsylvania - Act 145\$ 48,725.58

TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 68,725.58

FEDERAL REVENUE SHARING FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 122,483.54

ESTIMATED RECEIPTS:

Federal Revenue Sharing Grants\$ 127,000.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$ 249,483.54

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

General Fund\$ 840,425.00

Liquid Fuels Tax Fund 68,725.58

Federal Revenue Sharing Fund. 249,483.54

TOTAL\$ 1,158,634.12

Respectfully submitted,

PATRICK J. COLLINS,
Director Dept. of
Accounts & Finance

PROPOSED BUDGET
FILE OF COUNCIL NO. 3 (1974)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1974

AN ORDINANCE

" TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1975 AND ENDING DECEMBER 31, 1975."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | | |
|------------------------------|----|----------|-----------|
| Salary of Mayor | \$ | 1,500.00 | |
| Salary of Secretary to Mayor | | 6,600.00 | |
| Office Supplies | | 300.00 | |
| Communications | | 2,500.00 | |
| Premium on Bonds | | 30.00 | 10,930.00 |

BUREAU OF POLICE:

| | | |
|--|-----------|------------|
| Salary of Chief of Police | 12,000.00 | |
| Salary of Sergeant (2) 10,080.00 each | 20,160.00 | |
| Salary of Patrolman (9) \$9,520.00 each | 85,680.00 | |
| Salary of Police Clerks (2) \$9,520.00 each | 19,040.00 | |
| Wages of Relief Officers (@\$3.50 per Hr.) | 35,000.00 | |
| Wages of School Patrolman (@ \$2.65 per Hr.) | 7,500.00 | |
| Paid Holidays | 4,500.00 | |
| Office Supplies-Uniforms-Clothing, Etc. | 2,500.00 | |
| Printing of Violation Tickets, Etc. | 600.00 | |
| Material for Repairs & Replacement-Auto | 1,000.00 | |
| Gas & Oil | 1,000.00 | |
| Firearms-Ammunition-Police Equip.-Supplies | 500.00 | |
| Traffic Signal Maintenance-Lamps-Supplies | 500.00 | |
| Light Service for traffic Signals | 400.00 | |
| Street Marking-Signs-Material-Supplies | 400.00 | |
| Maint.-Repair of Mobile Police Radio | 250.00 | |
| Care and Feeding of Prisoners | 150.00 | |
| Parking Meters Maint. and Repair | 550.00 | |
| Police Schedule Bond - Insurance-Blue Cross | 7,500.00 | |
| <u>Capital Outlay:</u> | | |
| Major Equipment - Police Cruiser Car | 3,000.00 | 202,230.00 |

BUREAU OF ENGINEERING & BUILDING INSPECTION:

| | | | |
|--------------------------------------|----|----------|----------|
| Salary of Engineer & Bldg. Inspector | \$ | 3,500.00 | |
| Salary of Clerk | | 1,200.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Periodicals | | 25.00 | 4,905.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURES:

| | | | |
|--------------------------|----|----------|----------|
| Salary of Health Officer | \$ | 1,800.00 | |
| Office Supplies | | 25.00 | |
| Parcel Post and Postage | | 25.00 | |
| Premium on Bond | | 30.00 | 1,880.00 |

TOTAL - DEPARTMENT OF PUBLIC AFFAIRS 219,945.00

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTOR:

| | | | |
|--------------------------------|----|----------|-----------|
| Salary of Director | \$ | 1,000.00 | |
| Salary of Assistant Director | | 8,050.00 | |
| Office Supplies | | 1,000.00 | |
| Advertising & Printing Reports | | 150.00 | |
| Premium on Bonds | | 60.00 | 10,260.00 |

OFFICE OF CITY CLERK:

| | | | |
|-----------------------------------|----|-----------|-----------|
| Salary of City Clerk | \$ | 12,000.00 | |
| Communications | | 2,500.00 | |
| Office Supplies | | 1,200.00 | |
| Advertising- Ordinances & Reports | | 900.00 | |
| Other Expenses | | 250.00 | |
| Premium on Bonds | | 50.00 | 16,900.00 |

OFFICE OF CITY CONTROLLER:

| | | | |
|----------------------|----|----------|----------|
| Salary of Controller | \$ | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Advertising | | 150.00 | 1,330.00 |

OFFICE OF CITY TREASURER:

| | | | |
|---------------------------------------|----|-----------|-----------|
| Salary of City Treasurer | \$ | 500.00 | |
| Salary of Tax Collector | | 3,500.00 | |
| Salary of Deputy Tax Collector | | 9,400.00 | |
| Salary of Tax Clerks (3) \$6,600 each | | 19,800.00 | |
| Office Supplies | | 1,500.00 | |
| Printing Tax Statements & Notices | | 500.00 | |
| Premium on Bonds & Insurances | | 2,250.00 | 37,450.00 |

OFFICE OF OCCUPATIONAL TAX:

| | | | |
|--|--|----------|----------|
| Compensation - Collector | | 1,800.00 | |
| Car Allowance | | 150.00 | |
| Postage, Advertising, Printing, & Supplies | | 2,000.00 | 3,950.00 |

OFFICE OF EARNED INCOME TAX:

| | | | |
|--------------------------|----|----------|----------|
| Compensation - Collector | \$ | 6,000.00 | 6,000.00 |
|--------------------------|----|----------|----------|

LAW DEPARTMENT:

| | | | |
|---|--|----------|----------|
| Salary of City Solicitor | | 3,500.00 | |
| Office Supplies | | 50.00 | |
| Premium on Bonds | | 30.00 | |
| Filing of Liens & Judgements & Special Laws | | 50.00 | 3,630.00 |

BUREAU OF TAX ASSESSMENT:

| | | | |
|--|----|----------|----------|
| Salary of Assessor | \$ | 750.00 | |
| Salary of Sub-Assessor (5) \$700.00 each | | 3,500.00 | |
| Office Supplies | | 500.00 | |
| Maintenance of Addressograph | | 500.00 | 5,250.00 |

| | | | |
|--|--|--|-------------|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE | | | \$84,770.00 |
|--|--|--|-------------|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|--------------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | <u>30.00</u> | <u>1,030.00</u> |

BUREAU OF FIRE:

| | | | |
|---|----|-----------------|-------------------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs (2)\$600.00 ea. | | 1,200.00 | |
| Salary of Fire Truck Drivers (6)\$9,520.00 ea. | | 57,120.00 | |
| Salary of Relief Drivers | | 15,000.00 | |
| Wages - Volunteer Firemen | | 10,000.00 | |
| Paid Holidays | | 4,000.00 | |
| Uniforms - Clothing, Etc. | | 1,500.00 | |
| Hydrants Rentals - Water Supply | | 3,500.00 | |
| Material for Repairs & Replacements-Auto Equip. | | 1,000.00 | |
| Gas & Oil | | 500.00 | |
| Purchase of other Minor Equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance and Blue Cross | | 5,000.00 | |
| Maintenance and Repair of Mobile Radio | | 150.00 | |
| Material & Supplies | | 350.00 | |
| Fuel-Light-Water | | 600.00 | |
| Rental Building - Eagle Hose Company | | <u>2,400.00</u> | <u>104,670.00</u> |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|----|---------------|---------------|
| Salary of Plumbing Inspector | \$ | <u>700.00</u> | <u>700.00</u> |
|------------------------------|----|---------------|---------------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|----|---------------|-----------------|
| Telephone Rental, Tolls & Switchboard | \$ | 6,000.00 | |
| Fire Alarm System-Maintenance-Repair | | <u>600.00</u> | <u>6,600.00</u> |

| | | | |
|---|--|--|----------------------------|
| TOTAL - DEPARTMENT OF PUBLIC SAFETY | | | <u><u>\$113,000.00</u></u> |
|---|--|--|----------------------------|

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

BUREAU OF HIGHWAYS:

| | | | |
|---|----|-----------|------------|
| Salary of Superintendant of Streets | \$ | 8,300.00 | |
| Salary of Clerk | | 7,000.00 | |
| Wages of Labores-General Maintenance (@ \$2.95 per hr.) | | 40,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (@ \$2.95 per hr.) | | 15,000.00 | |
| Road Material & Maintenance-Street Paving | | 8,000.00 | |
| Salt for De-Icing Streets | | 2,500.00 | |
| Material and Supplies | | 2,500.00 | |
| Office Supplies | | 100.00 | |
| Material for Repairs & Replacements- Automotive Equipment | | 1,500.00 | |
| Gas & Oil | | 3,000.00 | |
| Rental of Equipment-Snow Removal, Storm Sewers, & Major Excavation | | 20,000.00 | |
| Fuel-Light-Water | | 900.00 | |
| Premium on Bonds and Insurance | | 1,500.00 | |
| Replacement Small Tools & Minor Equipment | | 500.00 | |
| Other Expenses | | 1,000.00 | |
| Capital Outlay: Major Equipment - Trucks | | 12,000.00 | 123,800.00 |

BUREAU OF STREET CLEANING:

| | | | |
|---|----|-----------|-----------|
| Wages-Laborers-Street Cleaning (@ \$2.95 per hr.) | \$ | 20,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | | 1,000.00 | 21,000.00 |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | | |
|--|--|-----------|-----------|
| Wages of Laborers (@ \$2.95 Per Hr.) | | 30,000.00 | |
| Material for Repairs & Replacements- Automotive Equipment | | 750.00 | |
| Gas & Oil | | 2,500.00 | |
| Sanitary Landfill Authority Fee | | 9,300.00 | 42,550.00 |

BUREAU OF STREET LIGHTING:

| | | | |
|---------------|----|-----------|-----------|
| Light Service | \$ | 35,000.00 | 35,000.00 |
|---------------|----|-----------|-----------|

| | | | |
|---|--|--|--------------|
| TOTAL - DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS | | | \$223,380.00 |
|---|--|--|--------------|

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | <u>1,030.00</u> |

OPERATION AND MAINTENANCE-BUILDING:

| | | | |
|---|----|-----------------|------------------|
| Salary of Janitor | \$ | 3,600.00 | |
| Salary of Janitress | | 1,200.00 | |
| Material & Supplies | | 1,200.00 | |
| Fuel-Light-Water | | 4,000.00 | |
| Insurance City Building | | 700.00 | |
| Plumbing and Boiler Repairs | | 900.00 | |
| Repairs and Improvements to City Bldgs. | | <u>5,000.00</u> | <u>16,600.00</u> |

PARKS AND RECREATION:

| | | | |
|-------------------------|----|------------------|------------------|
| Salaries and Wages | \$ | 7,000.00 | |
| Park Leases | | 150.00 | |
| Material and Supplies | | 5,000.00 | |
| Maintenance and Repairs | | <u>10,000.00</u> | <u>22,150.00</u> |

SWIMMING POOL:

| | | | |
|-------------------------|----|-----------------|------------------|
| Salaries and Wages | \$ | 10,000.00 | |
| Material and Supplies | | 5,000.00 | |
| Light and Water | | 5,000.00 | |
| Maintenance and Repairs | | <u>5,000.00</u> | <u>25,000.00</u> |

| | | | |
|---|----|------------------|--|
| TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY | \$ | <u>64,780.00</u> | |
|---|----|------------------|--|

MISCELLANEOUS ACCOUNTS:

| | | | |
|--|----|-----------|--|
| Compensation and Liability Insurance | \$ | 10,000.00 | |
| Blue Cross | | 4,500.00 | |
| Tax Refunds | | 500.00 | |
| Military, Library, and Civic Contributions | | 6,000.00 | |
| Indigents, Contagious Hospital | | 150.00 | |
| Civil Defense | | 3,000.00 | |
| Pennsylvania League of Cities | | 400.00 | |
| Urban Planning-Redevelopment-Parking Auth. Gen. Purposes-Wyo. Valley Sanitary Auth. | | 75,000.00 | |
| Pittston City Master Plan Study | | 15,000.00 | |
| Social Security | | 12,000.00 | |

PENSIONS:

| | | | |
|-----------|--|-----------------|-------------------|
| Firemen | | 4,000.00 | |
| Policemen | | <u>4,000.00</u> | <u>134,550.00</u> |

| | | | |
|--|----|-------------------|--|
| TOTAL - OPERATION AND MAINTENANCE - GENERAL FUND | \$ | <u>840,425.00</u> | |
|--|----|-------------------|--|

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES:

| | | | |
|-------------------------------|----|-----------|-----------|
| 75% - Material and Wages | \$ | 36,704.97 | |
| 25% - Construction of Streets | | 22,275.49 | |
| 20% - Purchase of Equipment | | 9,745.12 | 68,725.58 |

ESTIMATED FEDERAL REVENUE SHARING FUND EXPENDITURES:

| | | | |
|---------------------------|----|------------|------------|
| Operation and Maintenance | \$ | 100,000.00 | |
| Capital Outlay | | 149,483.54 | 249,483.54 |

SUMMARY OF ESTIMATED EXPENDITURES

| | | |
|---------------------------------------|----|--------------|
| General Fund | \$ | 840,425.00 |
| Liquid Fuels Tax Fund ... | \$ | 68,725.58 |
| Federal Revenue Sharing Fund | \$ | 249,483.54 |
| Grand Total | \$ | 1,158,634.12 |

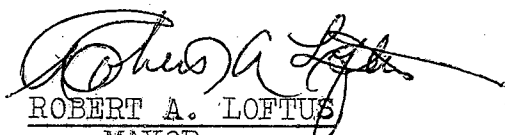
PASSED FIRST READING: November 29, 1974

PASSED SECOND READING: December 30, 1974

PASSED THIRD READING: December 30, 1974

ATTESTED: December 30, 1974 APPROVED December 30, 1974


Anthony L. Ferrara
ANTHONY L. FERRARA
City Clerk


ROBERT A. LOFTUS
MAYOR

FILE OF COUNCIL

NO. 4 (1974)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1974

"A N O R D I N A N C E"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1975."

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1975, and certain deficiencies prior thereto, a tax is hereby levied on all persons, above the age of eighteen (18) years, occupation, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:

"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, thereis hereby levied twenty-three (23) mills on the dollar of valuation, which is two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."

PASSED FIRST READING: November 29, 1974

PASSED SECOND READING: December 30, 1974

PASSED THIRD READING: December 30, 1974

ATTESTED: December 30, 1974 APPROVED: December 30, 1974


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 5 (1974)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1974

6

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSTON WHICH IMPOSES A ONE-HALF OF ONE-PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REAL ESTATE WITHIN THE CITY."

Whereas, the City of Pittston has presently in force an ordinance imposing a one-half of one percent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

Whereas, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1975.

NOW, THEREFORE, be it ordained by the Council of the CITY OF PITTSTON and it is hereby ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one-per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1975

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective immediately upon final enactment.

PASSED FIRST READING: NOVEMBER 29, 1974

PASSED SECOND READING: December 30, 1974

PASSED THIRD READING: December 30, 1974

ATTESTED: December 30, 1974 APPROVED: December 30, 1974


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 6 (1974)

MAYOR ROBERT A. LOFTUS, IN PLACE

NOVEMBER 29, 1974

"AN ORDINANCE"

Imposing a tax for general revenue purposes on all individuals for the privilege of engaging in occupation within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the City Treasurer; conferring and imposing powers and duties of administration of the City Treasurer; and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED BY THE COUNCIL OF THE CITY OF PITTSTON UNDER THE AUTHORITY OF THE ACT OF JUNE 25, 1947, (P. L. 1145) AND ITS AMENDMENTS, AS FOLLOWS:

SECTION 1. Definitions.

The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean an person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business or undertaking of any type, kind or characted, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars levied by this ordinance.

(e) "Treasurer" shall mean the Treasurer of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the twelve (12) months period beginning January 1, 1975 and ending December 31, 1975.

(g) "City of Pittston" shall mean the area within the corporate limits of the City of Pittston.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female, and neuter gender.

SECTION 2. LEVY.

The City of Pittston hereby levies and imposed on each individual engaged in an occupation during the fiscal year of 1975 within the corporate limits of the City of Pittston an Occupation Privilege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston.

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1975, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the Amount of Ten (\$10.00) dollars per annum.

SECTION 4. Duty of Employers!

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engage in business within the City of Pittston, is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said Tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Treasurer. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the Treasure's Office, City Hall, Pittston, Pennsylvania, each employer in filing this return and making payment of the tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two percentum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collections thereof from the salary, wages, or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the First day of Jahuary to the 15th. day of May, 1975 for determining the number of employees from whom said tax shall be deducted and paid over to the Treasurer on or before June 15, 1975. Supplemental reports shall be made by each employer on August 15, 1975 and October 15, 1975 of new employees as reflected on his employment records from May 15, 1975 to August 15, 1975 and from August 15, 1975 to October 15, 1975. Payments on these supplemental reports shall be made on September 15, 1975 and November 15, 1975, respectively.

SECTION 7. Individuals Engaged in More than one Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of

this tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Treasurer, which form shall be evidence of deduction having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address, and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Treasurer on June 15, 1975, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed individuals residing beyond the corporate limits of the City of Pittston.

All Employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

SECTION 10. Administration of Tax.

(a) It shall be the duty of the Treasurer to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer or self-employed person together with the date the tax was received.

(b) The Treasurer is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred, any person aggrieved by any decision of the Treasurer shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Treasurer is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Treasurer the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth, the Treasurer may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six percent (6%) on the amount of said tax shall be calculated beginning with the due dates of said tax and a penalty of five percent (5%) shall be added to the flat rate of said tax for nonpayment thereof. Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collections.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statements on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file any return required by this ordinance, shall, upon conviction before any Alderman or Magistrate, be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding thirty (30) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not affect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be construed to empower the City of Pittston to levy and collect the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15. Effective Date.

This ordinance shall become effective immediately and

remain in force and effect for the fiscal year of 1975.

PASSED FIRST READING: November 29, 1974

PASSED SECOND READING: December 30, 1974

PASSED THIRD READING: December 30, 1974

ATTESTED: December 30, 1974 APPROVED: December 30, 1974


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 7 (1974)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1974

"A N O R D I N A N C E"

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES OF SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING THE PERIOD BEGINNING JANUARY 1, 1975, OR THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS; REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATION THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VIRTUE OF AND UNDER THE AUTHORITY VESTED IN IT BY "THE LOCAL TAX ENABLING ACT" (Act #511 of 1965) OF DECEMBER 31, 1965, P.L. 1257, as amended, (hereinafter referred to as "The Local Tax Enabling Act") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P.O. 1257, its supplements and amendments are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said provisions of section 13 is designated Addendum "1" and attached hereto and made an integral part of this Ordinance, as if more fully delineated in the body of the Ordinance.

SECTION 2. IMPOSITION OF TAX.

A tax for general revenue purposes in the amount of one-half of 1 per-cent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st. day of January, 1975, or the effective date of this Ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS

Quarterly Payments.

1. Every taxpayer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall

file a final return, and pay to the officer the balance of the tax due, all as provided in section 13, 111, A. (1) 11, (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. Earned Income.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in section 13, 111, B, first paragraph of "The Local Tax Enabling Act", its supplements and amendments.

Quarterly Returns.

2. Every taxpayer who is employed for a salary, wages, or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quater-annually the amount of tax shown as due on such returns, all as provided in Section 13, 111, B, (2) of "The Local Tax Enabling Act.", its supplements and amendments.

SECTION 4. COLLECTION AT SOURCE.

A. Every employer having an office, factory, workshop, warehouse or other place of business within the corporate limits of the City Of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, 1V of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file returns or pay taxes in the cases of domestic servants.

SECTION 5. POWER AND DUTIES OF THE OFFICER.

The City Council of the City of Pittston shall designate, by appropriate resolution, the Income Tax Officer who shall perform his duties in accord with section 13, V, of "The Local Tax Enabling Tax", and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the custodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quater those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. ADMINISTRATION.

The Income Tax Officer shall be selected from time to time by resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designate as Income Tax Officer for the year 1975 the H.A. Berkhiemer Associates, to serve at a compensation of 4% of Tax Collected.

SECTION 8. APPLICABILITY.

The tax imposed in Section 11 of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

SECTION 9. SEVERABILITY.

The provisions of this Ordinance are severable, If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intension of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 11.


The Ordinance shall become effective January 1, 1975.

PASSED FIRST READING: November 29, 1974

PASSED SECOND READING: December 30, 1974

PASSED THIRD READING: December 30, 1974

ATTESTED: December 30, 1974 APPROVED: December 30, 1974


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 1, (1975)

MAYOR ROBERT A. LOFTUS, IN PLACE

MAY 14, 1975

A N O R D I N A N C E

"AMENDING AN ORDINANCE, FILE OF COUNCIL NO. 1 (1975) GOVERNING REGULATIONS RELATIVE TO THE PARKING OF VEHICLES ON CERTAIN PUBLIC STREETS AND HIGHWAYS OF THE CITY OF PITTSSTON; PROVIDING FOR THE INSTALLATION, OPERATION, MAINTENANCE, SUPERVISION, REGULATION AND CONTROL OF THE USE OF PARKING METER; DEFINING AND PROVIDING FOR THE ESTABLISHMENT OF PARKING METER ZONES UPON THE PUBLIC STREETS AND HIGHWAYS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES" IN CONSISTENT HERewith."

SECTION 1. Be it ordained by the City Council of the City of Pittston and it is hereby ordained by the authority of the same; that the following words, when used in this ordinance, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

(a) The word "Vehicle" shall mean any device in, upon or by which any person or property is or may be transported upon a highway, except a device which is operated upon rails or tracks.

(b) The word "Street" shall mean any public street, avenue, road, boulevard, highway or other public place located in the City of Pittston, and established for the use of vehicles.

(c) The word "Person" shall mean and include every natural person, firm, copartnership, association or corporation.

(d) The word "Operator" shall mean and include every individual who shall operate a vehicle as the owner thereof, or as the Agent, employee or permittee of the owner, or is in actual physical control of a vehicle.

SECTION 2. That a parking meter zone is established on the following streets of the City of Pittston, limiting the time of parking to two (2) hours consisting of four (4) periods of thirty (30) minutes each, between the hours of 9 A.M. to 6 P.M. daily except Sundays and shopping nights when the stores are open after 7 P.M. on said shopping nights and parking time shall be between the hours of 9 A.M. and 9 P.M. Additional parking meter zones may be established by resolution of Council, and also the parking time on the following or additional zones may be changed by resolution by Council.

On North Main from Broad & Water Streets to Lambert Street.
On South Main Street from Broad & Water Sts. to Oak Street.
On Butler Street, from Main to Church Street.
On Broad Street from Main to Foundry Street.
On Church Street from Broad to Butler Street.
On Charles, Kennedy, Spring, and Dock Streets.
On Market Street from Main to LaGrange Street.
On Thomas Street.

SECTION 3. Parking Meters installed in the parking meter zones established as provided in Section 2 hereof shall be placed upon the sidewalk immediately adjacent to the individual parking places hereinafter described. Each parking meter shall be placed or set in such manner as to show that the parking space

adjacent to such meter is or is not legally occupied. Each parking meter installed shall indicate by a proper legend the legal parking time established by the City, and when operated shall indicate on and by its face a white signal for the duration of the period of legal parking and on the expiration of such period of legal parking shall indicate illegal or over parking by a red signal on its face.

SECTION 4. Where lines or markings are painted or placed upon the curb, sidewalk and/or upon the streets adjacent to each parking meter for the purpose of designating the parking space for which said meter is to be used, each vehicle parked adjacent or next to any parking meter shall park within the lines or markings so placed. It shall be unlawful and a violation of this ordinance to park any vehicle across such line or marking or to park said vehicle in such position that the same shall not be entirely within the area so designated by such lines or markings.

SECTION 5. When a parking space in any parking meter zone is paralleled with the adjacent curb or sidewalk, any vehicle parked in such parking space shall be parked so that the foremost part of such vehicle shall be nearest to the parking meter; when a parking space in any parking meter zone is diagonal to the curb or sidewalk, any vehicle parked in such parking space shall be parked with the foremost part of such vehicle nearest to such meter.

SECTION 6. When any vehicle shall be parked in any space adjacent to which a parking meter is located in accordance with the provisions of this ordinance, the operator shall, upon entering said parking space, if said operator desires to park for the period of time which has been prescribed for the part of the street in which said parking space is located as indicated on the parking meter, immediately deposit or cause to be deposited a five-cent coin of the United States in such parking meter, and, in a manual operated parking meter turn the handle, and failure to deposit such five-cent coin and to return such handle shall constitute a breach of this ordinance and shall subject such person to the penalty prescribed in Section 16 hereof. Upon the deposit of such five-cent coin and placing said meter in operation, the parking space may be lawfully occupied by such vehicle during the period of parking time which has been prescribed for the part of street in which said parking space is located, as indicated on the parking meter. If said vehicle shall remain parked in such parking space beyond the parking time limit fixed for such parking space, the parking meter shall, by a red signal on its face, indicate such illegal parking, and in that event, such vehicle shall be considered as parked overtime and beyond the period of legal parking time and the parking of a vehicle overtime or beyond the period of legal parking time in any such part of a street where any such parking meter is located shall be a violation of this ordinance and punishable as hereinafter set forth.

SECTION 7. It shall be unlawfull and a violation of the provisions of this ordinance for any person or operator to cause, allow permit or suffer any vehicle, whether attended or unattended, registered in the name of, or operated by, such person to stand or to be parked;

- (a) Overtime beyond the period of legal parking time established for any parking meter zone as herein describe; or
- (b) Within an intersection, or within twenty five feet of an intersection unless otherwise marked; or
- (c) On a crosswalk; or
- (d) Within a safety zone; or
- (e) On a sidewalk; or
- (f) Within fifteen feet of a fire hydrant; or
- (g) In front of a private driveway; or

- (h) At any place where official signs or markings on the pavement or curb have been erected prohibiting standing or parking; or
- (i) More than one foot from the curb; or
- (j) In a traffic lane; or
- (k) On private property without the consent of the owner or other person in control or possession thereof; or
- (l) Other than headed in the direction of traffic; or
- (m) Within any zone or place prohibited by the Pennsylvania Motor Vehicle Code.

SECTION 8. It shall be unlawfull and a violation of the provisions of this ordinance for any person to deposit or cause to be deposited in a parking meter a five-cent coin for the purpose of increasing or extending the parking time of any vehicle beyond four legal parking periods which have been established for the parking space adjacent to which said parking meter is placed.

SECTION 9. It shall be unlawfull and a violation of the provisions of this ordinance to deposit or cause to be deposited in any parking meter any slug, device or metallic substitute for a five-cent coin of the United States.

SECTION 10. It shall be unlawfull and a violation of the provisions of this ordinance for any person to deface, injure, tamper with, open or wilfully break, destroy or impair the usefullness of any parking meter installed under the provisions of this ordinance.

SECTION 11. It shall be the duty of Police Officers of the City of Pittston, acting in accordance with instructions issued by the Chief of Police, to report:

- (a) The number of each parking meter which indicates that the vehicle occupying the parking space adjacent to such parking meter is or has been parked in violation of any of the provisions of this ordinance.
- (b) The State License number of such vehicle.
- (c) Any other facts, a knowledge of which is necessary to a thorough understanding of the circumstances attending such violation. Each such Police Officer shall also place on such vehicle a notice to the owner thereof that such vehicle has been parked in violation of the provisions of this ordinance and instructing such owner to report at the Police Headquarters of the City of Pittston in regard to such violation. Each such owner may, within five days of the time when such notice was attached to such vehicle, pay at Police Headquarters as a penalty for and in full satisfaction of such violation, the sum of one dollar. The failure of such owner to make such payment at Police Headquarters within said five days, shall render such owner subject to the penalties herinafter provided for violation of the provisions of this ordinance.
- (d) The owner having failed to make payment within five days shall be notified by post card, upon determination of his identity from the Pennsylvania Department of Transportation, that the penalty for said violation has been increased to \$2.50 payable within one week from date of notice. Upon failure of each such owner to make such payment at Police Headquarters within said week, a citation shall be filed with the District Justice having jurisdiction over the City. Upon the issuance of a citation the fine for violation of this ordinance shall be \$5.00, and the owner shall be notified as required by the rules governing the office of District Justice of the Peace. Upon conviction before said District Justice such person shall upon failure to pay fine and costs be imprisoned in the ~~Jail of Luzerne~~ Luzerne County for a period not exceeding five days for each offense.

SECTION 12. The provisions of this ordinance may be temporarily suspended by the Chief of Police, or the acting head of the Bureau of Police, and he may prescribe temporarily such other rules and regulations as traffic conditions may require.

SECTION 13. Nothing in this ordinance shall be construed as prohibiting the City of Pittston from providing for free parking space for loading and unloading, for bus stops, for taxi cab stands, and for other matters of similar nature.

SECTION 14. That any person, firm, corporation, association or organization whether as principal or agent violating or assisting in the violation of any of the provisions of this ordinance, shall upon the conviction thereof before the Mayor or any Alderman of the City of Pittston, be sentenced to pay a fine not exceeding \$50.00 and costs of prosecution and in default of the payment of such fine and costs of prosecution shall be imprisoned in the jail of Luzerne County, for a period not exceeding five days.

SECTION 15. The five-cent coins required to be deposited in parking meters as provided herein are hereby levied and assessed as fees to provide for the proper regulation and control of traffic upon the public streets, and also the cost of supervising and regulating the parking of vehicles in the parking meter zones created hereby, and to cover the cost of the purchase, supervision, protection, inspection, installation, operation, maintenance, control and use of the parking meters described herein.

SECTION 16. This ordinance shall be deemed to be in addition and supplementary to, and not in conflict with nor a repeal of prior or existing ordinances of the City of Pittston, but shall be an additional provision for the regulation of traffic and parking in these zones provided for herein.

SECTION 17. If any section, part of section, sentence, Clause or phrase of this ordinance shall be held to be unconstitutional or invalid, the remaining provisions hereof shall nevertheless remain in full force and effect.

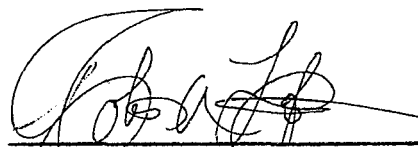
SECTION 18. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

PASSED FIRST READING: May 14, 1975

PASSED SECOND READING: June 11, 1975

PASSED THIRD READING: June 11, 1975

ATTESTED: June 11, 1975 APPROVED: June 11, 1975


MAYOR


CITY CLERK

CITY OF PITTSBURGH
PENNSYLVANIA

BUDGET FOR
YEAR 1976

PATRICK J. COLLINS

DIRECTOR OF ACCOUNTS AND FINANCE

Gentlemen:

The following are the estimated receipts for the year 1976
including the General and Liquid Fuels Fund: and Federal Revenue
Sharing Fund:

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 72,344.35

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax
Levy on \$8,882,958.00
Valuation at 23 Mills\$204,308.03
Less 5% uncollectible current year 10,215.40
Net Amount from current occupational Tax 194,092.63

(b) Occupation Tax
Levy on \$381,600.00
Valuation at 23 Mills\$ 8,776.80
Less 20% uncollectible current year 1,755.36
Net Amount from current occupational Tax 7,021.44

Delinquent Real Estate & Occupational Taxes 26,501.58

Earned Income Tax (Act 511) 150,000.00

Liquor Licenses 13,750.00

City Licenses and Permits 15,000.00

Parking Meter Fees 20,000.00

Parking Violations and Fines 25,000.00

Pittston Area School Dist. 1/3 Share Exp. of Treas. Off... 10,840.00

Luzerne County Treasurer 1/3 Share Exp. of Treas. Off. ... 10,840.00

Rental of City Property and Equipment 500.00

Municipal Liens 1,500.00

Pave Cuts 500.00

Refunds 3,000.00

Pittston Housing Auth. and Pa. Utility Realty Tax 5,000.00

Street Improvement Liens 1,000.00

Miscellaneous Receipts 2,500.00

Real Prop. Trans. Tax of $\frac{1}{2}$ of 1% (Act 511) 6,000.00

Occupation Privilege Tax (Act 511) 20,000.00

Ash and Garbage Removal Fees 35,000.00

Accounts Receivable 28,900.00

Luzerne County Humane Resources 70,000.00

Dept. of Community Affairs (Recreation) 25,500.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes 75,000.00

\$ 819,790.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 3,360.17

ESTIMATED RECEIPTS:

State Motor License Fund Grants from
Commonwealth of Pennsylvania - Act 145\$ 53,799.41

TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 57,159.58

FEDERAL REVENUE SHARING FUND

BALANCE FROM PREVIOUS YEAR:

Cash in bank at beginning of year\$ 134,244.00

ESTIMATED RECEIPTS:

Federal Revenue Sharing Grants\$ 130,198.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$ 264,442.00

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

General Fund\$ 819,790.00

Liquid Fuels Tax Fund 57,159.58

Federal Revenue Sharing Fund.. 264,442.00

TOTAL\$ 1,141,391.58

Respectfully submitted,

PATRICK J. COLLINS
Director Dept. of
Accounts & Finance

PROPOSED BUDGET

FILE OF COUNCIL NO. 2 (1975)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 28, 1975

AN ORDINANCE

" TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1976 AND ENDING DECEMBER 31, 1976."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | | |
|------------------------------|----|----------|-----------|
| Salary of Mayor | \$ | 1,500.00 | |
| Salary of Secretary to Mayor | | 7,000.00 | |
| Salary of Clerk | | 1,200.00 | |
| Office Supplies | | 300.00 | |
| Communications | | 1,300.00 | |
| Premium on Bonds | | 30.00 | 11,330.00 |

BUREAU OF POLICE:

| | | | |
|--|----|-----------|--|
| Salary of Chief of Police | \$ | 13,000.00 | |
| Salary of Sergeant (2) 10,900.00 each | | 21,800.00 | |
| Salary of Patrolman (9) 10,245.00 each | | 92,205.00 | |
| Salary of Police Clerks (2) 10,245.00 each | | 20,490.00 | |
| Wages of Relief Officers (@ \$3.75 per hr.) | | 35,000.00 | |
| Wages of School Patrolman (@ \$2.65 per hr.) | | 7,500.00 | |
| Paid Holidays | | 5,000.00 | |
| Uniforms-Clothing, Etc. | | 3,000.00 | |
| Printing of Violation Tickets, Etc. | | 600.00 | |
| Material for Repairs & Replacement-Auto | | 1,000.00 | |
| Gas & Oil | | 1,000.00 | |
| Firearms-Ammunition-Police Equip.-Supplies | | 500.00 | |
| Traffic Signal Maintenance-Lamps-Supplies | | 500.00 | |
| Light Service for traffic Signals | | 400.00 | |
| Street Marking-Signs-Material-Supplies | | 400.00 | |
| Maint.-Repair of Mobile Police Radio | | 250.00 | |
| Care and Feeding of Prisoners | | 150.00 | |
| Parking Meter Maint. and Repair | | 550.00 | |
| Police Schedule Bond-Insurance-Blue Cross | | 7,500.00 | |

CAPITAL OUTLAY:

| | | | |
|--------------------------------------|--|----------|------------|
| Major Equipment - Police Cruiser Car | | 3,000.00 | 213,845.00 |
|--------------------------------------|--|----------|------------|

BUREAU OF ENGINEERING & BUILDING INSPECTION:

| | | | |
|--------------------------------------|----|----------|----------|
| Salary of Engineer & Bldg. Inspector | \$ | 3,500.00 | |
| Salary of Clerk | | 1,200.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Periodicals | | 25.00 | 4,905.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURES:

| | | | |
|--------------------------|----|----------|----------|
| Salary of Health Officer | \$ | 1,800.00 | |
| Office Supplies | | 25.00 | |
| Parcel Post and Postage | | 25.00 | |
| Premium on Bond | | 30.00 | 1,880.00 |

TOTAL - DEPARTMENT OF PUBLIC AFFAIRS 231,960.00

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTOR:

| | | | |
|--------------------------------|----|----------|-----------|
| Salary of Director | \$ | 1,000.00 | |
| Salary of Assistant Director | | 8,550.00 | |
| Office Supplies | | 1,000.00 | |
| Advertising & Printing Reports | | 150.00 | |
| Premium on Bonds | | 60.00 | 10,760.00 |

OFFICE OF CITY CLERK:

| | | | |
|----------------------------------|----|-----------|-----------|
| Salary of City Clerk | \$ | 13,000.00 | |
| Office Supplies | | 700.00 | |
| Advertising-Ordinances & Reports | | 900.00 | |
| Other Expenses | | 250.00 | |
| Premium on Bonds | | 50.00 | 14,900.00 |

OFFICE OF CITY CONTROLLER:

| | | | |
|----------------------|----|----------|----------|
| Salary of Controller | \$ | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Advertising | | 150.00 | 1,330.00 |

OFFICE OF CITY TREASURER:

| | | | |
|---|----|-----------|-----------|
| Salary of City Treasurer | \$ | 500.00 | |
| Salary of Tax Collector | | 9,500.00 | |
| Salary of Tax Clerks (3) \$7,000.00 ea. | | 21,000.00 | |
| Office Supplies | | 1,500.00 | |
| Printing Tax Statements & Notices | | 500.00 | |
| Premium on Bonds & Insurance | | 2,250.00 | 35,250.00 |

OFFICE OF OCCUPATIONAL TAX:

| | | | |
|--------------------------|--|----------|----------|
| Compensation - Collector | | 1,500.00 | 1,500.00 |
|--------------------------|--|----------|----------|

OFFICE OF EARNED INCOME TAX:

| | | | |
|--------------------------|--|----------|----------|
| Compensation - Collector | | 7,000.00 | 7,000.00 |
|--------------------------|--|----------|----------|

LAW DEPARTMENT:

| | | | |
|---|--|----------|----------|
| Salary of City Solicitor | | 3,700.00 | |
| Office Supplies | | 50.00 | |
| Premium on Bonds | | 30.00 | |
| Filing of Liens & Judgements & Special Laws | | 50.00 | 3,830.00 |

BUREAU OF TAX ASSESSMENT:

| | | | |
|---|--|----------|----------|
| Salary of Assessor | | 750.00 | |
| Salary of Sub-Assessor (5) \$700.00 ea. | | 3,500.00 | |
| Office Supplies | | 500.00 | |
| Maintenance of Addressograph | | 500.00 | 5,250.00 |

| | | | |
|--|--|--|-----------|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE | | | 79,820.00 |
|--|--|--|-----------|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | <u>1,030.00</u> |

BUREAU OF FIRE:

| | | | |
|---|----|-----------|-------------------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs(2)\$600.00 ea. | | 1,200.00 | |
| Salary of Fire Truck Drivers (6)\$10,245.00 ea. | | 61,470.00 | |
| Salary of Relief Drivers | | 15,000.00 | |
| Wages - Volunteer Firemen | | 10,000.00 | |
| Paid Holidays | | 3,600.00 | |
| Uniforms - Clothing, Etc. | | 1,800.00 | |
| Hydrants Rentals - Water Supply | | 3,500.00 | |
| Material for Repairs & Replacements-Auto Equip. | | 1,000.00 | |
| Gas & Oil | | 500.00 | |
| Purchase of other Minor Equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance and Blue Cross | | 5,000.00 | |
| Maintenance and Repair of Mobile Radio | | 150.00 | |
| Material & Supplies | | 350.00 | |
| Fuel-Light-Water | | 600.00 | |
| Rental Building - Eagle Hose Co. | | 2,400.00 | <u>108,920.00</u> |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|----|--------|---------------|
| Salary of Plumbing Inspector | \$ | 700.00 | <u>700.00</u> |
|------------------------------|----|--------|---------------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|----|----------|-----------------|
| Telephone Rental, Tolls & Switchboard | \$ | 6,000.00 | |
| Fire Alarm System-Maintenance-Repair | | 600.00 | <u>6,600.00</u> |

| | | | |
|---|--|--|---------------------|
| TOTAL - DEPARTMENT OF PUBLIC SAFETY | | | <u>\$117,250.00</u> |
|---|--|--|---------------------|

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

BUREAU OF HIGHWAYS:

| | | | |
|---|----|-----------|------------|
| Salary of Superintendant of Streets | \$ | 8,800.00 | |
| Salary of Clerk | | 7,000.00 | |
| Wages of Laborers-General Maintenance (@ \$3.10 per hr.) | | 35,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (@ \$3.10 per Hr.) | | 12,000.00 | |
| Road Material & Maintenance-Street Paving | | 5,000.00 | |
| Salt for De-Icing Streets | | 2,500.00 | |
| Material and Supplies | | 2,500.00 | |
| Office Supplies | | 100.00 | |
| Material for Repairs & Replacements- Automotive Equipment | | 2,500.00 | |
| Gas & Oil | | 3,000.00 | |
| Rental of Equipment-Snow Removal, Storm Sewers, & Major Excavation | | 15,000.00 | |
| Fuel-Light-Water | | 900.00 | |
| Premium on Bonds and Insurance | | 3,000.00 | |
| Replacement Small Tools & Minor Equipment | | 500.00 | |
| Other Expenses | | 1,000.00 | |
| Capital Outlay: Major Equipment - Trucks | | 12,000.00 | 110,800.00 |

BUREAU OF STREET CLEANING

| | | | |
|---|--|-----------|-----------|
| Wages-Laborers-Street Cleaning (@ \$3.10 per hr.) | | 18,000.00 | |
| Material for Repairs & Replacements automotive equipment | | 1,000.00 | 19,000.00 |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | | |
|---|--|-----------|-----------|
| Wages of Laborers (@ \$3.10 per Hr.) | | 25,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | | 750.00 | |
| Gas & Oil | | 3,500.00 | |
| Sanitary Landfill Authority Fee | | 13,000.00 | 42,250.00 |

BUREAU OF STREET LIGHTNING:

| | | | |
|---------------|--|-----------|-----------|
| Light Service | | 40,000.00 | 40,000.00 |
|---------------|--|-----------|-----------|

| | | | |
|---|--|--|--------------|
| TOTAL - DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS | | | \$213,080.00 |
|---|--|--|--------------|

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

OPERATION AND MAINTENANCE-BUILDING:

| | | |
|---|----------|-----------|
| Salary of Janitor | 4,200.00 | |
| Salary of Janitress | 900.00 | |
| Material & Supplies | 1,200.00 | |
| Fuel-Light-Water | 4,500.00 | |
| Insurance City Building | 1,200.00 | |
| Plumbing and Boiler Repairs | 600.00 | |
| Repairs and Improvements to City Bldgs. | 4,000.00 | 16,600.00 |

PARKS AND RECREATION:

| | | |
|-------------------------|-----------|-----------|
| Salaries and Wages | 7,000.00 | |
| Material and Supplies | 5,000.00 | |
| Maintenance and Repairs | 10,000.00 | 22,000.00 |

| | | |
|---|--|------------|
| TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY | | .39,630.00 |
|---|--|------------|

MISCELLANEOUS ACCOUNTS:

| | |
|--|-----------|
| Compensation and Liability Insurance | 15,000.00 |
| Blue Cross | 3,000.00 |
| Tax Refunds | 500.00 |
| Military, Library, and Civic Contributions | 7,000.00 |
| Indigents, Contagious Hospital | 150.00 |
| Civil Defense | 3,000.00 |
| Pennsylvania League of Cities | 400.00 |
| Urban Planning-Redevelopment-Parking Auth. Gen. Purposes-Wyo. Valley Sanitary Auth. | 75,000.00 |
| Pittston City Master Plan Study | 10,000.00 |
| Social Security | 16,000.00 |

PENSIONS:

| | | |
|-----------|----------|------------|
| Firemen | 4,000.00 | |
| Policemen | 4,000.00 | 138,050.00 |

| | | |
|--|--|------------|
| TOTAL - OPERATION AND MAINTENANCE - GENERAL FUND | | 819,790.00 |
|--|--|------------|

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES:

| | | | |
|-------------------------------|----|------------------|------------------|
| 75% - Material and Wages | \$ | 43,709.73 | |
| 25% - Construction of Streets | | <u>13,449.85</u> | <u>57,159.58</u> |

ESTIMATED FEDERAL REVENUE SHARING FUND EXPENDITURES

OPERATION AND MAINTENANCE

| | | | |
|--------------------------|----|------------------|-------------------|
| Public Safety | \$ | 100,000.00 | |
| Environmental Protection | | 34,442.00 | |
| Public Transportation | | 20,000.00 | |
| Libraries | | <u>10,000.00</u> | <u>164,442.00</u> |

CAPITAL OUTLAY

| | | | |
|--------------------------------|----|------------------|-------------------|
| Multipurpose and General Govt. | \$ | 50,000.00 | |
| Housing Community Developments | | <u>50,000.00</u> | <u>100,000.00</u> |

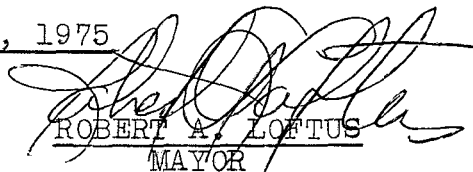
TOTAL - FEDERAL REVENUE SHARING FUND EXPENDITURES 264,442.00

SUMMARY OF ESTIMATED EXPENDITURES

| | | |
|---------------------------------------|----|-------------------|
| General Fund | \$ | 819,790.00 |
| Liquid Fuels Tax Fund..... | \$ | 57,159.58 |
| Federal Revenue Sharing Fund | \$ | <u>264,442.00</u> |
| Grand Total | \$ | 1,141,391.58 |

| | |
|------------------------|--------------------------|
| PASSED FIRST READING: | <u>November 28, 1975</u> |
| PASSED SECOND READING: | <u>December 29, 1975</u> |
| PASSED THIRD READING: | <u>December 29, 1975</u> |

ATTESTED: December 29, 1975 APPROVED: December 29, 1975


ROBERT A. LOFTUS
MAYOR


ANTHONY L. FERRARA
CITY CLERK

FILE OF COUNCIL

NO. 3 (1975)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 28, 1975

"A N O R D I N A N C E"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1976."

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1976, and certain deficiencies prior thereto, a tax is hereby levied on all persons, above the age of eighteen (18) years, occupation, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:

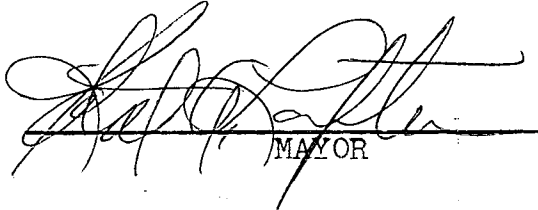
"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, thereis hereby levied twenty-three (23) mills on the dollar of valuation, which is two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."

PASSED FIRST READING: November 28, 1975

PASSED SECOND READING: December 29, 1975

PASSED THIRD READING: December 29, 1975

ATTESTED: December 29, 1975 APPROVED: December 29, 1975


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 4 (1975)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 28, 1975

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSTON WHICH IMPOSES A ONE-HALF OF ONE PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REALESTATE WITHIN THE CITY."

Whereas, the City of Pittston has presently in force an ordinance imposing a one-half of one per-cent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

Whereas, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1976.

NOW, THEREFORE, be it ordained by the Council of the CITY OF PITTSTON and it is hereby ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1976.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

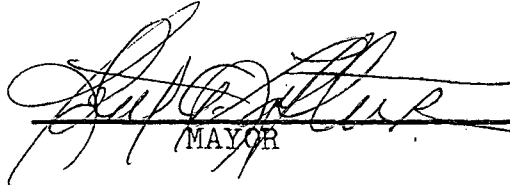
SECTION 3. This ordinance shall become effective immediately upon final enactment.

PASSED FIRST READING: November 28, 1975

PASSED SECOND READING: December 29, 1975

PASSED THIRD READING: December 29, 1975

ATTESTED: December 29, 1975 APPROVED: December 29, 1975


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 5 (1975)

MAYOR ROBERT A. LOFTUS, IN PLACE

NOVEMBER 28, 1975

"A N O R D I N A N C E"

Imposing a tax for general revenue purposes on all individuals for the privilege of engaging in occupation within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the Occupation Tax Collector; conferring and imposing powers and duties of administration on the Occupation Tax Collector; and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITSTON, LUZERNE COUNTY, PENNSYLVANIA, UNDER THE AUTHORITY OF ACT 511 of 1965, APPROVED DECEMBER 31, 1965, AS FOLLOWS:

SECTION 1. Definitions.

The following words and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean a person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business or undertaking of any type, kind or character, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars levied by this ordinance.

(e) "Occupation Tax Collector" shall mean the person appointed by the City Council of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the twelve (12) months period beginning January 1, 1976 and ending December 31, 1976.

(g) "City of Pittston" shall mean the area within the corporate limits of the City of Pittston.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female, and neuter gender.

SECTION 2. Levy.

The City of Pittston hereby levies and imposed on each individual engaged in an occupation during the fiscal year of 1976 within the corporate limits of the City of Pittston an Occupation Privilege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston.

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1976, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars per annum.

SECTION 4. Duty of Employers.

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engaged in business within the City of Pittston, is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said Tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Occupation Tax Collector. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplies to him by the Occupation Tax Collector's Office, City Hall, Pittston, Pennsylvania, each employer in filing this return and making payment of the tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two percentum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates herinafetr set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collections thereof from the salary, wages, or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the First day of January to the 15th. day of May, 1976 for determining the number of employees from whom said tax shall be deducted and paid over to the Occupation Tax Collector on or brfore June 15, 1976. Supplemental reports shall be made by each employer on August 15, 1976 and October 15, 1976 of new employees as reflected on his employment records from May 15, 1976 to August 15, 1976 and from August 15, 1976 to October 15, 1976. Payments on these supplemental reports shall be made on September 15, 1976 and November 15, 1976, respectfully.

SECTION 7. Individuals Engaged in more than one Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of

This tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Occupation Tax Collector, which form shall be evidence of deductions having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address, and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Occupation Tax Collector on June 15, 1976, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed individuals residing beyond the corporate limits of the City of Pittston.

All Employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinbefore provided.

SECTION 10. Administration of Tax.

(a) It shall be the duty of the Occupation Tax Collector to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer or self-employed person together with the date the tax was received.

(b) The Occupation Tax Collector is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred, any person aggrieved by any decision of the Occupation Tax Collector shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Occupation Tax Collector is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Occupation Tax Collector the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth, the Occupation Tax Collector may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six percent (6%) on the amount of said tax shall be calculated beginning with the due dates of said tax and penalty of five percent (5%) shall be added to the flat rate of said tax for nonpayment thereof. Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collections.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statements on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file a return required by this ordinance, shall, upon conviction before any Alderman or Magistrate, be sentenced to pay a fine of not more than Three Hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding thirty (30) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of an employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not effect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be constructed to empower the City of Pittston to levy and collect the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15.

The City of Pittston does hereby designate as Occupation Tax Collector for the year 1976, the H. A. Berkheimer Associates, to serve at a compensation of 5% of Tax collected.

SECTION 16. Effective Date.

This ordinance shall become effective immediately and

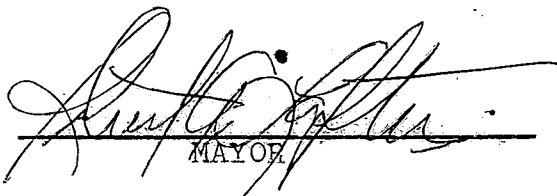
remain in force and effect for the fiscal year of 1976.

PASSED FIRST READING: November 28, 1975

PASSED SECOND READING: December 29, 1975

PASSED THIRD READING: December 29, 1975

ATTESTED: December 29, 1975 APPROVED December 29, 1975


MAYOR



CITY CLERK

FILE OF COUNCIL

NO. 6 (1975)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 28, 1975

"A N O R D I N A N C E"

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES OF SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING THE PERIOD BEGINNING JANUARY 1, 1976, OR THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS; REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VIRTUE OF AND UNDER THE AUTHORITY VESTED IN IT BY "THE LOCAL TAX ENABLING ACT" (ACT #511 of 1965) OF DECEMBER 31, 1965, P.L. 1257, as amended, (hereinafter referred to as "THE LOCAL TAX ENABLING ACT") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P.L. 1257, its supplements and amendments are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said provisions of section 13 is designated Addendum "1" and attached hereto and made an integral part of this ordinance, as if more fully delineated in the body of the ordinance.

SECTION 2. IMPOSITION OF TAX.

A tax for general revenue purposes in the amount of one-half of 1 per-cent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st. day of January, 1976, or the effective date of this ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS
Quarterly Payments.

1. Every tax payer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall

file a final return, and pay to the officer the balance of the tax due, all as provided in section 13, 111, A. (1) 11, (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. Earned Income.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in section 13, 111, B, first paragraph of "The Local Tax Enabling Act", its supplements and amendments.

Quarterly Returns.

2. Every taxpayer who is employed for a salary, wages, or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quarter-annually the amount of tax shown as due on such returns, all as provided in Section 13, 111, B, (2) of "The Local Tax Enabling Act", its supplements and amendments.

SECTION 4. COLLECTION AT SOURCE.

A. Every employer having an office, factory, workshop, warehouse or other place of business within the corporate limits of the City of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, 1V of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file returns or pay taxes in the cases of domestic servants.

SECTION 5. POWER AND DUTIES OF THE OFFICER.

The City Council of the City of Pittston shall designate, by appropriate resolution, the Income Tax Officer who shall perform his duties in accord with section 13, V, of "The Local Tax Enabling Tax", and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the custodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quarter those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. ADMINISTRATION.

The Income Tax Officer shall be selected from time to time by resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designate as Income Tax Officer for the year 1976 the H. A. Berkheimer Associates, to serve at a compensation of 4% of Tax Collected.

SECTION 8. APPLICABILITY.

The Tax imposed in Section 11 of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution of the United States of America or the Constitution and Laws of the Commonwealth of Pennsylvania.

SECTION 9. SEVERABILITY.

The provisions of this Ordinance are severable, if any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intension of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 11.

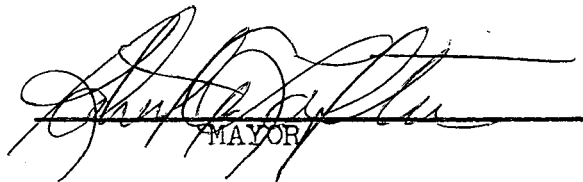
The Ordinance shall become effective January 1, 1976.

PASSED FIRST READING: November 28, 1975

PASSED SECOND READING: December 29, 1975

PASSED THIRD READING: December 29, 1975

ATTESTED: December 29, 1975 APPROVED: December 29, 1975


MAYOR


CITY CLERK

RENEWAL FRANCHISE FOR AN EXISTING SYSTEM

NON-EXCLUSIVE RIGHTS

CERTIFIED SYSTEM

ORDINANCE NO. 1 (1976)

AN ORDINANCE GRANTING A RENEWAL OF A CATV FRANCHISE TO NORTHEASTERN PENNSYLVANIA TV CABLE COMPANY, TO OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF PITSTON SETTING FORTH THE TERMS AND CONDITIONS ACCOMPANYING THE GRANT OF THE RENEWAL FRANCHISE AND PROVIDING FOR REGULATION OF THE CABLE TELEVISION SYSTEM.

WHEREAS, Northeastern Pennsylvania TV Cable Co. ("Grantee") is operating a CATV system in the City of Pittston ("Community") pursuant to an Ordinance No. 6 (1971) awarded to the Grantee by the Council of the City of Pittston (Franchising Authority) on November 22, 1971, which allows the Grantee to construct and operate a CATV system in the Community until November 22, 1983, and;

WHEREAS, the Franchising Authority has been advised by the Grantee, that pursuant to Sections 76.11 (b) and (c) of the Federal Communications Commission's Rules and Regulations, an application for a Certificate of Compliance must be filed by the Grantee, at least 30 days prior to the expiration of its current franchise or March 31, 1977, whichever occurs first, in order to allow the Grantee to continue to supply CATV service to the citizens of the Community pending Federal Communications Commission action thereon, and;

WHEREAS, the Grantee is desirous of filing such an application for a Certificate of Compliance at the earliest possible date to insure continued CATV operations in the Community, and;

WHEREAS, in order to obtain such a Certificate of Compliance from the Federal Communications Commission, the Grantee is required to furnish the Federal Communications Commission with a copy of its Renewal Franchise, or other appropriate authorization, that contains recitations and provisions consistent with the Federal Communications Commission's franchise standards as set forth in Section 76.31 of the Federal Communications Commission's Cable

Television Service Rules, and;

WHEREAS, the Franchising Authority has conducted full and open public hearings regarding the award of a Renewal Franchise on at which any and all members of the public desiring to make statements or present evidence concerning the award of a Renewal Franchise were afforded an opportunity to do so, after notice of such a hearing was duly published on , and;

WHEREAS, the Franchising Authority has reviewed and is satisfied with the qualifications of the Grantee and its performance in operating the CATV system since the inception of CATV service, now therefore;

BE IT ORDAINED BY THE FRANCHISING AUTHORITY AS FOLLOWS:

Section I: Grant of Authority.

There is hereby granted by the Franchising Authority to the Grantee, the continued right and privilege to construct, erect, operate and maintain, in, upon, along, across, above, over and under the streets, alleys, public ways and public places now laid out or dedicated, and all extensions there of, and additions thereto, in the Community, poles, wires, cables, underground conduits, manholes, and other television conductors and fixtures necessary for the maintenance and operation in the Community of a CATV system for the interception, sale and distribution of television and radio signals.

(a) Non-Exclusive Grant: The right to use and occupy said streets, alleys, public ways and places for the purpose herein set forth shall not be exclusive, and the Municipality reserves the right to grant a similar use of said streets, alleys, public ways and places, to any person at any time during the period of this franchise.

(b) State Highway Department and Municipal Permits: The within grant by the Municipality is subject to the provisions of the Code of the Commonwealth of Pennsylvania particularly to the provisions of that Code which may require that before any conduits, pipe or other structures be erected upon or in any portion of a Municipal road a permit must be obtained from the State Highway Department for such purpose and such

construction is made under the conditions, restrictions and regulations as may be prescribed in such State Highway Department permit. In addition, the within grant by the Municipality is subject to the provisions of the Municipal ordinances which may require that a permit be obtained before any conduits, pipe or other structures be erected upon or in any portion of a road and that such construction be made under the conditions, restrictions and regulations as may be prescribed by such permit.

(c) Grant of Prescribed Rights. The within grant is further subject to the Company obtaining any and all necessary easements, rights-of-way, and other grants from any and all property owners who may be affected by the construction, operation and maintenance of the aforesaid conductors and fixtures.

Section 2. Compliance with Applicable Laws and Ordinances.

The Grantee shall, at all times during the duration of this Renewal Franchise, be subject to all lawful exercise of the police power by the Community and to such other reasonable regulation as the Franchising Authority shall hereafter provide.

Section 3. Duration of Franchise.

The duration of the rights, privileges and authorities hereby granted shall be fifteen (15) years from the date of passage of this Ordinance by the Council of Pittston City ; provided, that the grantee shall have the option of extending this Franchise for an additional period of fifteen(15) years upon application by the Grantee not later than six (6) months before the expiration date of the Franchise and not earlier than one (1) year before the expiration date of the Franchise. Provided however that such a renewal of this Franchise is specifically conditioned upon a review and approval by the Council of Pittston City at a public proceeding affording due process, of the Grantee's qualifications and performance, the adequacy of the Franchise provisions, and

its consistency with the Rules and Regulations of the Federal Communications Commission.

Section 4. Subscriber Rates.

(a) The initial rates charged by the Company to subscribers of the cable system shall not exceed a fixed charge of for installation of the cable television equipment and per month as the regular monthly subscription fee. The initial rates charged by the Company for additional extensions requested by the subscribers shall not exceed a fixed charge of installation of each extension and a charge of per month for each extension, in addition to the regular monthly subscriber fee. No change in the rates authorized in this section shall be made by the Company except as authorized by the Council. Such authorization must be preceded by a full and open public hearing, following notice, at which the Company's request for any change in rates shall be considered by the Council of the City of Pittston and at which all interested parties and members of the public will be permitted to present evidence and/or present statements concerning the Company's request, which approval shall not be unreasonably withheld.

(b) In the event the Company is required by present or future copyright laws, decisions or regulations to pay royalties or other sums for the programs or materials carried on the cable, the Company shall have the right to add such costs to the monthly rate for service. Any other increase in the charges for service, above the amount set forth in SECTION XI (a) shall only be effective upon approval of the Municipality.

(c) The charges for service and connection to commercial establishments such as hotels, motels, apartment houses and the like will be determined by individual contractual arrangements with the managements

of such establishments, notwithstanding the monthly fee for each family unit of an apartment house cannot exceed the rates as established in the CATV ordinance.

(d) Franchisee agrees to provide without charge for installation or service, single hookups to the CATV system for each Municipal building, fire, police and public and parochial educational facility within the Community. Such installation shall be made at such reasonable location as shall be requested by the respective units of government or educational institutions. Any charge for relocation of such installations at the same location may be made at cost plus ten (10) percent.

(e) When more than one hundred fifty (150) feet of distance from from cable to connection is involved, the subscriber shall be charged for installation on the basis of cost of material, labor and equipment as required by franchise. A written agreement between subscriber and franchisee regarding any extra installation cost shall be executed prior to installation of subscriber hookup.

Section 5. Payment. The Company shall pay to the Municipality for the privilege of operating its Community Television System under this franchise the sum of three percent (3%) of the franchisees gross subscribers revenues per year from cable television operation in the Community of Pittston. Termination of operation or failure to undertake operation by the Company shall terminate liability under this taxing provision. The Company shall make payments to the Municipality of the amounts it is obliged to pay hereunder in annual installments prior to sixty (60) days after January 1 of each year.

Section 6. Company Liability. Indemnification.

It is expressly understood and agreed by and between the Company and the Municipality that the Company shall save the Municipality harmless from all loss sustained on account of any suit, judgment, execution, claim or demand

whatsoever, resulting from the operations of the Company in the construction, operation or maintenance of its cable television system in the Municipality. The Municipality shall notify the Company's representative within ten (10) days after the presentation of any claim or demand, either by suit or otherwise, made against the Municipality on account of any damages or losses as aforesaid resulting from the operations of the Company. The Company shall furnish at least fifteen (15) days prior to its commencement of performance of any act or deed directly or indirectly in pursuance of its franchise, but not less than thirty (30) days from the enactment date of this ordinance satisfactory evidence in writing that the Company has in force and will maintain in force during the term of this franchise public liability insurance of not less than \$500,000.00 for any one person and \$1,000,000.00 for any one accident and property damage insurance of not less than \$500,000.00 duly issued by an insurance company or insurance companies authorized to do business in this Commonwealth.

Section 7. Standards of Service.

(a) The Grantee shall render efficient service, make repairs promptly, and interruptions, insofar as possible, shall be preceded by notice and shall occur during periods of minimum use of the system. Upon receipt of a complaint regarding the quality of service, equipment malfunctions, and similar matters, the Grantee shall promptly investigate such complaints.

(b) Where possible, the Grantee shall investigate such complaints within 24 hours of their receipt. Resolution of such service complaints shall be made promptly. For the purpose of investigation and resolution of regular service complaints, the Grantee shall maintain an agent or a local business office located at 1100 Clay Avenue, Dunmore, Pennsylvania. In addition, the Grantee shall maintain a toll-free business telephone for the receipt of complaints and requests for repairs or adjustments.

(c) The Council designates the

(local officer) of the Municipality to receive complaints by subscribers regarding the quality of service, equipment malfunctions and similar matters. The Company shall be promptly notified by the

(local officer) of any such complaint.

Section 8. Right of Revocation.

The franchising Authority shall have the right to rescind or revoke the rights herein granted upon any substantial violation by the Grantee of any of the obligations and requirements contained herein after written notice by the Franchising Authority to the Grantee and continuation of such violation, failure or default.

(a) Such written notice to the Grantee shall specify precisely the manner in which the Grantee is in violation, failure or default with respect to the franchise.

(b) The notice given by the Franchising Authority shall give the Grantee a specified, reasonable amount of time within which to correct the violation, failure or default, but in no event shall the time period be less than thirty (30) days from the date of receipt of the notice to the Grantee.

Section 9. Separability.

If any section, sub-section, sentence, clause, phrase or portion of this Renewal Franchise is for any reason held invalid or unconstitutional by any court of competent jurisdiction, or any state or federal agency having jurisdiction over such matters, such portion shall be deemed a separate, distinct, and independent provision and such holdings shall not affect the validity of the remaining portions thereof.

Section 10 Assignment. The franchise or privilege granted hereunder shall be fully and freely assignable, but no assignment to any person, firm or corporation shall be effective until the assignee has filed with the Governing

Body of the Municipality, an instrument, duly executed, reciting the fact of such assignment, accepting the terms of this franchise, and agreeing to perform all the conditions thereof.

Section 11. Regulatory Action.

(a) The performance by the Grantee hereunder is subject to limitations, restriction, or requirements now existing or which may henceforth be imposed by law, rules, or order of the Federal Communications Commission or any other government, board, commission, or authority of any kind. The Grantee shall not be deemed in breach of any of the requirements of this Renewal Franchise to the extent it performs in accordance with or refrains from doing anything prohibited by such law, rule or order.

(b) Should the Federal Communications Commission modify or amend the provisions of Section 76.31 of its Rules and Regulations entitled "Franchise Standards", such modifications or amendments shall be incorporated into this Renewal Franchise within one (1) year of the adoption of the modification or amendment, or at the time of the renewal at the expiration of this Renewal Franchise pursuant to Section 3 thereof, whichever occurs first.

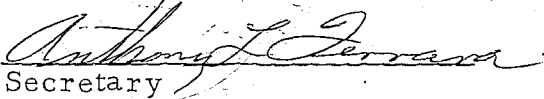
(c) Should the Commonwealth of Pennsylvania or the Pennsylvania Public Utility Commission modify or amend the provision of the "Franchise Standards", such modifications, amendments and new laws shall be incorporated into this Renewal Franchise within one (1) year of the adoption of the modification, amendment and laws, or at the time of the renewal at the expiration of this Renewal Franchise pursuant to Section 3 thereof, whichever occurs first.

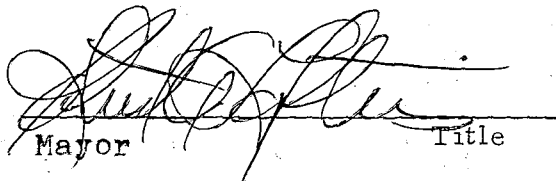
(d) The compliance with the subscriber rates as set forth in Section 4 are in accordance with present Rules & Regulations as set forth by the Federal Communications Commission. They are subject however, to any future limitations, restrictions or requirements as may henceforth be imposed by Rules & Regulations of the Federal Communications Commission or the Federal, State or other governmental bodies. This franchise agreement shall be modified or amended in accordance with any adopted Rules & Regulations or legislation as it may pertain to charging of subscription rates.

ORDAINED on this 14th day of January 19 76

APPROVED on this 11th day of February 19 76

ATTESTED:


Secretary


Mayor Title

Title

FILE OF COUNCIL

NO. 2, (1976)

MAYOR ROBERT A LOFTUS, IN PLACE

MARCH 10, 1976

A N O R D I N A N C E

"REGULATING TRAFFIC ON CERTAIN STREETS IN THE CITY OF PITTSTON: PROVIDING FOR THE ERECTION OF TRAFFIC SIGNS AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HEREWITH."

BE IT ORDAINED by the Council of the City of Pittston, and it is hereby ordained by the authority of the same, that,

SECTION 1. On East Columbus Avenue, traffic shall move only in a Westerly direction from Tedrick Street to South Main Street.

SECTION 2. On Swallow Street, traffic shall move only in an Easterly direction from South Main Street to the Tedrick Street Connection.

SECTION 3. A sign indicating the direction of traffic, shall be erected and maintained at every intersection where movement of traffic in the opposite direction is prohibited.

SECTION 4. Any person or persons violating the provisions hereof shall, upon conviction thereof, before the Mayor of The City of Pittston, pay a fine of not more than (Ten) \$10.00 Dollars, and in default thereof be committed to the City Jail for a period not exceeding five (5) days.

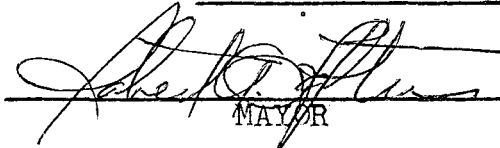
SECTION 5. All Ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.

PASSED FIRST READING: March 10, 1976

PASSED SECOND READING: April 14, 1976

PASSED THIRD READING: April 14, 1976

ATTESTED: April 14, 1976 . APPROVED: April 14, 1976


MAYOR


CITY CLERK

CITY OF PITTSBURGH
PENNSYLVANIA

BUDGET FOR
YEAR 1977

PATRICK J. COLLINS

DIRECTOR OF ACCOUNTS AND FINANCE

Honorable Mayor & Members of Council
City of Pittston, Pennsylvania

November 29, 1976

Gentlemen:

The following are the estimated receipts for the year 1977
including the General and Liquid Fuels Fund; and Federal Revenue
Sharing Fund; Community Development Fund; Public Works Employment
Fund;

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 75,459.35

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax
Levy on \$8,882,958.00
Valuation at 23 Mills\$204,308.03
Less 5% uncollectible current year 10,215.40
Net Amount from current occupational Tax 194,092.63

(b) Occupation Tax
Levy on \$381,600.00
Valuation at 23 Mills\$ 8,776.80
Less 20% uncollectible current year 1,755.36
Net Amount from current occupational Tax 7,021.44
Delinquent Real Estate & Occupational Taxes 26,501.58

Earned Income Tax (Act 511) 160,000.00

Liquor Licenses 13,750.00

City Licenses and Permits 15,000.00

Parking Meter Fees 30,000.00

Parking Violations and Fines 25,000.00

Pittston Area School Dist. 1/3 Share Exp. of Treas. Off. ... 10,840.00

Luzerne County Treasurer 1/3 Share Exp. of Treas. Off. 10,840.00

Rental of City Property and Equipment 10,500.00

Municipal Liens 1,500.00

Pave Cuts 500.00

Refunds 3,000.00

Pittston Housing Auth. and Pa. Utility Realty Tax 8,000.00

Street Improvement Liens 1,000.00

Miscellaneous Receipts 2,500.00

Real Prop. Trans. Tax of $\frac{1}{2}$ of 1% (Act 511) 6,000.00

Occupation Privilege Tax (Act 511) 20,000.00

Ash and Garbage Fees 35,000.00

Accounts Receivable 28,900.00

Luzerne County Humane Resources 70,000.00

Dept. of Community Affairs (Recreation) 25,500.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes 75,000.00

\$ 855,905.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 18,371.79

ESTIMATED RECEIPTS:

State Motor License Fund Grants from
Commonwealth of Pennsylvania - Act 145\$ 49,987.80

TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 68,359.59

FEDERAL REVENUE SHARING FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 3,210.00

ESTIMATED RECEIPTS:

Federal Revenue Sharing Grants\$ 121,930.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$ 125,140.00

COMMUNITY DEVELOPMENT FUND

BALANCE FROM PREVIOUS YEAR:

Cash in bank at beginning of year\$ - 0 -

ESTIMATED RECEIPTS:

Federal Community Development Grant\$ 734,000.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$ 734,000.00

PUBLIC WORKS EMPLOYMENT FUND

BALANCE FROM PREVIOUS YEAR:

Cash in bank at beginning of year\$ 15,858.00

ESTIMATED RECEIPTS:

Federal Public Works Employment Grant\$ 15,858.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$ 31,716.00

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

| | |
|-----------------------------------|-----------------------|
| General Fund | \$ 855,905.00 |
| Liquid Fuels Tax Fund | 68,359.59 |
| Federal Revenue Sharing Fund | 125,140.00 |
| Community Development Fund | 734,000.00 |
| Public Works Employment Fund | 31,716.00 |
| TOTAL | <u>\$1,815,120.59</u> |

Respectfully submitted,

PATRICK J. COLLINS
Director Dept. of
Accounts & Finance

PROPOSED BUDGET

FILE OF COUNCIL NO. 3 (1976)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1976

AN ORDINANCE

"TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1977 AND ENDING DECEMBER 31, 1977."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | | |
|------------------|----|----------|----------|
| Salary of Mayor | \$ | 1,500.00 | |
| Office Supplies | | 300.00 | |
| Communications | | 1,300.00 | |
| Premium on Bonds | | 30.00 | 3,130.00 |

BUREAU OF POLICE:

| | | |
|--|----|-----------|
| Salary of Chief of Police | \$ | 14,500.00 |
| Salary of Sergeants (2) 11,720.00 each | | 23,440.00 |
| Salary of Patrolman (9) 11,020.00 each | | 99,180.00 |
| Salary of Police Clerks (2) 11,020.00 each | | 22,040.00 |
| Wages of Relief Officers @ (\$4.00 per hr.) | | 35,000.00 |
| Wages of School Patrolman @ (\$2.65 per hr.) | | 7,500.00 |
| Paid Holidays | | 5,000.00 |
| Uniforms-Clothing, Etc. | | 3,000.00 |
| Printing of Violation Tickets, Etc. | | 600.00 |
| Material for Repairs & Replacement-Auto | | 1,000.00 |
| Gas & Oil | | 2,000.00 |
| Firearms-Ammunition-Police Equip.-Supplies | | 500.00 |
| Traffic Signal Maintenance-Lamps-Supplies | | 500.00 |
| Light Service for Traffic Signals | | 400.00 |
| Street Marking-Signs-Materials-Supplies | | 400.00 |
| Maint.-Repair of Mobile Police Radio | | 250.00 |
| Care and Feeding of Prisoners | | 150.00 |
| Parking Meter Maint. and Repair | | 550.00 |
| Police Schedule Bond- Insurance-Blue Cross | | 8,500.00 |

CAPITAL OUTLAY:

| | | |
|--------------------------------------|----------|------------|
| Major Equipment - Police Cruiser Car | 4,000.00 | 228,510.00 |
|--------------------------------------|----------|------------|

BUREAU OF ENGINEERING & BUILDING INSPECTION:

| | | | |
|--------------------------------------|----|----------|----------|
| Salary of Engineer & Bldg. Inspector | \$ | 3,500.00 | |
| Salary of Clerk | | 1,200.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Periodicals | | 25.00 | 4,905.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURES:

| | | | |
|--------------------------|----|----------|----------|
| Salary of Health Officer | \$ | 1,800.00 | |
| Office Supplies | | 25.00 | |
| Parcel Post and Postage | | 25.00 | |
| Premium on Bonds | | 30.00 | 1,880.00 |

TOTAL = DEPARTMENT OF PUBLIC AFFAIRS 258,425.00

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTOR:

| | | | |
|--------------------------------|----|----------|-----------|
| Salary of Director | \$ | 1,000.00 | |
| Salary of Assistant Director | | 9,150.00 | |
| Office Supplies | | 1,000.00 | |
| Advertising & Printing Reports | | 150.00 | |
| Premium on Bonds | | 60.00 | 11,360.00 |

OFFICE OF CITY CLERK:

| | | | |
|----------------------------------|----|-----------|-----------|
| Salary of City Clerk | \$ | 14,500.00 | |
| Salary of Clerk | | 7,500.00 | |
| Office Supplies | | 700.00 | |
| Advertising-Ordinances & Reports | | 900.00 | |
| Other Expenses | | 250.00 | |
| Premium on Bonds | | 50.00 | 23,900.00 |

OFFICE OF CITY CONTROLLER:

| | | | |
|----------------------|----|----------|---------|
| Salary of Controller | \$ | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Advertising | | 150.00 | 1330.00 |

OFFICE OF CITY TREASURER:

| | | | |
|---|----|-----------|-----------|
| Salary of City Treasurer | \$ | 500.00 | |
| Salary of Tax Collector | | 9,500.00 | |
| Salary of Tax Clerks (3) \$7,500.00 ea. | | 22,500.00 | |
| Office Supplies | | 1,500.00 | |
| Printing Tax Statements & Notices | | 500.00 | |
| Premium on Bonds & Insurance | | 2,250.00 | 36,750.00 |

OFFICE OF OCCUPATIONAL TAX:

| | | | |
|--------------------------|--|----------|----------|
| Compensation - Collector | | 1,500.00 | 1,500.00 |
|--------------------------|--|----------|----------|

OFFICE OF EARNED INCOME TAX:

| | | | |
|--------------------------|--|----------|----------|
| Compensation - Collector | | 7,000.00 | 7,000.00 |
|--------------------------|--|----------|----------|

LAW DEPARTMENT:

| | | | |
|---|--|----------|----------|
| Salary of City Solicitor | | 3,700.00 | x |
| Office Supplies | | 50.00 | |
| Premium on Bonds | | 30.00 | |
| Filing of Liens & Judgements & Special Laws | | 50.00 | 3,830.00 |

BUREAU OF TAX ASSESSMENT:

| | | | |
|---|--|----------|----------|
| Salary of Assessor | | 750.00 | |
| Salary of Sub-Assessor (5) \$700.00 ea. | | 3,500.00 | |
| Office Supplies | | 500.00 | |
| Maintenance of Addressograph | | 500.00 | 5,250.00 |

| | | | |
|--|--|--|-----------|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE | | | 90,920.00 |
|--|--|--|-----------|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

BUREAU OF FIRE:

| | | | |
|---|----|-----------|------------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs(2)\$600.00 ea. | | 1,200.00 | |
| Salary of Fire Truck Drivers(6)\$11,020.00 ea. | | 66,120.00 | |
| Salary of Relief Drivers | | 15,000.00 | |
| Wages - Volunteer Firemen | | 10,000.00 | |
| Paid Holidays | | 3,800.00 | |
| Uniforms - Clothing, Etc. | | 1,800.00 | |
| Hydrants Rentals - Water Supply | | 3,500.00 | |
| Material for Repairs & Replacements-Auto Equip. | | 1,000.00 | |
| Gas & Oil | | 500.00 | |
| Purchase of other Minor Equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance and Blue Cross | | 5,000.00 | |
| Maintenance and Repair of Mobile Radio | | 150.00 | |
| Material & Supplies | | 350.00 | |
| Fuel-Light-Water | | 600.00 | |
| Rental Building - Eagle Hose Co. | | 3,000.00 | 114,370.00 |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|----|--------|--------|
| Salary of Plumbing Inspector | \$ | 700.00 | 700.00 |
|------------------------------|----|--------|--------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|----|----------|----------|
| Telephone Rental, Tolls & Switchboard | \$ | 6,000.00 | |
| Fire Alarm System-Maintenance-Repair | | 600.00 | 6,600.00 |

| | | | |
|---|--|--|------------|
| TOTAL - DEPARTMENT OF PUBLIC SAFETY | | | 122,700.00 |
|---|--|--|------------|

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

BUREAU OF HIGHWAYS:

| | | | |
|---|----|-----------|------------|
| Salary of Superintendent of Streets | \$ | 9,500.00 | |
| Salary of Clerk | | 7,000.00 | |
| Wages of Laborers-General Maintenance (@ \$3.25 per hr.) | | 35,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (@ \$3.25 per hr.) | | 12,000.00 | |
| Road Material & Maintenance-Street Paving | | 5,000.00 | |
| Salt for De-Icing Streets | | 2,500.00 | |
| Material and Supplies | | 2,500.00 | |
| Office Supplies | | 100.00 | |
| Material for Repairs & replacements- Automotive Equipment | | 2,500.00 | |
| Gas & Oil | | 3,000.00 | |
| Rental of Equipment-Snow Removal, Storm Sewers, & Major Excavation | | 10,000.00 | |
| Fuel-Light-Water | | 900.00 | |
| Premium on Bonds and Insurance | | 3,000.00 | |
| Replacement Small Tools & Minor Equipment | | 500.00 | |
| Other Expenses | | 1,000.00 | |
| Capital Outlay: Major Equipment - Trucks | | 12,000.00 | 106,500.00 |

BUREAU OF STREET CLEANING:

| | | | |
|---|--|-----------|-----------|
| Wages-Laborers-Street Cleaning (@ \$3.25 per hr.) | | 18,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | | 1,000.00 | 19,000.00 |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | | |
|---|--|-----------|-----------|
| Wages of Laborers (@ \$3.25 per Hr.) | | 25,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | | 750.00 | |
| Gas & Oil | | 3,500.00 | |
| Sanitary Landfill Authority Fee | | 15,000.00 | 44,250.00 |

BUREAU OF STREET LIGHTING:

| | | | |
|---------------|--|-----------|-----------|
| Light Service | | 45,000.00 | 45,000.00 |
|---------------|--|-----------|-----------|

| | | | |
|---|--|--|------------|
| TOTAL - DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS | | | 215,780.00 |
|---|--|--|------------|

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

OPERATION AND MAINTENANCE-BUILDING:

| | | |
|---|----------|-----------|
| Salary of Janitor | 4,500.00 | |
| Material & Supplies | 1,200.00 | |
| Fuel-Light-Water | 6,000.00 | |
| Insurance City Building | 1,200.00 | |
| Plumbing and Boiler Repairs | 600.00 | |
| Repairs and Improvements to City Bldgs. | 4,000.00 | 17,500.00 |

PARKS AND RECREATION:

| | | |
|-------------------------|----------|-----------|
| Salaries and Wages | 7,000.00 | |
| Material and Supplies | 2,500.00 | |
| Maintenance and Repairs | 2,500.00 | 12,000.00 |

| | | |
|---|--|-----------|
| TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY | | 30,530.00 |
|---|--|-----------|

MISCELLANEOUS ACCOUNTS:

| | |
|--|-----------|
| Compensation and Liability Insurance | 35,000.00 |
| Blue Cross | 3,000.00 |
| Tax Refunds | 500.00 |
| Military, Library, and Civic Contributions | 7,000.00 |
| Indigents, Contagious Hospital | 150.00 |
| Civil Defense | 3,000.00 |
| Pennsylvania League of Cities | 400.00 |
| Urban Planning-Redevelopment-Parking Auth. Gen. Purposes-Wyo. Valley Sanitary Auth. | 75,000.00 |
| Social Security | 20,000.00 |

PENSIONS:

| | | |
|---------------------------------|----------|------------|
| City Employee's Retirement Fund | 4,500.00 | |
| Firemen's Pension Fund | 4,500.00 | |
| Policemen's Pension Fund | 4,500.00 | 157,550.00 |

| | | |
|--|--|------------|
| TOTAL - OPERATION AND MAINTENANCE - GENERAL FUND | | 855,905.00 |
|--|--|------------|

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES:

| | |
|--|---------------------|
| 75% - Material and Wages | \$ 42,412.79 |
| 25% - Construction of Streets | 25,946.80 |
| TOTAL LIQUID FUELS TAX FUND EXPENDITURES | <u>\$ 68,359.59</u> |

ESTIMATED FEDERAL REVENUE SHARING FUND EXPENDITURES

OPERATION AND MAINTENANCE:

| | |
|--------------------------------|---------------------|
| Public Safety | \$ 25,140.00 |
| Financial Administration | 50,000.00 |
| Libraries | 10,000.00 |
| | <u>\$ 85,140.00</u> |

CAPITAL OUTLAY:

| | |
|-------------------------------------|---------------------|
| Public Safety | \$ 20,000.00 |
| Housing Community Development | 20,000.00 |
| | <u>\$ 40,000.00</u> |

| | |
|---|----------------------|
| TOTAL - FEDERAL REVENUE SHARING FUND EXPENDITURES | <u>\$ 125,140.00</u> |
|---|----------------------|

ESTIMATED COMMUNITY DEVELOPMENT FUND EXPENDITURES

| | |
|---|---------------|
| Redevelopment Authority of Pittston | \$ 734,000.00 |
|---|---------------|

| | |
|---|----------------------|
| TOTAL - COMMUNITY DEVELOPMENT FUND EXPENDITURES | <u>\$ 734,000.00</u> |
|---|----------------------|

ESTIMATED PUBLIC WORKS EMPLOYMENT FUND EXPENDITURES

OPERATION AND MAINTENANCE:

| | |
|-------------|--------------|
| Wages | \$ 31,716.00 |
|-------------|--------------|

| | |
|---|---------------------|
| TOTAL - PUBLIC WORKS EMPLOYMENT FUND EXPENDITURES | <u>\$ 31,716.00</u> |
|---|---------------------|

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

| | |
|-----------------------------------|------------------------|
| General Fund | \$ 855,905.00 |
| Liquid Fuels Tax Fund | 68,359.59 |
| Federal Revenue Sharing Fund | 125,140.00 |
| Community Development Fund | 734,000.00 |
| Public Works Employment Fund | 31,716.00 |
| TOTAL | <u>\$ 1,815,120.59</u> |

| | |
|-----------------------|--------------------------|
| PASSED FIRST READING: | <u>November 29, 1976</u> |
|-----------------------|--------------------------|

| | |
|------------------------|--------------------------|
| PASSED SECOND READING: | <u>December 30, 1976</u> |
|------------------------|--------------------------|

| | |
|-----------------------|--------------------------|
| PASSED THIRD READING: | <u>December 30, 1976</u> |
|-----------------------|--------------------------|

| | |
|------------------------------------|-----------------------------------|
| ATTESTED: <u>December 30, 1976</u> | APPROVED <u>December 30, 1976</u> |
|------------------------------------|-----------------------------------|

ROBERT A. LOFTUS
MAYOR

ANTHONY L. FERRARA
CITY CLERK

FILE OF COUNCIL

NO. 4 (1976)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1976

"A N O R D I N A N C E"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1977."

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1977, and certain deficiencies prior thereto, a tax is hereby levied on all persons, above the age of eighteen (18) years, occupation, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:

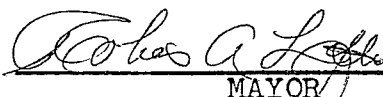
"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, thereis hereby levied twenty-three (23) mills on the dollar of valuation, which is two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."

PASSED FIRST READING: November 29, 1976

PASSED SECOND READING: December 30, 1976

PASSED THIRD READING: December 30, 1976

ATTESTED: December 30, 1976 APPROVED: December 30, 1976


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 5 (1976)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1976

"AN ORDINANCE"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSTON WHICH IMPOSES A ONE-HALF OF ONE PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REAL ESTATE WITHIN THE CITY."

Whereas, the City of Pittston has presently in force an ordinance imposing a one-half of one per-cent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

Whereas, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1977.

NOW, THEREFORE, be it ordained by the Council of the CITY OF PITTSTON and it is hereby ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1977.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

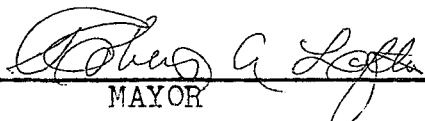
SECTION 3. This ordinance shall become effective immediately upon final enactment.

PASSED FIRST READING: November 29, 1976

PASSED SECOND READING: December 30, 1976

PASSED THIRD READING: December 30, 1976

ATTESTED: December 30, 1976 APPROVED: December 30, 1976


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 6 (1976)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1976

"A N O R D I N A N C E"

Imposing a tax for general revenue purposes for the fiscal year 1977, on all individuals for the privilege of engaging in occupation within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the Occupation Tax Collector; conferring and imposing powers and duties of administration on the Occupation Tax Collector; and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITSTON, LUZERNE COUNTY, PENNSYLVANIA, UNDER THE AUTHORITY OF ACT 511 of 1965, APPROVED DECEMBER 31, 1965, AS FOLLOWS:

SECTION 1. Definition.

The following words and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean a person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business or undertaking of any type, kind or characted, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars levied by this ordinance.

(e) "Occupation Tax Collector" shall mean the person appointed by the City Council of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the twelve (12) months period beginning January 1, 1977 and ending December 31, 1977.

(g) "City of Pittston" shall mean the area within the corporate of the City of Pittston.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female, and neuter gender.

SECTION 2. Levy.

The City of Pittston hereby levies and imposed on each individual engaged in an occupation during the fiscal year of 1977 within the corporate limits of the City of Pittston an Occupation Privilege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston.

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1977, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars per annum.

SECTION 4. Duty of Employers.

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engaged in business within the City of Pittston, is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said Tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Occupation Tax Collector. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the Occupation Tax Collector's Office, City Hall, Pittston, Pennsylvania, each employer in filing this return and making payment of the tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two percentum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collections thereof from the salary, wages, or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the First day of January to the 15th. day of May, 1977 for determining the number of employees from whom said tax shall be deducted and paid over to the Occupation Tax Collector on or before June 15, 1977. Supplemental reports shall be made by each employer on August 15, 1977 and October 15, 1977 of new employees as reflected on his employment records from May 15, 1977 to August 15, 1977 and from August 15, 1977 to October 15, 1977. Payments of these supplemental reports shall be made on September 15, 1977 and November 15, 1977, respectfully.

SECTION 7. Individuals Engaged in more than one Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of

this tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Occupation Tax Collector, which form shall be evidence of deductions having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address, and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Occupation Tax Collector on June 15, 1977, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed individuals residing beyond the corporate limits of the City of Pittston.

All employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as herinafter provided.

SECTION 10. Administration of Tax.

(a) It shall be the duty of the Occupation Tax Collector to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer or self-employed person together with the date the tax was received.

(b) The Occupation Tax Collector is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred, any person aggrieved by any decision of the Occupation Tax Collector shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Occupation Tax Collector is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Occupation Tax Collector the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth, the Occupation Tax Collector may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six per-cent (6% on the amount of said tax shall be calculated beginning with the due dates of said tax and penalty of five per-cent (5%) shall be added to the flat rate of said tax for nonpayment thereof. Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collections.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statements on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file and return required by this ordinance, shall, upon conviction before any alderman or Magistrate, be sentenced to pay a fine of not more than three hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding thirty (30) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not effect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be constructed to empower the City of Pittston to levy and collect the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15.

The City of Pittston does hereby designate as Occupation Tax Collector for the year 1977, the H.A. Berkheimer Associates, to serve at a compensation of 5% of Tax collected.

SECTION 16. Effective Date.

This ordinance shall become effective immediately and

remain in force and effect for the fiscal year of 1977.

PASSED FIRST READING: November 29, 1976

PASSED SECOND READING: December 30, 1976

PASSED THIRD READING: December 30, 1976

ATTESTED: December 30, 1976 APPROVED: December 30, 1976


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 7 (1976)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1976

"A N O R D I N A N C E"

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION DURING THE PERIOD BEGINNING JANUARY 1, 1977, OR THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS; REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VIRTUE OF AND UNDER THE AUTHORITY VESTED IN IT BY "THE LOCAL TAX ENABLING ACT" (ACT #511 OF 1965) OF DECEMBER 31, 1965, P.L. 1257, AS AMENDED, (hereinafter referred to as "THE LOCAL TAX ENABLING ACT") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P.L. 1257, its supplements and amendments are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said provisions of section 13 is designated Addendum "1" and attached hereto and made an integral part of this ordinance, as if more fully delineated in the body of the ordinance.

SECTION 2. IMPOSITION OF TAX.

A tax for general revenue purposes in the amount of one-half of 1 per-cent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st. day of January, 1977, or the effective date of this ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS
Quarterly Payments.

1. Every tax payer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall

File a final return, and pay to the officer the balance of the tax due, all as provided in section 13, 111, A. (1) 11, (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. Earned Income.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in section 13, 111, B, First paragraph of "The Local Tax Enabling Act", its supplements and amendments.

Quarterly Returns.

2. Every taxpayer who is employed for a salary, wages, or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay quater-annually the amount of tax shown as due on such returns, all as provided in Section 13, 111, B, (2) of "The Local Tax Enabling Act", its supplements and amendments.

SECTION 4. COLLECTION AT SOURCE.

A. Every employer having an office, factory, workshop, warehouse or other place of business within the corporate limits of the City of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, IV of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file returns or pay taxes in the cases of domestic servants.

SECTION 5. POWER AND DUTIES OF THE OFFICER.

The City Council of the City of Pittston shall designate, by appropriate resolution, the Income Tax Officer who shall perform his duties in accord with section 13, V, of "The Local Tax Enabling Act", and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the custodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quater those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. ADMINISTARTION.

The Income Tax Officer shall be selected from time to time by resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designate as Income Tax Officer for the year 1977 the H.A. Berkheimer Associates, to serve at a compensation of 4% of Tax Collected.

SECTION 8. APPLICABILITY.

The Tax imposed in Section 11 of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution of the United States of America or the Constitution and Laws of the Commonwealth of Pennsylvania.

SECTION 9. SEVERABILITY.

The provisions of this Ordinance are severable, if any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intension of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistant herewith be and the same hereby repealed.

SECTION 11.

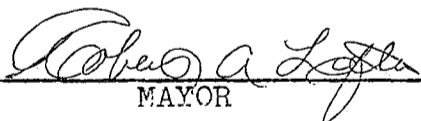
The Ordinance shall become effective January, 1, 1977.

PASSED FIRST READING: November 29, 1976

PASSED SECOND READING: December 30, 1976

PASSED THIRD READING: December 30, 1976

ATTESTED: December 30, 1976 APPROVED: December 30, 1976


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 8 (1976)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1976

"A N O R D I N A N C E"

AMENDING AN ORDINANCE FILE OF COUNCIL NO 4 (1970) PROVIDING FOR THE ENACTMENT OF A PAID FIREMEN'S PENSION FUND FOR THE PURPOSE OF PENSIONING OF PAID FIREMEN IN THE BUREAU OF FIRE OF THE CITY OF PITTSSTON, FIXING AND PERSCRIBING CONDITIONS OF ELIGIBILITY OF BENEFICIARIES; ESTABLISHING A BOARD OF MANAGERS; PROVIDING FOR THE INVESTMENT OF PENSION FUNDS; ESTABLISHING RATES OF CONTRIBUTION BY PAID FIREMEN AND THE CITY; PROVIDING FOR THE RIGHT IN THE CITY TO RECEIVE MONEY OR PROPERTY; REPEALING ALL PRIOR ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH; IN ACCORDANCE WITH THE PROVISIONS OF THE ACT OF ASSEMBLY, APPROVED JUNE 23, 1931, P.L. 932 AND AS AMENDED.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITTSSTON and it is hereby ordained by authority of the same:

SECTION 1. Fund Created; purpose of fund generally.

In accordance with and pursuant to the provisions of the Act of June 23, 1931, P.L. 932, Art. XLIII, Sec. 4230, et seq., as amended, there is hereby created in the city a pension fund to be designated as the "Paid Firemen's Pension Fund," for the perpose of providing pensions to the members of such fund and to such other beneficiaries as shall be specified in this Ordinance. Such fund shall receive property and funds and shall hold and distribute funds for the purpose and benefit of the members and other beneficiaries of the fund.

SECTION 2. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless the contex clearly requires otherwise;

Fund: The "Paid Firemen's Pension Fund."

Member or Members: A person employed by the City as a paid and uniformed member of the bureau of fire.

Children: Children of a member or of a deceased member, but limited to children who are under eighteen years of age.

SECTION 3. Board of Managers - Established; Composition; appointment of members.

The Paid Firemen's Pension Fund shall be under the direction and control of a board of managers consisting of the Mayor, the director of accounts and finance, the director having charge of the bureau of fire, the City Controller, the Chief of the Bureau of Fire, ex officio, and two members of the Bureau of Fire to be chosen by the members of the Bureau of Fire. Of the first managers so chosen by the Bureau of Fire, one shall be chosen for a term of two years and one for a term of four years. Biennially thereafter, one manager shall be chosen for a term of four years to take the place of the manager whose term expires. In case of a vacancy among the managers chosen by the members of the Bureau of Fire, a successor shall be chosen by such members for the unexpired term.

SECTION 4. Board of Managers - Powers and Duties.

(a) The paid Firemen's Pension Fund shall be applied under such regulations as the board of managers shall prescribe. It shall be the duty of the board of managers to present to the City Council, annually, a detailed statement of its assets and liabilities on or before the first meeting of the City Council in February of the following year. The board of managers shall have authority to do all things necessary to provide an effective and a financially sound fund and incur such expenses as they deem appropriate for such purposes.

(b) The Board of Managers of the City of Pittston, Paid Firemen's Pension Fund shall control, direct and be responsible for the administration of the said Pittston Firemen's Pension Fund, however, the said Firemen's Pension Fund Association will be committed to the custody and management of the First Bank of Greater Pittston, a banking corporation authorized under law. The said First Bank of Greater Pittston is to manage the Fund in the best welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the General Fund of the City of Pittston.

SECTION 5. Acceptance and administration of gifts, grants, devises, etc.

The City may take by gift, grant, devise or bequest any money or property, real, personal or mixed, for the benefit of the Paid Firemen's Pension Fund. In such cases, the City shall observe all and singular the conditions and directions of the donors, and such property shall be administered by such of the board of managers who are officers of the City. Unless there is a specific ordinance adopted with reference to such gift, grant, devise or bequest, the same shall be transferred by such officers to the fund.

SECTION 6. Investment of funds.

If any funds under this article are invested, they shall be invested in accordance with the provisions of the Fiduciaries Investment Act of 1949, and the amendments thereto.

SECTION 7. Members of Fund designated.

All members on January 1, 1969, and all subsequently employed members shall be considered members of the Paid Firemen's Pension Fund.

SECTION 8. Contributions of members.

There shall be paid into the paid Firemen's Pension Fund by each members in the manner prescribed in this article three per cent of the salary of each member. Such sum shall be deducted at each payroll period by the City Treasurer and shall be paid by him forthwith to the Treasurer of the fund.

SECTION 9. Contributions by City from taxes.

The City shall pay annually to the paid Firemen's Pension Fund the sum of money not less than one-half of one per cent nor more than three per cent of all City taxes levied by the City, other than taxes levied to pay interest on or to extinguish the debt of the City of any part thereof, such sum to be paid at least quarterly during the fiscal year of the City, but the City Council may exceed the limitations imposed by this section if any additional amount is deemed necessary to provide sufficient funds for payments to widows of members retired on pension or killed or who die in the service.

SECTION 10. Accumulation of funds from tax on fire insurance companies.

The City Treasurer is hereby directed to receive from the treasurer of the Commonwealth the portion of the tax paid on premiums by foreign fire insurance companies, as provided in Purdon's Statutes, title 72, Section 2262, or amendments thereto, due to the City, and to pay over the same, when and as soon as the tax from time to time is received by him, to the Treasurer of the Paid Firemen's Pension Fund.

SECTION 11. Use of funds, persons eligible to receive pension payments.

The Paid Firemen's Pension Fund shall be applied, under such regulations as the board of managers shall prescribe, for the benefit of such members of the bureau of fire as shall receive honorable discharge therefrom by reason of service or age or disability, widows of retired members, and the families of such as may be killed or who die in the service. All such pensions as shall be allowed to those who are retired by reason of the disabilities or of service or age shall be in conformity with a uniform scale together with service increments as hereinafter provided. Benefits allowed from such fund to families of such as are killed or who die in service shall take into consideration the member's widow and his minor children under eighteen years of age, if any survive.

Such regulations shall prescribe a minimum period of continuous service not less than twenty years, after which members of the bureau of fire may be retired or elect to be retired on pension from active duty, and such members as are retired shall be subject to service, from time to time, as a firemen's reserve in cases of emergency until unfitted for such service, when they may be finally discharged by reason of age or disability. Upon the death of a member who retires on pension or who could have retired on pension, or is killed or dies in the service, payments as provided in this article shall be made to his widow during her life so long as she does not remarry; and if there be no widow, but there are children who are eligible, payment shall be made to them until such children reach age eighteen.

SECTION 12. Pensions and service increments.

(a) Payments of pensions shall not be a charge on any fund in the treasury of the City or under its control save the Firemen's Pension Fund herein provided for. The basis of the pension of a member shall be determined by the monthly salary of the member at the date of retirement, or the highest average annual salary which he received during any five years of service preceding retirement, whichever is the higher, whether for disability, or by reason of age or service, and except as to service increments provided for in subsection (b) of this section, shall be one-half the annual salary of such member at the time of retirement computed at such monthly or average annual rate, whichever is higher. In the case of the payment of pensions to members for permanent injury incurred in service, and to families of members killed or who die in service, the amount and commencement of the payment of pensions shall be fixed by regulations of the board. Such regulations shall not take into consideration the amount and duration of workmen's compensation allowed by law. Payments to widows of members retired on pension or killed in the service on or after January 1, 1960, or who die in the service on or after January 1, 1968, shall be the amount payable to the member or which would have been payable had he been retired at the time of his death.

(b) In addition to the pension which is authorized to be paid from the Firemen's Pension Fund by this Ordinance and notwithstanding the limitations therein placed upon such pensions and upon contributions, every contributor who shall become entitled to the pension shall also be entitled to the payment of a "Service Increment" in accordance with and subject to the conditions hereinafter set forth.

(1) Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this Ordinance during which a contributor has been employed by such City and paid out by the City Treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this Ordinance. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred (\$100.00) Dollars per month.

(2) Each contributor, from and after the effective date of this Ordinance, shall pay into the pension fund a monthly sum in addition to his pension contribution, which shall not exceed the sum of one (\$1.00) dollar per month. And provided, that such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years,

(3) Any person who is a member of the department on the effective date of this Ordinance who has already reached the age of sixty-five years shall have his service increment computed on the years of employment prior to the date of reaching his sixty-fifth birthday.

(4) Service increment contributions shall be paid at the same time and in the same manner as pensions, and may be withdrawn in full, without interest, by persons who leave the employment of such City, subject to the same conditions by which retirement contributions may be withdrawn, or by persons who retire before becoming entitled to any service increment.

(5) All members of the bureau of fire who are now contributors to the pension fund and all those employed by the City after the effective date of this Ordinance, if required to become contributors to the pension fund, shall be subject to the provisions of this Ordinance.

SECTION 13. Separation from service prior to retirement.

If for any cause any member of the bureau of fire contributing to the pension fund shall cease to be a member of the bureau of fire before he becomes entitled to a pension, the total amount of the contributions paid into the pension fund by such member shall be refunded to him in full without interest. If any such member shall have returned to him the amount contributed, and shall afterward again become a member of the bureau of fire, he shall not be entitled to the pension designated until twenty years after his re-employment, unless he shall return to the pension fund the amount withdrawn, in which event the period of twenty years shall be computed from the time the member first became a member of the bureau of fire, excluding therefrom any period of time during which the member was not employed by the bureau of fire. In the event of the death of a member of the bureau of fire not in the line of service before the member becomes entitled to the pension aforesaid and such member is not survived by a widow or family entitled to payments as herein before provided, the total amount of contributions paid into the pension fund by the member shall

be paid over to his estate. In case of the death of a member not in the line of service before the member becomes entitled to the pension aforesaid and such member is survived by a widow eligible to receive benefits as herinbefore provided, the total amount of contributions paid into the pension fund by the member shall be paid over to such widow.

SECTION 14. Pensions not subject to attachment, assignment, levy, etc.

All pensions granted under this article, and every portion thereof, shall not be subject to pledge, assignment or transfer and shall be exempt from attachment and shall not be seized, taken or subject to detainer or levied upon by virtue of an execution or any process or proceeding whatsoever.

SECTION 15. Payments to be charged only to the fund.

Payments of pensions under this article shall not be a charge on any fund in the Treasury of the City or under its control, save the Paid Firemen's Pension Fund provided for in this article.

SECTION 16. The provisions of this Ordinance shall become effective immediately and remain in full force and effect thereafter.

PASSED FIRST READING: November 29, 1976

PASSED SECOND READING: December 30, 1976

PASSED THIRD READING: December 30, 1976

ATTESTED: December 30, 1976 APPROVED: December 30, 1976


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 9 (1976)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1976

"A N O R D I N A N C E"

AUTHORIZING THE CITY OF PITTSBURGH TO CREATE AND ESTABLISH A RETIREMENT FUND FOR FULL TIME, NON-UNIFORM, SALARIED EMPLOYEES NOT NOW PROTECTED BY PENSION AUTHORIZED BY THE LAWS OF PENNSYLVANIA; AUTHORIZING THE APPROPRIATION OF MONEY TO SAID FUND; CREATING AN EMPLOYEES RETIREMENT BOARD REQUIREING THE MANNER IN WHICH MONEY SHALL BE PAID INTO SAID FUND BY CITY EMPLOYEES AND THE MANNER IN WHICH MONEY SO PAID INTO SAID FUND SHALL BE INVESTED, ADMINISTERED, AND DISPENSED.

SECTION 1. Be it ordained by the City Council of the City of Pittsburgh and it is hereby ordained by the authority of the same: That the City of Pittsburgh may, under the provisions of the Act of May 23, 1945, P.L. 903, as amended, an act authorizing cities of the third class to establish an optional retirement system for officers and employees, create and hereby does create an Officers and Employees Retirement System, under the conditions and subject to the qualifications following:

SECTION 2. The following words and phrases, unless a different meaning is plainly required by the context, shall have the following meanings:

"Person", an officer or employee of the City.

"Employee", a person in the service of the city, who is either, or who is not now adequately protected under all circumstances by pensions authorized by the laws of this Commonwealth and in force at the time of the passage of this ordinance.

"Officer", a person elected or appointed to city service.

"Board", Officers and Employees Retirement Board.

"City" or "Cities", The City of Pittsburgh.

"Fund," Officers and Employees Retirement Fund.

"Compensation," retirement allowance or compensation.

"He", the masculine and feminine pronouns.

"Joint Coverage Member" of the retirement system shall mean a city employee who shall have become a member of the retirement system subsequent to the last date permitted by such city for statement of preference concerning social security coverage, or who, having become a member on or before such date, shall have filed with the Retirement Board a written statement that he or she elects Social Security coverage under an agreement with the Federal Secretary of Health, Education and Welfare entered into by the Commonwealth.

"Single Coverage Member" of the retirement system shall mean a city employee who shall have become a member of the retirement system on or before the last date permitted by such city for statement of preference concerning social security coverage, and who either shall have filed with the Retirement Board a written statement that he or she does not elect social security coverage under any agreement with the Federal Secretary of Health, Education and Welfare entered into by the Commonwealth, or shall not have filed with the Retirement Board any written statement.

"Years of Service" shall include any time not exceeding six years spent by the employee on active duty with the armed forces of the United States, providing that he received an honorable discharge or a certificate of satisfactory service and he pays to the board an amount equal to three per centum of his last monthly salary or wage prior to entering on active duty for each month he is not employed by the city because of his active duty with the armed forces.

SECTION 3. There shall be created a board to be known as the "Officers and Employees Retirement Board," consisting of the Mayor, the city controller, the director of finance, and two employees to be chosen by the employees contributing to the retirement fund. It shall be the duty of said board to register all persons employed by the said city, and to administer the collections and distribution of the fund, herein provided for, and make such reasonable rules in the premises as such board may deem necessary to carry into effect the provisions of this act.

SECTION 4.

(a) That every person now or hereafter elected or appointed to an office, or employed by, the city, of the age sixty (60) years and upwards who shall have served as an officer or employee for a period of twenty (20) years, or more, shall, upon application to the board, be retired from service, and shall during the remainder of his life receive the compensation fixed by this ordinance subject to such qualifications as are hereinafter contained.

If any person shall have served twenty (20) years and voluntarily retires shall, by continuing his contributions until the age of fifty-five (55), be entitled to the above compensation at age sixty (60).

During the lifetime of any such person he shall be entitled to receive as compensation annually from the fund set aside for the purpose, fifty (50) per centum of the amount which would constitute the highest average annual salary or wages which he earned during any five (5) years of his service for the city, or which would be determined by the rate of the monthly pay of such person at the date of retirement, whichever is the higher. Said compensation to be paid in semi-monthly payments.

(b) Where an officer or employee who has served for twenty (20) years, or more, and his tenure of office or employment shall be terminated without his voluntary action, then he shall be entitled to full compensation for the remainder of his life, after attaining age fifty-five, and conditioned upon his continuing his contributions into the fund at the same rate as when he was dismissed until he attains age fifty-five.

Should an officer or employee, however, become so permanently disabled as to render him unable to perform the duties of his position or office after fifteen (15) years of service, and before attaining the age of fifty-five (55) years, he shall be entitled to full compensation during such disability. Proof of such disability shall consist of the sworn statement of three (3) practicing physicians, designated by the board, that the employee is in a condition of health which would permanently disable him from performing the duties of his position or office. Such person shall thereafter be subject to physical examination at any reasonable time or times, upon order of the board, and upon his refusal to submit to any such examination, his compensation shall cease.

(c) Where the city has entered into an agreement with the Commonwealth to place certain employees under the Federal Social Security Act, the compensation to be paid joint coverage members according to the provisions of subsections (a) and (b) of this section payable after the age and upon that portion of annual compensation on which social security benefits are payable, shall be reduced by an amount equal to forty (40) per centum of the primary insurance amount of social security paid or payable to the member. Such reduction shall be subject to the following provisions:

(i) Upon attainment of the age at which social security benefits are payable by a beneficiary receiving compensation according to provisions of subsections (a) and (b) of this section or upon retirement of a contributor after attaining that age, his eligibility to the old age insurance benefit and the primary insurance amount of social security, upon which the reduction in the compensation shall be based, shall be computed by the board in the manner specified in the Federal Social Security Act, except that in determining such eligibility and such amount only wages or compensation for services performed in the employ of the city shall be included.

(ii) The reduction shall not apply to compensation for total and permanent disability payable under subsection (b) of this section.

(iii) Whenever the amount of the reduction from the compensation shall have been once determined, it shall remain fixed for the duration of the compensation, except that any decrease in the primary insurance amount under the Social Security Act shall result in a corresponding decrease in the amount of the reduction from the compensation.

(iv) The total sum, including social security benefits, to be received upon retirement by an employee who is a member of the system at the time of the agreement, shall not be less than the compensation that would be paid by the retirement system in the absence of the agreement.

(c.I) Where the city has entered into an agreement with the Commonwealth to place certain employees under the Federal Social Security Act, the retirement board may authorize any joint coverage member of the retirement system to elect according to the provisions of this subsection to receive compensation without the reduction provided for in subsection (c) of this section, provided he shall make a lump-sum payment to the retirement board equal to the difference between the amount of the accumulated fund to his credit in the fund as of the last date for which salary or wages was paid and the amount which would have been to his credit in such fund if contributions had been made on that portion of his salary or wages on which social security allowances are payable at the same rate as made on that portion of his salary or wages in excess thereof from the time that such salary or wages became subject to social security coverage. Such election shall be made, in writing, in the form prescribed by the retirement board, and shall be accompanied by the lump-sum payment herein required.

The retirement board may authorize any such member to make the election herein provided at any time, and if made prior to retirement, such member shall, in addition to any lump-sum payments required, pay to the board contributions on his entire salary or wages thereafter received at the rate provided in Section 11. of this Act for monthly salary or wages in excess of that on which social security allowances are payable.

(d) The widow or widower of an employee who retires on pension, or being eligible for pension, but is still employed full time, or having served twenty (20) years and having continued payments into the fund until age fifty-five (55), dies or is killed in the service on or after the effective date of this ordinance, shall during her or his lifetime or so long as she or he does not remarry, be entitled to receive a pension calculated at the rate of fifty (50) per centum of the pension the employee was receiving or would have been receiving had he or she been retired at the time of his or her death. Any employee who is unmarried on the effective date of this ordinance, may elect, within thirty (30) days after the adoption of this ordinance, not to have a widow or widower receive such payments, and the employee shall not be responsible for payments to secure such coverage.

SECTION 5. The officers and employees of the city shall pay into said board monthly an amount equal to three (3) per centum of their monthly salaries or wages, and an additional amount of one (1) per centum to provide sufficient funds for payments to widows and widowers of members retired on pension or killed in the service except as hereinafter provided concerning employees on per diem wage and those allowed to waive their rights under this ordinance if they have executed the waiver hereinafter provided, which amounts shall be applied to the purpose of this ordinance.

If any compensation be granted to a person who has not been a contributor to the fund, as herein provided, for an aggregate period of twenty (20) years, such person shall be required to pay unto the board for the benefit of the fund, monthly, an amount equal to three (3) per centum of his compensation until such time as his contribution shall have been extended to a period of twenty (20) years.

Any person, who, has served for a period of less than twenty (20) years, and who has not reached the age of fifty-five (55) years, and who shall cease to be in the service of the city, shall be entitled only to the return of his total contribution to the fund without interest.

If for any cause any person contributing to the fund shall cease to be in the service of any city before he shall become entitled to any compensation, the total amount of the contribution paid into the fund by him shall be refunded, in full, without interest: Provided, however, if any such person shall have returned to him the amount contributed, as aforesaid, and shall afterwards re-enter the service of the city, he shall not be entitled to the compensation designated, unless he shall return to the fund the amount withdrawn, in which event, the required period of service under this act shall be computed from the time he first entered the service of the city; otherwise the date of his period of service shall commence upon re-entry. In the event of the death of any person after he becomes entitled to any compensation and has not elected to retire, the total amount of contributions paid into the fund by him shall be paid over to his estate, without interest.

SECTION 6. No person holding a position in any city as a employee, at a per diem wage, shall be compelled to pay or contribute toward the fund herein provided for, but he shall have the option or choice of so doing, and shall only, upon electing to contribute to the fund, become entitled to the compensation provided by this act: Provided, however, That he shall be required to contribute three (3) per centum of his wages and the same percentage upon any amount of compensation he receives after his retirement.

SECTION 7. All officers and employes, except elected officers, eligible for full pension hereunder, shall retire at the age of seventy (70) years.

SECTION 8. The head of every department and office, employing persons entitled under the provisions of this ordinance to receive compensation, shall certify to the board all persons so employed, and the amount of salary or wages which is paid to said employe, together with dismissals, resignations or terminations of service, and from the records of their office or department shall furnish such other relative information as the board shall require.

SECTION 9.

(a) It shall be the duty of the board to receive and retain and, when deemed advisable, to invest the funds payable in accordance with the provisions of this act, and to pay over by warrant or check, the amount due to said officers and employes.

(b) The board may at its discretion commit the Fund to the custody and management of a financial institution having offices located in the city to manage the Fund in the best welfare of the said Fund. The agreement of management between the board and the financial institution shall be approved by the City Council. Any financial institution entering into a management agreement with the board shall be entitled to reasonable compensation for their said management, which compensation shall be paid from the General Fund of the City of Pittston.

SECTION 10. The councils of the city shall annually set aside, apportion and appropriate out of all taxes and income of such city unto the board, a sum sufficient to maintain the compensation due under this act and any additional amount deemed necessary, to provide sufficient funds for payments to widowers of members retired on pension or killed in the service.

SECTION 11. Where the city has entered into an agreement with the Commonwealth to place its employees under the Federal Social Security Act, the board shall appoint an actuary, and may fix his compensation. The actuary shall determine the present value of the liability on account of pensions payable under the provisions of section four of this act to employees who are members of the system on the effective date of the agreement, and shall offset the value of any assets in the pension fund to determine the unfunded liability. The city may make such payments as it desires towards the unfunded liability until the accumulated reserve equals the present value of the liability. The actuary shall also determine the amount which shall be contributed, annually, into the fund on account of service of all new and original members subsequent to the date of the agreement.

Officers and employees shall pay to the board, monthly, an amount equal to three and one-half percentum of that portion of monthly compensation on which social security allowances are payable and five per centum of any monthly compensation in excess of that on which social security allowances are payable. The remainder of the needed annual contribution for service subsequent to the date of the agreement, as determined by the actuary, shall become the obligation of the city and shall be paid by it to the board by annual appropriations. The provisions of this section shall, in all applicable cases, supersede the provisions relating to contributions in section 5 and section 10 of this act.

SECTION 12.

(a) The benefits conferred by this ordinance shall apply to all persons employed in any capacity, by or holding positions in the city in accordance with its provisions, except as hereinafter provided.

(b) All full time salaried employees are hereby required to become a member of the Fund. Per diem officers and employees are hereby required to become a member of the Fund within ninety days from the date of this ordinance or within ninety days of their employment whichever is later. Otherwise any per diem officer and employee now employed or who may hereafter become employed by the city neglecting to become a member of the Fund within said specified time forfeits any and all rights to said membership and shall become ineligible for future membership in said Fund.

Part-timed salaried officers and employees may waive their right to membership in the Fund provided that said waiver is executed within ninety days of the enactment of this ordinance, or within ninety days of their employment whichever is later. Otherwise part time salaried officers and employees shall be members of the Fund. A part-time salaried officer and employee is defined as any officer or employee whose annual salaried compensation is budgeted for less than \$6,000.00 Dollars.

SECTION 13. The time of service herein specified shall be computed from the time of the first or original service to the city, and need not be continuous. No compensation shall be paid under the provisions of this ordinance, however, until after January 1, 1977.

SECTION 14. The compensation, herein mentioned, shall not be subject to attachment or execution, and shall be payable only to the beneficiary designated by this act, and shall not be subject to assignment or transfer.

SECTION 15. All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

PASSED FIRST READING: November 29, 1976

PASSED SECOND READING: December 30, 1976

PASSED THIRD READING: December 30, 1976

ATTESTED: December 30, 1976 APPROVED: December 30, 1976


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 1 (1977)

MAYOR ROBERT A. LOFTUS, IN PLACE

APRIL 13, 1977

"A N O R D I N A N C E"

ESTABLISHING A FLOOD PLAIN DISTRICT AND REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR THE CONSTRUCTION, SUBSTANTIAL IMPROVEMENT OR RELOCATION OF ANY BUILDING OR STRUCTURE; PROVIDING FOR THE ISSUANCE OF SUCH BUILDING PERMITS; PROVIDING FOR CERTAIN MINIMUM STANDARDS FOR CONSTRUCTION WITHIN THE FLOOD PLAIN DISTRICT AND SETTING FORTH SPECIAL PROCEDURES FOR SUBMISSION AND APPROVAL OF PLANS; AND ESTABLISHING PENALTIES FOR ANY PERSONS WHO FAIL TO COMPLY WITH, THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE; AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES, INCONSISTENT HEREWITH.

BE IT ENACTED AND ORDAINED BY THE CITY OF PITTSBURGH, LUZERNE COUNTY, AS FOLLOWS:

ARTICLE 1 - General Provisions

Section 1.1 Intent

The intent of this Ordinance is to:

- A. Promote the general health, welfare, and safety of the Community.
- B. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
- C. Minimize danger to public health and safety by protecting water supply, sanitary sewage disposal, and natural drainage.
- D. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing the unwise design and construction of development in areas subject to flooding.

Section 1.2 Abrogation and Greater Restrictions

This Ordinance supersedes any ordinances currently in effect in flood prone areas. However, any underlying ordinance shall remain in full force and effect to the extent that those provisions are more restrictive.

Section 1.3 Applicability

Provisions of all other codes, ordinances, and regulations shall be applicable insofar as they are consistent with the provisions of this ordinance and the City's need to minimize the hazards and damage resulting from flooding.

ARTICLE II - Definitions

Base Flood

The flood which has been selected to serve as the basis upon which the flood plain management provisions of this and other ordinances have been prepared; for purposes of this Ordinance, the one hundred year flood.

Base Flood Elevation

The 100 year flood elevation.

Flood

A general and temporary inundation of normally dry land areas.

Flood Plain

- (1) a relatively flat or low land area adjoining river, stream or water-course which is subject to partial or complete inundation;
- (2) an area subject to the unusual and rapid accumulation or runoff of surface waters from any source. For the purpose of this Ordinance, the 100 year flood plain as defined by HUD/FIA.

Development

Any man made change to improve or unimprove real estate, including mining, dredging, filling, grading, paving, excavating, or drilling operations, but not intended to buildings or other structures.

Floodproofing

Any combination of structural and non-structural additions, changes, or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures, and contents of buildings.

Land Development

Land development - (1) the improvement of one lot, or two or more contiguous lots, tracts, or parcels of land for any purposes involving (a) a group of two or more buildings, or (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leasholds, condominiums, building groups or other features; (11) a subdivision of land.

Mobile Home

A structure, transportable in one or more sections, which is eight body feet or more in width and is thirty-two body feet or more in length, and which is built on a permanent chassis, and designed to be used as a dwelling with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Mobile Home Park or Subdivision

A parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) have been provided.

New Construction

Structures for which the Start of Construction as herein defined commenced on or after the effective date of this ordinance. This term does not apply to any work on a structure existing before the effective date of this ordinance.

One Hundred Year Flood

A flood that has one chance in one-hundred or a one percent chance of being equaled or exceeded in any year. For the purposes of this ordinance, the one hundred year flood (base flood) as defined by the Federal Insurance Administration, U.S. Department of Housing and Urban Development, in the Type 15 Flood Insurance Study, City of Pittston, Luzerne County;

Principally Above Ground

Where at least 51 percent of the actual cash value of a structure, less land value, is above ground.

Start of Construction

The first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages, or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions "start of construction" is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

Structure

A walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a mobile home.

Subdivision

The division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land, including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership, or building, or lot development; provided, however, that the division of land for agricultural purposes into parcels or more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

Substantial Improvement

Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either,

(a) before the improvement or repair is started or

(b) if the structure has been damaged, and is being restored before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either.

(1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or

(2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places

ARTICLE III - ESTABLISHMENT OF THE FLOOD PLAIN DISTRICT

Section 3.1

The Flood Plain District shall include all areas subject to inundation by the waters of the One Hundred Year (100 Year) Flood. The source of this delineation shall be the Type 15 Flood Insurance Study for the City of Pittston, Luzerne County, Penna., as prepared by the U.S. Department of Housing and Urban Development, Federal Insurance Administration

Section 3.2

The Flood Plain District shall be comprised of two (2) sub-districts as follows:

(1) Floodway (F1) - that portion of the Flood Plain District required to carry and discharge the waters of the One Hundred Year Flood without increasing the water surface elevation at any point more than one (1) foot above existing conditions, as demonstrated in the Type 15 Flood Insurance Study for the City, referenced above.

(2) Floodway Fringe (F2) - those portions of land within the Flood Plain District subject to inundation by the One Hundred Year Flood, lying beyond the floodway in areas where detailed study data and profiles are made available by the City's Type 15 Flood Insurance Study.

Section 3.3

The delineation of the Flood Plain District may be revised, amended and modified by the City in compliance with the National Flood Insurance Program when:

- (1) there are changes through natural or other causes;
- (2) changes are indicated by future detailed hydrologic and hydraulic studies and/or
- (3) when social and economic factors favor a realignment.

All such changes shall be subject to the review and approval of the Federal Insurance Administrator.

Section 3.4 Boundary Dispute

Should a dispute concerning any district boundary arise, an initial determination shall be made by the Building Permit Officer. Any party aggrieved by this decision may appeal to the City. The burden of proof shall be on the appellant.

ARTICLE IV - UTILIZATION OF THE FLOOD PLAIN DISTRICT

Section 4.1 Floodway (F1)

(1) General Requirements

(A) In the Floodway no development shall be permitted except where the effect of such development on flood heights is fully offset by accompanying stream improvements which have approved by all appropriate local and/or State Authorities. When a developer proposes to offset the effects of development in the Floodway by construction of stream improvements, he shall submit an engineering study prepared by a Registered Professional Engineer which fully evaluates the effects of such construction. The report shall use the Base Flood as herein defined as the basis of analysis. All adjacent and state coordinating office communities shall be notified by the developer by certified mail of all such intended activities prior to any alteration or relocation of a watercourse, and shall submit copies of such notifications to the Federal Insurance Administrator. In addition, the developer shall assure the City, in writing, that the flood carrying capacity within the altered or relocated portion of the watercourse in question will be maintained.

(B) All uses, activities, and developments shall be undertaken in strict compliance with the floodproofing and related provisions contained herein, and in all other applicable codes, ordinances and regulations.

(2) Mobile Homes

In the Floodway the placement of any mobile homes, except in an existing mobile home park or mobile home subdivision, shall be prohibited. For any existing mobile home park or subdivision within the Floodway, the owner or operator of the mobile home park or subdivision shall file with the Disaster Preparedness authorities of Luzerne County and the City of Pittston an evacuation plan which indicates alternate vehicular access routes and escape routes.

Section 4.2 Floodway Fringe (F - 2)

In the Flood Fringe any development and/or use of land shall be permitted provided that all such uses, activities, and/or development shall be undertaken in strict compliance with the floodproofing and related provisions contained herein and in all other applicable codes, ordinances and regulations. For any mobile home park or subdivision within the Flood Fringe, or the owner or operator of the mobile home park or subdivision shall file with the Disaster Preparedness authorities of Luzerne County, and the City of Pittston, an evacuation plan which indicates alternate vehicular access routes. In addition, whenever a developer intends to alter or relocate a watercourse within the Flood Fringe the developer shall notify in writing by certified mail all adjacent communities and the State Coordinating Office, of all such intended activities prior to any alteration or relocation of the watercourse, and shall submit copies of such notifications to the Federal Insurance Administrator. The developer shall also assure the City in writing, that the flood carrying capacity within the altered or relocated portion of the watercourse in question will be maintained.

Section 4.3 Nonconformities in the Flood Plain District

(1) Existing nonconformities (Structures and/or uses) located in the floodway shall not be expanded or enlarged (unless the effect of the proposed expansion or enlargement on flood heights is fully offset by accompanying stream improvement).

(2) Any modification, alteration, repair, reconstruction, or improvement of any kind to a nonconformity (structure and/or use) located in the floodway-to an extent or amount of less than fifty (50) percent or more of its market value, should be elevated and/or floodproofed to the greatest extent possible.

(3) The modification, alteration, repair, reconstruction, or improvement of any kind to a nonconformity (structure and/or use) regardless of location, to an extent or amount of fifty (50) percent or more of its market value shall be undertaken only in full compliance with the provisions of this and any other applicable ordinance.

(4) Uses of adjuncts thereof which are, or become, nuisances shall not be permitted to continue.

ARTICLE V - Criteria for Building Permit

SITE PLAN APPROVAL

Section 5.1 Building Permit Criteria

(1) Building Permits are required in order to determine whether all new construction or substantial improvements are:

(A) designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement.

(B) constructed with materials and utility equipment resistant to flood damage.

(C) constructed by methods and practices that minimize flood damage.

(2) The basic format of the Building Permit shall include the following:

(A) Name and address of applicant.

(B) Name and address of owner of land on which proposed construction is to occur.

(C) Name and address of contractor.

(D) Site location

(E) Brief description of proposed work and estimated cost.

(F)

(F) A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

(3) Depending on the type of structure involved, the following information shall also be included in the building permit for work within the Flood Plain District:

(A) For structures to be elevated to the Base Flood Elevation:

1. a plan showing the size of the proposed structures and its relation to the lot where it is to be constructed.

2. a determination of elevations of the existing ground, proposed finished ground, lowest floors certified by a Registered Professional Engineer, Surveyor, or Architect.

3. plans showing the method of elevating the proposed structure, including details of proposed fills, pile structures, retaining walls, foundations, erosion protection measures, etc. When required by the Building Inspector, these plans shall be prepared by a Registered Professional Engineer or Architect.

4. plans showing the methods used to protect unilities (including sewer, water, telephone, electric, gas, etc.) from flooding to the Base Flood Elevation at the building site.

(B) For structures to be floodproofed to the Base Flood Elevation (non-residential structures only):

1. plans showing details of all floodproofing measures, prepared by a Registered Professional Engineer or Architect, and showing the size of the proposed structure and its relation to the lot where it is to be constructed.

2. a determination of elevations of existing ground, proposed finished ground, lowest floors, and floodproofing limits; certified by a Registered Professional Engineer, Surveyor, or Architect.

3. a certificate prepared by the Registered Professional Engineer or Architect who prepared the plans in 1. above, that the structure in question, together with attendant utility and sanitary facilities is designed so that:

- a. below the Base Flood Elevation the structure is watertight with walls substantially impermeable to the passage of water.
- b. The structure will withstand the hydrostatic, hydrodynamic buoyant, impact, and other forces resulting from the flood depths, velocities, pressures, and other factors associated with the Base Flood.

(4) Minimum Floodproofing Standards

In order to prevent excessive damage to buildings and structures, the following restrictions shall apply to all new constructions and to construction of substantial improvements to existing structures occurring in the Flood Plain District.

(A) Basements and Lowest Floors

All new construction and substantial improvements of residential structures must have the lowest floor (including basement) elevated to the Base Flood Elevation. All new construction and substantial improvements of non-residential structures must have the lowest floor (including basement) elevated to the Base Flood Elevation;

or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(B) Fill

If fill is used to raise the finished surface of the lowest floor to the Base Flood Elevation:

1 Fill shall extend beyond a structure for a sufficient distance to provide acceptable access. For residential structures, fill shall extend laterally fifteen (15) feet beyond the building line from all points. For non-residential structures, fill shall be placed to provide access acceptable for intended use. At-grade access, with fill extending laterally fifteen (15) feet beyond the building line, shall be provided to a minimum of twenty-five (25) percent of the perimeter of a non-residential structure.

2 Fill shall consist of soil or rock materials only. Sanitary land fills shall not be permitted.

3 Fill material shall be compacted to provide the necessary stability and resistance to erosion, scouring, or settling.

4 Fill slopes shall be no steeper than one (1) vertical on two (2) horizontal, unless substantiating data justifying steeper slopes are submitted to and approved by the Building Permit Officer.

5 Fill shall be used only to the extent to which it does not adversely affect adjacent properties.

(C) Placement of Buildings, Structures, and Mobile Homes

1 All buildings and structures shall be constructed and placed on the lot so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum obstruction effect upon the flow and height of flood water.

2 The following shall not be placed or caused to be placed in the designated Floodway: fences, except two-wire fences, other matter which may impede, retard, or change the direction of the flow of water or that will catch or collect debris carried by such water, or that is placed where the natural flow of the stream or flood waters would carry the same downstream to the damage or detriment of either public or private property adjacent to the flood plain.

3 Mobile homes shall be elevated on compacted fill or on pilings so that the lowest floor of each mobile home will be at the Base Flood Elevation.

4 Adequate surface drainage and access for a mobile home hauler shall be provided.

5 When mobile homes are to be elevated on pilings, lots shall be large enough to permit steps, piles shall be placed in stable soil no more than ten feet apart, and reinforcement shall be provided for pilings more than six feet above the ground level.

(D) Anchoring

1 All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, and lateral movement, thus reducing the threat to life and property and decreasing the possibility of the blockage of bridge openings and other restricted sections of the watercourse.

2 All air ducts, large pipes and storage tanks located at or below the first floor level shall be firmly anchored to resist flotation.

3 All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specifically:

A. over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than 50 feet long requiring one additional tie per side.

B. frame ties shall be provided at each corner of the home with five additional ties per side at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side.

C. all components of the anchoring system shall be capable of carrying a force of 4,800 pounds.

D. any additions to a mobile home shall be similarly anchored.

E. Storage

No new construction which stores materials that are buoyant, flammable, explosive, or in times of flooding could be injurious to human, animal or plant life, shall be stored below Base Flood Elevation.

Section 5.2 Site Plan Criteria

(1) The owner or developer or any proposed subdivision, mobile home park, or subdivision, on other land development shall submit a site plan to the Building Permit officer which includes the following information:

(A) Name of engineer, surveyor, or other qualified person responsible for providing the information required in this section.

(B) A map showing the location of the proposed subdivision and/or land development with respect to the municipality's flood-prone areas, proposed lots and sites, fills, flood or erosion protective facilities and areas subject to special deed restrictions. In addition, it is required that all subdivision proposals and other proposed new developments greater than 50 lots or five (5) acres, whichever is the lesser, shall include base flood elevation data.

(C) Where the subdivision and/or land development lies partially or completely in the flood-prone areas, the plan map shall include detailed information giving the location and elevation of proposed roads, public utilities, and building sites. All such maps shall also show contours at intervals of two (2) or five (5) feet depending upon the slope of the land and identify accurately the boundaries of the flood-prone areas.

(D) Copies of all Federal and State permits required for construction of the facilities shown on the Subdivision Plan; which may include, but are not limited to, Water Quality Management Permits, Erosion and Sedimentation Control Permits, Dams and Encroachments Permits, and Driveway Permits.

(E) A record of this information must be kept on file by the City of Pittston.

(2) For all new mobile home parks, or expansions to existing mobile home parks, and for existing mobile home parks where the repair, reconstruction, or improvement of the streets, utilities, and pads equal or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced, the following requirements shall be met for any construction within the Flood Fringe or Approximated Flood Plain.

(A) Stands or lots shall be elevated on compacted fill or on pilings so that the lowest floor of each mobile home will be at the Base Flood Elevation.

(B) Adequate surface drainage and access for a mobile home hauler shall be provided.

(C) When mobile homes are to be elevated on pilings, lots shall be large enough to permit steps, piles shall be placed in stable soil no more than ten (10) feet apart, and reinforcement shall be provided for pilings more than six (6) feet above ground level.

(3) Utility and Facility Requirements

For all proposed subdivisions, mobile home parks or subdivisions, or other land developments, the Building Permit Officer shall Require:

(A) All new or replacement water systems located in the Flood Plain District, whether public or private, shall be floodproofed to the Base Flood Elevations.

(B) All new or replacement sanitary disposal systems located within the Flood Plain District, whether public or private, shall be floodproofed to the Base Flood Elevation.

(C) All other new or replacement public and/or private utilities and facilities shall be elevated or floodproofed to the Base Flood Elevation.

(4) Drainage

Adequate drainage shall be provided to reduce exposure to Flood Hazards.

ARTICLE VI - ADMINISTRATION

Section 6.1 Building Permits and Site Plan Approvals Required

(1) It shall be unlawful for any person, partnership, business, or corporation to undertake, or cause to be undertaken the new construction, substantial improvement, or relocation of any structure (including mobile homes) within the Flood Plain District, unless the necessary permits have been obtained from the Building Permit Officer. In addition, where land is to be subdivided, utilized for a mobile home park or subdivision or otherwise developed, a site plan must be submitted to, and approved by, the Building Permit Officer prior to any land development.

(2) A permit shall not be required for minor repairs or improvements to existing buildings or structures, provided that the cost is less than 50 percent of the market value of the structure.

Section 6.2 Approval of Permits and Plans

All permits and plans shall be approved only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.

Section 6.3 Application Procedures

Application for a building permit and site plan approvals shall be made, in writing, to the Building Permit Officer, and shall include all information stipulated under Article V of this Ordinance.

Section 6.4 Changes

After the issuance of a building permit or site plan approval by the Building Permit Officer, no changes of any kind shall be made to the application, permit, or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Building Permit Officer.

Section 6.5 Placards

In addition to the building permit, the Building Permit Officer shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the building permit, the date of its issuance and be signed by the Building Permit Officer.

Section 6.6 Start of Construction

Work on the proposed construction shall begin within six (6) months after the date of issuance of the building permit or the permit shall expire unless a time extension is granted, in writing, by the Building Permit Officer.

Section 6.7 Inspection and Revocation

During the construction period, the Building Permit Officer or other authorized official may inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable laws and ordinances. In the event the Building Permit Officer discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement/or misrepresentation by any applicant, the Building Permit Officer shall revoke the building permit and report such fact to the Town Council for whatever action it considers necessary.

Section 6.8 Fees

Applications for a building permit shall be accompanied by a fee, payable to the City of Pittston, based upon the estimated cost of the proposed construction as determined by the Building Permit Officer at the following rates:

| <u>Estimated Cost</u> | <u>Fee</u> |
|---|------------|
| \$ 0.00 to \$200.00 | \$ 0.00 |
| 201.00 to 1,000.00, | 5.00 |
| Each additional \$1,000.00, or part thereof beyond the first \$1,000.00 | 1.00 |

ARTICLE VII - APPEALS AND PENALTIES

Section 7.1 Appeals

Whenever any person is aggrieved by a decision of the Building Permit Officer with respect to the provisions of this ordinance, it is the right of that person to appeal to the City. Such appeal must be filed, in writing, within thirty (30) days after the determination by the Building Permit Officer. Upon receipt of such appeal, the City shall set a time and place not less than ten (10) nor more than thirty (30) days for the purpose of hearing the appeal. Notice of the time and place of the hearing of the appeal shall be given to all parties at which time they may appear and be heard. The determination by the City shall be final in all cases.

Section 7.2 Appeals Review Criteria

(1) All appeals contesting only the permit fee established by the Building Permit Officer may be handled at the discretion of the City.

(2) All decisions on appeals to all other provisions of this Ordinance not covered in (1) above, shall adhere to the following criteris:

(A) An affirmative decision shall not be issued by the City within the designated floodway if any increase in flood levels during the base flood discharge would result.

(B) A decision may be issued by the City for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the procedures of paragraphs (C), (D), (E), and (F) of this section

(C) Affirmative decisions shall only be issued by the City upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the appeal would result in exceptional hardship to the applicant, and (iii) a determination that the granting of an appeal will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(D) Affirmative decisions shall only be issued upon determination that it is the minimum necessary, considering the flood hazard, to afford relief.

(E) The City shall notify the applicant in writing over the signature of a community official that (i) the issuance of a decision to allow construction of a structure below the base flood level will result in increased premium rates for flood insurance. (ii) Such construction below the base flood level increases risks to life and property. Such notifications shall be maintained with a record of all decisions as required in paragraph (F) of this section; and

(F) The City shall (i) maintain a record of all decisions including justification for their issuance, and (ii) report such decisions issued in its annual report submitted to the Federal Insurance Administrator.

Section 7.3 Penalties

Any person who fails to comply with any or all of the requirements or provisions of this Ordinance or direction of the Building Permit Officer or any other authorized employee of the municipality shall be guilty of an offense and, upon conviction, shall pay a fine to the City of not less than Twenty-five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00) plus costs of prosecution. In default of such payment, such person shall be imprisoned in County prison for a period not to exceed ten (10) days. Each day during which any violation of this Ordinance continues shall constitute a separate offense in addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any violation of, or non-compliance with, this Ordinance shall not excuse the violation or non-compliance or permit it to continue; and all such persons shall be required to correct or remedy such violations and non-compliances within a reasonable time. Any structure constructed, reconstructed, enlarged, altered, or relocated, in non-compliance with this Ordinance may be declared by the City to be a public nuisance and abatable as such.

ARTICLE VIII - SEVERABILITY AND MUNICIPAL LIABILITY

Section 8.1 Severability

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Section 8.2 Municipal Liability

The granting of a permit or approval of a subdivision or land development plan in an identified flood-prone area, shall not constitute a representation, guarantee, or warranty of any kind by the City of Pittston or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the City of Pittston, its officials or employees.

This Ordinance shall take effect immediately after its approval as required by law.

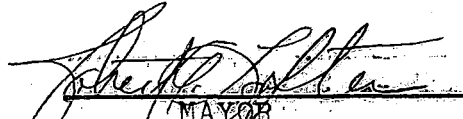
PASSED FIRST READING: April 13, 1977

PASSED SECOND READING: May 11, 1977

PASSED THIRD READING: May 11, 1977

ATTESTED: May 11, 1977

APPROVED: May 11, 1977


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 2 (1977)

MAYOR ROBERT A. LOFTUS, IN PLACE

OCTOBER 12, 1977

" A N O R D I N A N C E "

"ACCEPTING THE DEDICATION FOR THE PUBLIC USE AS A CROSSING AT GRADE AND AS A HIGHWAY OF A PARCEL OF LAND SITUATE AT THE FORMER EASTBOUND MAIN TRACK OF FORMER LEHIGH VALLEY RAILROAD, NOW CONRAIL AT MILE POST ONE EIGHTY-FIVE PLUS ONE THOUSAND FORTY (M.P. 185 + 1040) ON THE RUTLEDGE CORPORATION TRACT."

WHEREAS, The Rutledge Corporation, owner of land situate on the westerly side of North Main Street and all in the City of Pittston, has dedicated a part thereof to the public use as a public highway and grade crossing to be known as Rutledge Street and has requested Council to accept the same and fix the lines thereof, NOW,
THEREFORE,

BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF PITTSTON, PENNSYLVANIA, AND IT IS HEREBY ENACTED AND ORDAINED BY THE AUTHORITY OF THE SAME:

SECTION 1. That the land in the said City of Pittston situate on the westerly side of North Main Street and dedicated by The Rutledge Corporation, owner, as a public highway, be and the same is hereby accepted by the said City as such and the same shall be known and designated hereafter as Rutledge Street.

SECTION 2. From and after the passage of this ordinance the lines of the said public highway and grade crossing shall be and the same are hereby fixed, terminated and laid down according to the following description:

Description Of Parcel Of Conrail Right-Of-Way To Be Taken For A Public Road By The City Of Pittston, Luzerne Co., Pa.

BEGINNING at a point in the centerline of former eastbound main track of former Lehigh Valley Railroad, now Conrail, at Mile Post one eighty-five plus one thousand forty (M.P. 185+1040) feet;

THENCE, through right-of-way of Conrail, north eighty-seven degrees forty-eight minutes twenty-seven seconds east, twenty-three and three tenths (23.3) feet to a point in the easterly right-of-way line of Conrail;

THENCE along said easterly right-of-way line, south twenty degrees thirty minutes west, sixty-five and three hundredths (65.03) feet to a point;

THENCE through said right-of-way, south eighty-seven degrees forty-eight minutes twenty seven seconds west, ninety-four and forty-eight hundredths (94.48) feet to a point in the westerly right-of-way line of Conrail;

THENCE along the said westerly right-of-way line, north eighteen degrees fifty-six minutes twenty-eight seconds east, three and seventy-five hundredths (3.75) feet to a point;

THENCE continuing along the same, north six degrees eleven minutes twenty-five seconds east, fifty-seven and twelve hundredths (57.12) feet to a point;

THENCE through said right-of-way, north eighty-seven degrees forty-eight minutes twenty-seven seconds east, eighty-six and fifty-nine hundredths (86.59) feet to the point of beginning.

Containing an area of six thousand one hundred eight (6,108) square feet of land more or less.

SECTION 3. All ordinances or parts thereof inconsistent with this ordinance shall be and the same are hereby repealed.


PASSED FIRST READING: Sept. 14, 1977

PASSED SECOND READING: OCT. 12, 1977

PASSED THIRD READING: OCT. 12, 1977

ATTESTED: Oct. 12, 1977

APPROVED: Oct. 12, 1977


MAYOR


ACTING CITY CLERK

Gentlemen:

The following are the estimated receipts for the year 1978 including the General and Liquid Fuels Fund; and Federal Revenue Sharing Fund; Community Development Fund; Public Works Employment Fund; Public Works Improvement Fund;

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 75,459.35

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax
Levy on \$8,861,198.00
Valuation at 23 mills\$204,308.03
Less 5% uncollectible current year 10,215.40
Net Amount from current Occupational Tax 194,092.63

(b) Occupation Tax
Levy on \$387,675.00
Valuation at 23 Mills\$ 8,776.80
Less 20% uncollectible current year 1,755.36
Net Amount from current Occupational Tax..... 7,021.44

Delinquent Real Estate & Occupational Taxes 26,542.58

Earned Income Tax (Act 511) 160,000.00

Liquor Licenses 13,750.00

City Licenses and Permits 18,000.00

Parking Meter Fees 30,000.00

Parking Violations and Fines 25,000.00

Pittston Area School Dist. 1/3 Share Exp. of Treas. Office 13,840.00

Luzerne County Treasurer 1/3 Share Exp. of Treas. Office 13,840.00

Rental of City Property and Equipment 12,000.00

Municipal Liens 1,500.00

Pave Cuts 500.00

Refunds 3,000.00

Pittston Housing Auth. and Pa. Utility Realty Tax 10,000.00

Street Improvement Liens 1,000.00

Miscellaneous Receipts 2,500.00

Real Prop. Trans. Tax of $\frac{1}{2}$ of 1% (Act 511) 10,000.00

Occupational Privilege Tax (Act 511) 20,000.00

Ash and Refuse Garbage Fees 35,000.00

Accounts receivable 28,900.00

Luzerne County Humane Resources 70,000.00

Dept. of Community Affairs (Recreation) 50,000.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes ... 75,000.00

\$896,946.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in bank at beginning of year\$ 4,842.31

ESTIMATED RECEIPTS:

State Motor License Fund Grants from
Commonwealth of Pennsylvania - Act 145\$ 50,537.14

TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 55,379.45

FEDERAL REVENUE SHARING FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 85,279.56

ESTIMATED RECEIPTS:

Federal Revenue Sharing Grants\$116,020.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$201,299.56

COMMUNITY DEVELOPMENT FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ -0-

ESTIMATED RECEIPTS:

Federal Community Development Grant\$492,000.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$492,000.00

PUBLIC WORKS EMPLOYMENT FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ -0-

ESTIMATED RECEIPTS:

Federal Public Works Employment Grant\$ 31,716.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$ 31,716.00

PUBLIC WORKS IMPROVEMENT FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ -0-

ESTIMATED RECEIPTS:

Federal Public Works Improvement Grant\$183,000.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$183,000.00

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

| | |
|-----------------------------------|-----------------------|
| General Fund | \$ 896,946.00 |
| Liquid Fuels Tax Fund | 55,379.45 |
| Federal Revenue Sharing Fund | 201,299.56 |
| Community Development Fund | 492,000.00 |
| Public Works Employment Fund | 31,716.00 |
| Public Works Improvement Fund ... | 183,000.00 |
| <u>TOTAL</u> | <u>\$1,860,341.01</u> |

Respectfully submitted,

PATRICK J. COLLINS
Director Dept. of
Accounts & Finance

PROPOSED BUDGET

FILE OF COUNCIL NO. 3 (1977)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1977

AN ORDINANCE

"TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1978 AND ENDING DECEMBER 31, 1978."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | |
|------------------|-------------|-----------------|
| Salary of Mayor | \$ 1,500.00 | |
| Office Supplies | 300.00 | |
| Communications | 1,300.00 | |
| Premium on Bonds | 30.00 | <u>3,130.00</u> |

BUREAU OF POLICE:

| | |
|---|--------------|
| Salary of Chief of Police | \$ 15,500.00 |
| Salary of Sergeants (2) 12,500.00 each | 25,000.00 |
| Salary of Patrolman (9) 11,700.00 each | 105,301.00 |
| Salary of Police Clerks (2) 11,700.00 each | 23,400.00 |
| Wages of Relief Officers @ (\$4.25 per hr) | 35,000.00 |
| Wages of School Patrolman @ (\$2.80 per hr) | 7,500.00 |
| Paid Holidays | 5,000.00 |
| Uniforms-Clothing, Etc. | 3,000.00 |
| Printing of Violation Tickets, Etc. | 600.00 |
| Material for Repairs & Replacement-Auto | 1,000.00 |
| Gas & Oil | 2,000.00 |
| Firearms-Ammunition-Police Equip.-Supplies | 500.00 |
| Traffic Signal Maintenance-Lamps-Supplies | 500.00 |
| Light Service for Traffic Signals | 400.00 |
| Street Marking-Signs-Material-Supplies | 400.00 |
| Maint.-Repair of Mobile Police Radio | 250.00 |
| Care and feeding of Prisoners | 150.00 |
| Parking Meter Maint. and Repair | 550.00 |
| Police Schedule Bond-Insurance-Blue Cross | 8,500.00 |

CAPITAL OUTLAY:

| | | |
|--------------------------------------|-----------------|-------------------|
| Major Equipment - Police Cruiser Car | <u>4,000.00</u> | <u>238,551.00</u> |
|--------------------------------------|-----------------|-------------------|

BUREAU OF ENGINEERING & BUILDING INSPECTION:

| | | | |
|--------------------------------------|----|----------|----------|
| Salary of Engineer & Bldg. Inspector | \$ | 4,000.00 | |
| Salary of Clerk | | 1,200.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Periodicals | | 25.00 | 5,405.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURES:

| | | | |
|--------------------------------------|--|----------|----------|
| Salary of Health Inspector | | 500.00 | |
| Salary of Sealer & Weights Inspector | | 1,000.00 | |
| Contribution to Board of Health | | 300.00 | |
| Office Supplies | | 25.00 | |
| Parcel Post and Postage | | 25.00 | |
| Premium on Bonds | | 30.00 | 1,880.00 |

TOTAL - DEPARTMENT OF PUBLIC AFFAIRS 248,966.00

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTORS:

| | | | |
|--------------------------------|----|----------|-----------|
| Salary of Director | \$ | 1,000.00 | |
| Salary of Assistant Director | | 9,700.00 | |
| Office Supplies | | 1,000.00 | |
| Advertising & Printing Reports | | 150.00 | |
| Premium on Bonds | | 60.00 | 11,910.00 |

OFFICE OF CITY CLERK:

| | | | |
|----------------------------------|----|-----------|-----------|
| Salary of City Clerk | \$ | 15,500.00 | |
| Salary of Clerk | | 8,000.00 | |
| Office Supplies | | 700.00 | |
| Advertising-Ordinances & Reports | | 900.00 | |
| Other Expenses | | 250.00 | |
| Premium on Bonds | | 50.00 | 25,400.00 |

OFFICE OF CITY CONTROLLER:

| | | | |
|----------------------|----|----------|----------|
| Salary of Controller | \$ | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Advertising | | 150.00 | 1,330.00 |

OFFICE OF CITY TREASURER:

| | | |
|---|-----------------|------------------|
| Salary of City Treasurer | \$ 500.00 | |
| Salary of Tax Collector | 9,500.00 | |
| Salary of Tax Clerks (3) \$8,000.00 ea. | 24,000.00 | |
| Office Supplies | 1,500.00 | |
| Printing Tax Statements & Notices | 500.00 | |
| Premium on Bonds & Insurance | <u>2,250.00</u> | <u>38,250.00</u> |

OFFICE OF OCCUPATIONAL TAX:

| | | |
|--------------------------|-----------------|-----------------|
| Compensation - Collector | <u>1,500.00</u> | <u>1,500.00</u> |
|--------------------------|-----------------|-----------------|

OFFICE OF EARNED INCOME TAX:

| | | |
|--------------------------|-----------------|-----------------|
| Compensation - Collector | <u>7,000.00</u> | <u>7,000.00</u> |
|--------------------------|-----------------|-----------------|

LAW DEPARTMENT:

| | | |
|---|--------------|-----------------|
| Salary of City Solicitor | 4,000.00 | |
| Office Supplies | 50.00 | |
| Premium on Bonds | 30.00 | |
| Filing of Liens & Judgements & Special Laws | <u>50.00</u> | <u>4,130.00</u> |

BUREAU OF TAX ASSESSMENT:

| | | |
|---|---------------|-----------------|
| Salary of Assessor | 750.00 | |
| Salary of Sub-Assessor (5) \$700.00 ea. | 3,500.00 | |
| Office Supplies | 500.00 | |
| Maintenance of Addressograph | <u>500.00</u> | <u>5,250.00</u> |

| | | |
|--|-------------------|--|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE | <u>.94,770.00</u> | |
|--|-------------------|--|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|----------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | 1,030.00 |

BUREAU OF FIRE:

| | | | |
|---|----|-----------|------------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs (2)\$600.00 ea. | | 1,200.00 | |
| Salary of Fire Truck Drivers (6)\$11,700.00 ea. | | 70,200.00 | |
| Salary of Relief Drivers | | 15,000.00 | |
| Wages - Volunteer Firemen | | 10,000.00 | |
| Paid Holidays | | 5,000.00 | |
| Uniforms - Clothing, Etc. | | 1,800.00 | |
| Hydrants Rentals - Water Supply | | 3,500.00 | |
| Material for Repairs & Replacements-Auto Equip. | | 1,000.00 | |
| Gas & Oil | | 500.00 | |
| Purchase of other Minor Equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance and Blue Cross | | 5,000.00 | |
| Maintenance and Repair of Mobile Radio | | 150.00 | |
| Material & Supplies | | 350.00 | |
| Fuel-Light-Water | | 600.00 | |
| Rental Building - Eagle Hose Co. | | 3,000.00 | 119,650.00 |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|----|--------|--------|
| Salary of Plumbing Inspector | \$ | 700.00 | 700.00 |
|------------------------------|----|--------|--------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|----|----------|----------|
| Telephone Rental, Tolls & Switchboard | \$ | 6,000.00 | |
| Fire Alarm Sysyem-Maintenance-Repair | | 600.00 | 6,600.00 |

| | | | |
|---|--|--|------------|
| TOTAL - DEPARTMENT OF PUBLIC SAFETY | | | 127,980.00 |
|---|--|--|------------|

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | |
|--------------------|-------------|-----------------|
| Salary of Director | \$ 1,000.00 | |
| Premium on Bond | 30.00 | <u>1,030.00</u> |

BUREAU OF HIGHWAYS:

| | | |
|---|------------------|-------------------|
| Salary of Superintendent of Streets | \$ 12,000.00 | |
| Salary of Clerk | 7,500.00 | |
| Wages of Laborers-General Maintenance (@ \$3.45 per hr) | 35,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (@ \$3.45 per hr) | 12,000.00 | |
| Road Material & Maintenance-Street Paving | 5,000.00 | |
| Salt for De-Icing Streets | 2,500.00 | |
| Material and supplies | 2,500.00 | |
| Office Supplies | 100.00 | |
| Material for Repairs & Replacements- Automotive Equipment | 2,500.00 | |
| Gas & Oil | 3,000.00 | |
| Rental of Equipment-Snow Removal, Storm Sewers, & Major Excavation | 10,000.00 | |
| Fuel-Light-Water | 900.00 | |
| Premium on Bonds and Insurance | 3,000.00 | |
| Replacement Small Tools & Minor Equipment | 500.00 | |
| Other Expenses | 1,000.00 | |
| Capital Outlay: Major Equipment - Trucks | <u>12,000.00</u> | <u>109,500.00</u> |

BUREAU OF STREET CLEANING:

| | | |
|---|-----------------|------------------|
| Wages-Laborers-Street Cleaning (@ \$3.45 per hr) | 18,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | <u>1,000.00</u> | <u>19,000.00</u> |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | |
|---|------------------|------------------|
| Wages of Laborers (@ \$3.45 per hr) | 25,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | 750.00 | |
| Gas & Oil | 3,500.00 | |
| Sanitary Landfill Authority Fee | <u>17,000.00</u> | <u>46,250.00</u> |

BUREAU OF STREET LIGHTING:

| | | |
|---------------|------------------|------------------|
| Light Service | <u>45,000.00</u> | <u>45,000.00</u> |
|---------------|------------------|------------------|

| | | |
|---|--|--------------------------|
| TOTAL * DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS | | <u><u>220,780.00</u></u> |
|---|--|--------------------------|

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | <u>1,030.00</u> |

OPERATION AND MAINTENANCE-BUILDING:

| | | |
|---|-----------------|------------------|
| Salary of Janitor | 4,770.00 | |
| Material & Supplies | 1,200.00 | |
| Fuel-Light-Water | 6,000.00 | |
| Insurance City Building | 1,200.00 | |
| Plumbing and Boiler Repairs | 600.00 | |
| Repairs and Improvements to City Bldgs. | <u>4,000.00</u> | <u>17,770.00</u> |

PARKS AND RECREATION:

| | | |
|-------------------------|-----------------|------------------|
| Salary and Wages | 7,500.00 | |
| Material and Supplies | 2,500.00 | |
| Maintenance and Repairs | <u>2,500.00</u> | <u>12,500.00</u> |

| | | |
|---|--|-------------------------|
| TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY | | <u><u>31,300.00</u></u> |
|---|--|-------------------------|

MISCELLANIOUS ACCOUNTS:

| | |
|---|-----------|
| Compensation and Liability Insurance | 50,000.00 |
| Blue Cross | 3,000.00 |
| Tax Refunds | 500.00 |
| Military, Library, and Civic Contributions | 7,000.00 |
| Indigents, Contagious Hospital | 150.00 |
| Civil Defense | 3,000.00 |
| Pennsylvania League of Cities | 1,000.00 |
| UrbanPlanning-Redevelopment-Parking Auth. Gen. Purposes-Wyo. Valley Sanitary Auth. | 75,000.00 |
| Social Security | 20,000.00 |

PENSIONS:

| | | |
|--------------------------------|-----------------|-------------------|
| City Employees Retirement Fund | 4,500.00 | |
| Firemen's Pension Fund | 4,500.00 | |
| Policemen's Pension Fund | <u>4,500.00</u> | <u>173,150.00</u> |

| | | |
|--|--|--------------------------|
| TOTAL - OPERATION AND MAINTENANCE - GENERAL FUND | | <u><u>896,946.00</u></u> |
|--|--|--------------------------|

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES:

| | |
|--|---------------------|
| 75% - Material and Wages | \$ 37,902.85 |
| 25% - Construction of Streets | 17,476.60 |
| TOTAL LIQUID FUELS TAX FUND EXPENDITURES | <u>\$ 55,379.45</u> |

ESTIMATED FEDERAL REVENUE SHARING FUND EXPENDITURES

OPERATION AND MAINTENANCE:

| | |
|--------------------------------|---------------------|
| Public Safety | \$ 31,765.52 |
| Financial Administration | 94,534.04 |
| Libraries | 10,000.00 |
| | <u>\$136,299.56</u> |

CAPITAL OUTLAY:

| | |
|---|---------------------|
| Public Safety | \$ 20,000.00 |
| Public Improvements | 25,000.00 |
| Housing Community Development | 20,000.00 |
| | <u>\$ 65,000.00</u> |
| TOTAL - FEDERAL REVENUE SHARING FUND EXPENDITURES | <u>\$201,299.56</u> |

ESTIMATED COMMUNITY DEVELOPMENT FUND EXPENDITURES

| | |
|---|---------------------|
| Redevelopment Authority of Pittston | \$492,000.00 |
| TOTAL - COMMUNITY DEVELOPMENT FUND EXPENDITURES | <u>\$492,000.00</u> |

ESTIMATED PUBLIC WORKS EMPLOYMENT FUND EXPENDITURES

OPERATION AND MAINTENANCE:

| | |
|---|---------------------|
| Wages | \$ 31,716.00 |
| TOTAL - PUBLIC WORKS EMPLOYMENT FUND EXPENDITURES | <u>\$ 31,716.00</u> |

ESTIMATED PUBLIC WORKS IMPROVEMENT FUND EXPENDITURES

| | |
|--|---------------------|
| Renovation of City Hall Building | \$183,000.00 |
| TOTAL - PUBLIC WORKS IMPROVEMENT FUND EXPENDITURES | <u>\$183,000.00</u> |

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

| | |
|-----------------------------------|------------------------|
| General Fund | \$ 896,946.00 |
| Liquid Fuels Tax Fund | 55,379.45 |
| Federal Revenue Sharing Fund | 201,299.56 |
| Community Development Fund | 492,000.00 |
| Public Works Employment Fund | 31,716.00 |
| Public Works Improvement Fund ... | 183,000.00 |
| TOTAL | <u>\$ 1,860,341.01</u> |

| | |
|------------------------|-------------------|
| PASSED FIRST READING: | November 29, 1977 |
| PASSED SECOND READING: | December 30, 1977 |
| PASSED THIRD READING: | December 30, 1977 |

| | |
|-----------------------------|----------------------------|
| ATTESTED: December 30, 1977 | APPROVED December 30, 1977 |
|-----------------------------|----------------------------|

ROBERT A. LOFTUS
MAYOR

ANTHONY L. FERRARA
CITY CLERK

FILE OF COUNCIL

NO. 4 (1977)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1977

"A N O R D I N A N C E"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1978."

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1978, and certain deficiencies prior thereto, a tax is hereby levied on all persons, above the age of eighteen (18) years, occupation, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:

"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, there is hereby levied twenty-three (23) mills on the dollar of valuation, which is two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."

PASSED FIRST READING: November 29, 1977

PASSED SECOND READING: December 30, 1977

PASSED THIRD READING: December 30, 1977

ATTESTED: December 30, 1977 APPROVED: December 30, 1977


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 5 (1977)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1977

"AN ORDINANCE"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES A ONE-HALF OF ONE PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REALESTATE WITHIN THE CITY."

Whereas, the City of Pittston has presently in force an ordinance imposing a one-half of one per-cent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

Whereas, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1978.

NOW, THEREFORE, be it ordained by the Council of the CITY OF PITSTON and it is hereby ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1978.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.


SECTION 3. This ordinance shall become effective immediately upon final enactment.

PASSED FIRST READING: November 29, 1977

PASSED SECOND READING: December 30, 1977

PASSED THIRD READING: December 30, 1977

ATTESTED: December 30, 1977 APPROVED: December 30, 1977


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 6 (1977)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1977

"A N O R D I N A N C E"

Imposing a tax for general revenue purposes for the fiscal year 1978, on all individuals for the privilege of engaging in occupation within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the Occupation Tax Collector; conferring and imposing powers and duties of administration on the Occupation Tax Collector; and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITSTON, LUZERNE COUNTY, PENNSYLVANIA, UNDER THE AUTHORITY OF ACT 511 of 1965, APPROVED DECEMBER 31, 1965, AS FOLLOWS:

SECTION 1. Definition.

The following words and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean a person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business or undertaking of any type, kind or character, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars levied by this ordinance.

(e) "Occupation Tax Collector" shall mean the person appointed by the City Council of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the twelve (12) months period beginning January 1, 1978 and ending December 31, 1978.

(g) "City of Pittston" shall mean the area within the corporate of the City of Pittston.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female, and neuter gender.

SECTION 2. Levy.

The City of Pittston hereby levies and imposed on each individual engaged in an occupation during the fiscal year of 1978 within the corporate limits of the City of Pittston an Occupation Privilege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1978, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the amount of Ten(\$10.00) Dollars per annum.

SECTION 4. Duty of Employers.

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engaged in business within the City of Pittston, is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said Tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Occupation Tax Collector. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the Occupation Tax Collector's Office, City Hall, Pittston, Pennsylvania, each employer in filing this return and making payment of the tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two percentum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collections thereof from the salary, wages, or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the First day of January to the 15th. day of May, 1978 for determining the number of employees from whom said tax shall be deducted and paid over to the Occupation Tax Collector on or before June 15, 1978. Supplemental reports shall be made by each employer on August 15, 1978 and October 15, 1978 of new employees as reflected on his employment records from May 15, 1978 to August 15, 1978 and from August 15, 1978 to October 15, 1978. Payments of these supplemental reports shall be made on September 15, 1978 and November 15, 1978, respectfully.

SECTION 7. Individuals Engaged in more than one Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of this tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Occupation Tax Collector, which form shall be evidence of deductions having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address, and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Occupation Tax Collector on June 15, 1978, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed individuals residing beyond the corporate limits of the City of Pittston.

All employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as herinafter provided.

SECTION 10. Administration of Tax.

(a) It shall be the duty of the Occupation Tax Collector to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer of self-employed person together with the date the tax was received.

(b) The Occupation Tax Collector is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred, any person aggrieved by any decision of the Occupation Tax Collector shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Occupation Tax Collector is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Occupation Tax Collector the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth, the Occupation Tax Collector may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six per-cent (6%) on the amount of said tax shall be calculated beginning with the due dates of said tax and penalty of five per-cent (5%) shall be added to the flat rate of said tax for nonpayment thereof. Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collections.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statements on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file and return required by this ordinance, shall, upon conviction before any alderman or Magistrate, be sentenced to pay a fine of not more than three hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding thirty (30) days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its provisions shall be held invalid or unconstitutional, the decision of the court shall not effect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be constructed to empower the City of Pittston to levy and collected the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual, the decision of the court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15.

The City of Pittston does hereby designate as Occupation Tax Collector for the year 1978, the H.A. Berkheimer Associates, to serve at a compensation of 5% of Tax collected.

SECTION 16. Effective Date.

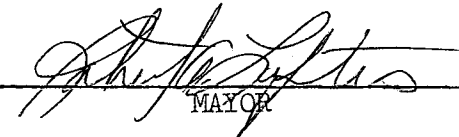
This ordinance shall become effective immediately and remain in force for the fiscal year of 1978.

PASSED FIRST READING: November 29, 1977

PASSED SECOND READING: December 30, 1977

PASSED THIRD READING: December 30, 1977

ATTESTED: December 30, 1977 APPROVED: December 30, 1977


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 7 (1977)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1977

"A N O R D I N A N C E"

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION DURING THE PERIOD BEGINNING JANUARY 1, 1978, OR THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS; REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VERTUE OF AND UNDER THE AUTHORITY VESTED IN IT BY "THE LOCAL TAX ENABLING ACT" (ACT #511 OF 1965) OF DECEMBER 31, 1965, P.L. 1257, AS AMENDED, (hereinafter referred to as "THE LOCAL TAX ENABLING ACT") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P.L. 1257, its supplements and amendments are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said provisions of section 13 is designated Addendum "1" and attached hereto and made an integral part of this ordinance, as if more fully delineated in the body of the ordinance.

SECTION 2. IMPOSITION OF TAX.

A tax for general revenue purposes in the amount of one-half of 1 per-cent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st. day of January, 1978, or the effective date of this ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS

Quarterly Payments.

1. Every tax payer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall file a final return, and pay to the officer the balance of the tax due, all as provided in section 13, 111, A. (1) 11, (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. Earned Income.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in section 13, 111 B, First paragraph of "The Local Tax Enabling Act", its supplements and amendments.

Quarterly Returns.

2. Every taxpayer who is employed for a salary, wages, or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay Quarterly the amount of tax shown as due on such returns, all as provided in Section 13, 111, B, (2) of "The Local Tax Enabling Act", its supplements and amendments.

SECTION 4. COLLECTION AT SOURCE.

A. Every employer having an office, factory, workshop, warehouse or other place of business within the corporate limits of the City of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, IV of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file returns or pay taxes in the cases of domestic servants.

SECTION 5. POWER AND DUTIES OF THE OFFICER.

The City Council of the City of Pittston shall designate, by appropriate resolution, the Income Tax Officer who shall perform his duties in accord with section 13, V, of "The Local Tax Enabling Act". and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the custodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quarter those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. ADMINISTRATION.

The Income Tax Officer shall be selected from time to time by resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designate as Income Tax Officer for the year 1978 the H.A. Berkheimer Associates, to serve at a compensation of 4% of Tax Collected.

SECTION 8. APPLICABILITY.

The Tax imposed in Section III of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution and Laws of the Commonwealth of Pennsylvania.

SECTION 9. SEVERABILITY.

The provisions of this Ordinance are severable, if any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intension of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith be and the same hereby repealed.

SECTION 11.

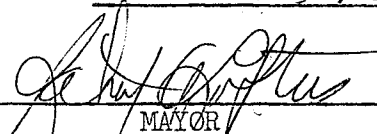
The Ordinance shall become effective January 1, 1978.


PASSED FIRST READING: November 29, 1977

PASSED SECOND READING: December 30, 1977

PASSED THIRD READING: December 30, 1977

ATTESTED: December 30, 1977 APPROVED: December 30, 1977


MAYOR


CITY CLERK

FILE OF COUNCIL

NO. 1, (1978)

MAYOR ROBERT A. LOFTUS, IN PLACE

SEPTEMBER 13, 1978

A N O R D I N A N C E

"REGULATING TRAFFIC ON CERTAIN STREETS IN THE CITY OF PITSTON; PROVIDING FOR THE ERECTION OF TRAFFIC SIGNS AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HERewith."

BE IT ORDAINED by the Council of the City of Pittston, and it is hereby ordained by the authority of the same, that,

SECTION 1. On Ormsby Alley, traffic shall move only in a Westerly direction from Green Street to North Main Street.

SECTION 2. A sign indicating the direction of traffic, shall be erected and maintained at every intersection where movement of traffic in the opposite direction is prohibited.

SECTION 3. ANY person or persons violating the provisions hereof shall be prosecuted under the provisions of the Pennsylvania Vehicle Code.


SECTION 4. All Ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.

PASSED FIRST READING: September 13, 1978

PASSED SECOND READING: October 11, 1978

PASSED THIRD READING: October 11, 1978

ATTESTED: October 11, 1978 APPROVED: October 11, 1978


MAYOR


CITY CLERK

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C I T Y   O F   P I T T S T O N  
  
P E N N S Y L V A N I A  
  
BUDGET FOR  
YEAR 1979  
  
_____  
PATRICK J. COLLINS  
_____
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DIRECTOR OF ACCOUNTS AND FINANCE

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Gentlemen:

The following are the estimated receipts for the year 1979 including the General and Liquid Fuels Fund; and Federal Revenue Sharing Fund; and Community Development Fund:

GENERAL FUND

OPERATION AND MAINTENANCE

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year.....\$ 75,647.00

REVENUE RECEIPTS:

TAXES:

(a) Real Estate Tax

Levy on \$8,943,565.00

Valuation at 23 mills\$205,704.96

Less 5% uncollectible current year 10,285.25

Net Amount from current Occupational Tax 195,419.71

(b) Occupation Tax

Levy on \$338,140.00

Valuation at 23 Mills\$ 7,784.29

Less 10% uncollectible current year 778.43

Net Amount from current Occupational Tax 7,005.86

Delinquent Real Estate & Occupational Taxes 26,542.43

Earned Income Tax (Act 511) 160,000.00

Liquor Licenses 13,750.00

City Licenses and Permits 18,000.00

Parking Meter Fees 30,000.00

Parking Violations and Fines 25,000.00

Pittston Area School Dist. 1/3 Share Exp. of Treas. Office ... 13,840.00

Luzerne County Treasurer 1/3 Share Exp. of Treas. Office 13,840.00

Rental of City Property and Equipment 12,000.00

Municipal Liens 1,500.00

Pave Cuts 500.00

Refunds 4,000.00

Pittston Housing Auth. and Pa. Utility Realty Tax 10,000.00

Street Improvement Liens 1,000.00

Miscellaneous Receipts 5,000.00

Real Prop. Trans. Tax of $\frac{1}{4}$ of 1% (Act 511) 10,000.00

Occupational Privilege Tax (Act 511) 20,000.00

Ash & Refuse Garbage Fees 35,000.00

Accounts receivable 38,000.00

Luzerne County Humane Resources 70,000.00

Redevelopment-Parking Auth.-Urban Planning-General Purposes. 75,000.00

\$861,945.00

LIQUID FUELS TAX FUND

BALANCE FROM PREVIOUS YEAR:

Cash in bank at beginning of year\$ 14,959.17

ESTIMATED RECEIPTS:

State Motor License Fund Grants from
Commonwealth of Pennsylvania - Act 145\$ 52,149.39

TOTAL ESTIMATED RECEIPTS AND BALANCE\$ 67,108.56

FEDERAL REVENUE SHARING FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ 86,000.00

ESTIMATED RECEIPTS:

Federal Revenue Sharing Grants\$107,393.00

TOTAL ESTIMATED RECEIPTS & BALANCE\$193,393.00

COMMUNITY DEVELOPMENT FUND

BALANCE FROM PREVIOUS YEAR:

Cash in Bank at beginning of year\$ -0-

ESTIMATED RECEIPTS:

Federal Community Development Grant\$240,000.00

TOTAL ESTIMATED RECEIPTS AND BALANCE\$240,000.00

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

| | |
|-----------------------------------|-----------------------|
| General Fund | \$ 861,945.00 |
| Liquid Fuels Tax Fund | 67,108.56 |
| Federal Revenue Sharing Fund | 193,393.00 |
| Community Development Fund | <u>240,000.00</u> |
| TOTAL | <u>\$1,362,446.56</u> |

Respectfully submitted,

PATRICK J. COLLINS
Director Dept. of
Accounts & Finance

PROPOSED BUDGET
FILE OF COUNCIL NO. 2 (1978)

HON. ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1978

AN ORDINANCE

"TO PROVIDE FOR THE PAYMENT OF THE DEBTS AND EXPENSES OF THE CITY OF PITTSBURGH FOR THE FISCAL YEAR COMMENCING JANUARY 1, 1979 AND ENDING DECEMBER 31, 1979."

GENERAL FUND

DEPARTMENT OF PUBLIC AFFAIRS

OFFICE OF MAYOR:

| | | |
|------------------|-------------|----------|
| Salary of Mayor | \$ 1,500.00 | |
| Office Supplies | 300.00 | |
| Premium on Bonds | 30.00 | 1,830.00 |

BUREAU OF POLICE:

| | | |
|---|--------------|------------|
| Salary of Chief of Police | \$ 16,200.00 | |
| Salary of Sergeants (2) 13,200.00 ea. | 26,400.00 | |
| Salary of Patrolman (7) 12,400.00 ea. | 86,800.00 | |
| Salary of Police Clerks (1) 12,400.00 ea. | 12,400.00 | |
| Wages of Relief Officers @ (\$4.50 per.hr.) | 35,000.00 | |
| Wages of School Patrolman @ (\$2.80 per. hr.) | 7,500.00 | |
| Paid Holidays | 5,000.00 | |
| Uniforms-Clothing, Etc. | 3,000.00 | |
| Printing of Violation Tickets, Etc. | 600.00 | |
| Material for Repairs & Replacement-Auto | 1,000.00 | |
| Gas & Oil | 3,000.00 | |
| Firearms-Ammunition-Police Equip.-Supplies | 500.00 | |
| Traffic Signal Maintenance-Lamps-Supplies | 500.00 | |
| Light Service for traffic Signals | 400.00 | |
| Street Marking-Signs-Material- Supplies | 400.00 | |
| Maint.-Repair of Mobile Police Radio | 250.00 | |
| Care and feeding of Prisoners | 150.00 | |
| Parking Meter Maint. and Repair | 550.00 | |
| Police Schedule Bond-Insurance-Blue Cross | 8,500.00 | 208,150.00 |

BUREAU OF ENGINEERING & BUILDING INSPECTION:

| | | | |
|--------------------------------------|----|----------|----------|
| Salary of Engineer & Bldg. Inspector | \$ | 4,000.00 | |
| Salary of Clerk | | 1,200.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Periodicals | | 25.00 | 5,405.00 |

BUREAU OF HEALTH & WEIGHTS & MEASURES:

| | | | |
|--------------------------------------|----|----------|----------|
| Salary of Health Inspector | \$ | 500.00 | |
| Salary of Sealer & Weights Inspector | | 1,000.00 | |
| Contribution to Board of Health | | 300.00 | |
| Office Supplies | | 25.00 | |
| Parcel Post and Postage | | 25.00 | |
| Premium on Bonds | | 30.00 | 1,880.00 |

| | | | |
|--|--|--|------------|
| TOTAL - DEPARTMENT OF PUBLIC AFFAIRS | | | 217,265.00 |
|--|--|--|------------|

DEPARTMENT OF ACCOUNTS & FINANCE

OFFICE OF DIRECTORS:

| | | | |
|--------------------------------|----|----------|-----------|
| Salary of Director | \$ | 1,000.00 | |
| Salary of Assistant Director | | 9,700.00 | |
| Office Supplies | | 1,000.00 | |
| Advertising & Printing Reports | | 150.00 | |
| Premium on Bonds | | 60.00 | 11,910.00 |

OFFICE OF CITY CLERK:

| | | | |
|----------------------------------|----|-----------|-----------|
| Salary of City Clerk | \$ | 16,200.00 | |
| Salary of Clerk | | 8,200.00 | |
| Office Supplies | | 700.00 | |
| Advertising-Ordinances & Reports | | 1,000.00 | |
| Other Expenses | | 250.00 | |
| Premium on Bonds | | 50.00 | 26,400.00 |

OFFICE OF CITY CONTROLLER:

| | | | |
|----------------------|----|----------|----------|
| Salary of Controller | \$ | 1,000.00 | |
| Office Supplies | | 150.00 | |
| Premium on Bonds | | 30.00 | |
| Advertising | | 150.00 | 1,330.00 |

OFFICE OF CITY TREASURER:

| | | | |
|---|----|-----------------|-----------|
| Salary of City Treasurer | \$ | 500.00 | |
| Salary of Tax Collector | | 9,500.00 | |
| Salary of Tax Clerks (3) \$8,200.00 ea. | | 24,600.00 | |
| Office Supplies | | 1,500.00 | |
| Printing Tax Statements & Notices | | 500.00 | |
| Premium on Bonds & Insurance | | <u>2,250.00</u> | 38,850.00 |

OFFICE OF OCCUPATIONAL TAX:

| | | | |
|--------------------------|--|-----------------|----------|
| Compensation - Collector | | <u>1,500.00</u> | 1,500.00 |
|--------------------------|--|-----------------|----------|

OFFICE OF EARNED INCOME TAX:

| | | | |
|--------------------------|--|-----------------|----------|
| Compensation - Collector | | <u>7,000.00</u> | 7,000.00 |
|--------------------------|--|-----------------|----------|

LAW DEPARTMENT:

| | | | |
|---|--|--------------|----------|
| Salary of City Solicitor | | 4,000.00 | |
| Office Supplies | | 50.00 | |
| Premium on Bonds | | 30.00 | |
| Filing of Liens & Judgements & Special Laws | | <u>50.00</u> | 4,130.00 |

BUREAU OF TAX ASSESSMENT:

| | | | |
|---|--|---------------|----------|
| Salary of Assessor | | 750.00 | |
| Salary of Sub-Assessor (5) \$700.00 ea. | | 3,500.00 | |
| Office Supplies | | 500.00 | |
| Maintenance of Addressograph | | <u>500.00</u> | 5,250.00 |

| | | | |
|--|--|--|-------------------------|
| TOTAL - DEPARTMENT OF ACCOUNTS & FINANCE | | | <u><u>96,370.00</u></u> |
|--|--|--|-------------------------|

DEPARTMENT OF PUBLIC SAFETY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|--------------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | <u>30.00</u> | <u>1,030.00</u> |

BUREAU OF FIRE:

| | | | |
|--|--------------|-----------------|------------------|
| Salary of Fire Chief | \$ | 600.00 | |
| Salary of Assistant Fire Chiefs (2) | \$600.00 ea. | 1,200.00 | |
| Salary of Relief Drivers | | 25,000.00 | |
| Wages - Volunteer Firemen | | 10,000.00 | |
| Paid Holidays | | 5,000.00 | |
| Uniforms - Clothing, Etc. | | 2,100.00 | |
| Hydrants Rentals - Water Supply | | 5,000.00 | |
| Material for Repairs & Replacement-Auto Equip. | | 1,000.00 | |
| Gas & Oil | | 500.00 | |
| Purchase of other minor Equipment | | 250.00 | |
| Fire Hose and Couplings | | 1,500.00 | |
| Insurance & Blue Cross | | 5,000.00 | |
| Maintenance and repair of Mobile Radio | | 150.00 | |
| Material & Supplies | | 350.00 | |
| Fuel-Light-Water | | 600.00 | |
| Rental Building-Eagle Hose Co. | | <u>3,600.00</u> | <u>61,850.00</u> |

OFFICE OF PLUMBING INSPECTION:

| | | | |
|------------------------------|----|---------------|---------------|
| Salary of Plumbing Inspector | \$ | <u>700.00</u> | <u>700.00</u> |
|------------------------------|----|---------------|---------------|

FIRE ALARM & POLICE SIGNAL SYSTEM:

| | | | |
|---------------------------------------|----|---------------|------------------|
| Telephone Rental, Tolls & Switchboard | \$ | 10,000.00 | |
| Fire Alarm System-Maintenance-Repair | | <u>600.00</u> | <u>10,600.00</u> |

| | | | |
|---|--|--|-------------------------|
| TOTAL - DEPARTMENT OF PUBLIC SAFETY | | | <u><u>74,180.00</u></u> |
|---|--|--|-------------------------|

DEPARTMENT OF STREETS AND PUBLIC IMPROVEMENTS

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|--------------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | <u>30.00</u> | <u>1,030.00</u> |

BUREAU OF HIGHWAYS:

| | | | |
|--|----|-----------------|-------------------|
| Salary of Superintendent of Streets | \$ | 12,600.00 | |
| Salary of Clerk | | 10,000.00 | |
| Wages of Laborers-General Maintenance (@ \$3.65 Per Hr.) | | 35,000.00 | |
| Wages of Laborers-Cleaning Catch Basins (@ \$3.65 Per.Hr.) | | 15,000.00 | |
| Road Material & Maintenance-Street Paving | | 10,000.00 | |
| Salt for De-Icing Streets | | 5,000.00 | |
| Material & Supplies | | 5,000.00 | |
| Office Supplies | | 100.00 | |
| Material for Repairs & Replacements- Automotive Equipment | | 3,000.00 | |
| Gas & Oil | | 3,000.00 | |
| Rental of Equipment-Snow Removal-Storm Sewers, & Major Excavation | | 10,000.00 | |
| Fuel-Light-Water | | 900.00 | |
| Premium on Bonds and Insurance | | 3,000.00 | |
| Replacement small Tools & Minor Equipment | | 500.00 | |
| Other Expenses | | <u>1,000.00</u> | <u>114,100.00</u> |

BUREAU OF STREET CLEANING:

| | | | |
|---|--|-----------------|------------------|
| Wages-Laborers-Street Cleaning (@ \$3.65 per hr.) | | 20,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | | <u>1,000.00</u> | <u>21,000.00</u> |

BUREAU OF ASH AND RUBBISH DISPOSAL:

| | | | |
|---|--|------------------|------------------|
| Wages of Laborers (@\$3.65 per hr) | | 35,000.00 | |
| Material for Repairs & Replacements Automotive Equipment | | 750.00 | |
| Gas & Oil | | 3,500.00 | |
| Sanitary Landfill Authority Fee | | <u>20,000.00</u> | <u>59,250.00</u> |

BUREAU OF STREET LIGHTING:

| | | | |
|---------------|--|------------------|------------------|
| Light Service | | <u>50,000.00</u> | <u>50,000.00</u> |
|---------------|--|------------------|------------------|

| | | | |
|---|--|--|--------------------------|
| TOTAL - DEPARTMENT OF STREETS & PUBLIC IMPROVEMENTS | | | <u><u>245,380.00</u></u> |
|---|--|--|--------------------------|

DEPARTMENT OF PARKS AND PUBLIC PROPERTY

OFFICE OF DIRECTOR:

| | | | |
|--------------------|----|----------|-----------------|
| Salary of Director | \$ | 1,000.00 | |
| Premium on Bond | | 30.00 | <u>1,030.00</u> |

OPERATION AND MAINTENANCE-BUILDING:

| | | |
|---|-----------------|------------------|
| Salary of Janitor | 4,770.00 | |
| Material & Supplies | 1,200.00 | |
| Fuel-Light-Water | 10,000.00 | |
| Insurance City Building | 2,000.00 | |
| Plumbing and Boiler Repairs | 600.00 | |
| Repairs and Improvements to City Bldgs. | <u>2,000.00</u> | <u>20,570.00</u> |

PARKS AND RECREATION:

| | | |
|-------------------------|-----------------|------------------|
| Salary and Wages | 8,500.00 | |
| Material and Supplies | 2,000.00 | |
| Maintenance and Repairs | <u>2,000.00</u> | <u>12,500.00</u> |

| | |
|---|-------------------------|
| TOTAL - DEPARTMENT OF PARKS & PUBLIC PROPERTY | <u><u>34,100.00</u></u> |
|---|-------------------------|

MISCELLANEOUS ACCOUNTS:

| | |
|--|-----------|
| Compensation and Liability & Fire Ins. | 70,000.00 |
| | 8,000.00 |
| | 100.00 |
| | 1,500.00 |
| | 50.00 |
| | 3,000.00 |
| Pennsylvania League of Cities | 1,000.00 |
| Urban Planning-Redevelopment-Parking Auth. | |
| Gen. Purposes-Wyo. Valley Sanitary Auth. | 75,000.00 |
| Social Security | 25,000.00 |

PENSIONS:

| | | |
|--------------------------------|-----------------|-------------------|
| City Employees Retirement Fund | 4,500.00 | |
| Firemen's Pension Fund | 4,500.00 | |
| Policemen's Pension Fund | <u>4,500.00</u> | <u>194,650.00</u> |

| | |
|---|--------------------------|
| TOTAL - OPERATION AND MAINTENANCE- GENERAL FUND | <u><u>861,945.00</u></u> |
|---|--------------------------|

ESTIMATED LIQUID FUELS TAX FUND EXPENDITURES

75% - Material and Wages\$ 36,627.91
25% - Construction of Streets 30,480.65
TOTAL - LIQUID FUELS TAX FUND EXPENDITURES \$ 67,108.56

ESTIMATED FEDERAL REVENUE SHARING FUND EXPENDITURES

OPERATION AND MAINTENANCE:

Public Safety\$110,000.00
Financial Administration 12,393.00
Libraries 6,000.00
\$128,393.00

CAPITAL OUTLAY:

Public Safety\$ 20,000.00
Public Improvements 25,000.00
Housing Community Development 20,000.00
\$ 65,000.00

TOTAL - FEDERAL REVENUE SHARING FUND EXPENDITURES \$193,393.00

ESTIMATED COMMUNITY DEVELOPMENT FUND EXPENDITURES

Redevelopment Authority of Pittston\$240,000.00

TOTAL - COMMUNITY DEVELOPMENT FUND EXPENDITURES \$240,000.00

SUMMARY OF ESTIMATED RECEIPTS & BALANCES

General Fund\$ 861,945.00
Liquid Fuels Tax Fund 67,108.56
Federal Revenue Sharing Fund 193,393.00
Community Development Fund 240,000.00
TOTAL \$1,362,446.56

PASSED FIRST READING: November 29, 1978
PASSED SECOND READING: December 29, 1978
PASSED THIRD READING: December 29, 1978

ATTESTED: December 29, 1978 APPROVED December 29, 1978

ROBERT A. LOFTUS
MAYOR

ANTHONY L. FERRARA
CITY CLERK

FILE OF COUNCIL

NO. 3 (1978)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1978

"A N O R D I N A N C E"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1979."

SECTION 1. Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year, 1979, and certain deficiencies prior thereto, a tax is hereby levied on all persons, above the age of eighteen (18) years, occupation, real, personal, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purposes as follows:


"To provide for revenue purposes and for the payment of necessary bills to support the City and to make necessary improvements, there is hereby levied twenty-three (23) mills on the dollar of valuation, which is two and 30/100 (\$2.30) Dollars on each One Hundred (\$100.00) Dollars of assessed valuation of taxable property."

PASSED FIRST READING: November 29, 1978

PASSED SECOND READING: December 29, 1978

PASSED THIRD READING: December 29, 1978

ATTESTED: December 29, 1978 APPROVED: December 29, 1978


MAYOR


CITY CLERK

FILE OF COUNCIL

No. 4 (1978)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1978

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES A ONE-HALF OF ONE PER-CENT ($\frac{1}{2}$ of 1%) TAX UPON THE TRANSFER OF REAL ESTATE WITHIN THE CITY."

Whereas, the City of Pittston has presently in force an ordinance imposing a one-half of one per-cent ($\frac{1}{2}$ of 1%) transfer tax on the transfer of real estate within the City, and

Whereas, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year, 1979.

NOW, THEREFORE, be it ordained by the Council of the City of PITSTON and it is hereby ordained by the authority of the same,

SECTION 1. That the Real Estate Transfer Tax on one-half of one per-cent ($\frac{1}{2}$ of 1%) presently enforced in the City re-enacted for the fiscal year, beginning January 1, 1979.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective immediately upon final enactment.

PASSED FIRST READING: November 29, 1978

PASSED SECOND READING: December 29, 1978

PASSED THIRD READING: December 29, 1978

ATTESTED: December 29, 1978 APPROVED: December 29, 1978


MAYOR


CITY CLERK

F I L E O F C O U N C I L

NO. 5 (1978)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1978

"A N O R D I N A N C E"

Imposing a tax for general revenue purposes for the fiscal year 1979, on all individuals for the privilege of engaging in occupation within the corporate limits of the City of Pittston at the rate of Ten (\$10.00) Dollars per year; providing for its collection; imposing on employers the duty of collecting said tax from every individual in their employ subject to said tax and remitting and paying over the same to the Occupation Tax Collector; conferring and imposing powers and duties of administration on the Occupation Tax Collector; and imposing penalties for the violation thereof.

BE IT ORDAINED AND ENACTED AND IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSTON, LUZERNE COUNTY, PENNSYLVANIA, UNDER THE AUTHORITY OF ACT 511 OF 1965, APPROVED DECEMBER 31, 1965, AS FOLLOWS:

SECTION 1. Definition

The following words and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section, except where the context or language clearly indicates or requires a different meaning.

(a) "Individual" shall mean a person, male or female, engaged in any occupation, trade or profession within the corporate limits of the City of Pittston.

(b) "Occupation" shall mean any trade, profession, business or undertaking of any type, kind or character, including services, domestic or other, carried on or performed within the corporate limits of the City of Pittston for which compensation is charged or received whether by means of salary, wages, commissions, or fees for services rendered.

(c) "Employer" shall mean an individual, partnership, association, corporation, governmental body, agency, or other entity employing one or more persons on a salary, wages, commission or other compensation basis, including a self-employed person.

(d) "Tax" shall mean the Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars levied by this ordinance.

(e) "Occupation Tax Collector" shall mean the person appointed by the City Council of the City of Pittston, under whose direction this tax shall be enforced.

(f) "Fiscal Year" shall mean the twelve (12) months period beginning January 1, 1979, and ending December 31, 1979.

(g) "City of Pittston" shall mean the area within the corporate of the City of Pittston.

(h) "He", "His", or "Him" shall mean and indicate the singular and plural number as well as male, female, and neuter gender.

SECTION 2. Levy.

The City of Pittston hereby levies and imposes on each individual engaged in an occupation during the fiscal year of 1979 within the corporate limits of the City of Pittston an Occupation Privelege Tax. This tax is in addition to all other taxes of any kind or nature heretofore levied by the City of Pittston.

SECTION 3. Amount of Tax.

Beginning with the first day of January, 1979, each individual engaged in an occupation as hereinbefore defined within the City of Pittston shall be required to pay an Occupation Privilege Tax in the amount of Ten (\$10.00) Dollars per annum.

SECTION 4. Collection at Source.

A. Every employer having an office, factory, workshop, warehouse, or other place of business within the corporate limits of the City of Pittston shall deduct the tax imposed by this Ordinance on the earned income due to his employee or employees and shall file quarterly returns and final returns and pay quarterly to the officer, the amount of taxes deducted, all as set forth in Section 13, IV of "The Local Tax Enabling Act", its supplements and amendments.

B. No employer shall be required to register, deduct taxes, file returns or pay taxes in the cases of domestic servants.

SECTION 5. Power And Duties Of The Officer.

The City Council of the City of Pittston shall designate, by appropriate resolution the Income Tax Officer who shall perform his duties in accord with section 13, V, of "The Local Tax Enabling Act", and such rules and regulations relating to administration and enforcement of this Ordinance as may be approved by Council.

The Income Tax Officer shall be bonded in accordance with provisions of Section 13 of "The Local Tax Enabling Act", and the sustodian of said bond shall be the Treasurer of the City of Pittston.

The Income Tax Officer shall turn over to the Treasurer of the City of Pittston at the expiration of each respective quarter those amounts duly collected by him as revenue of the tax promulgated through the provisions of the Ordinance.

SECTION 6. Administration.

The Income Tax Officer shall be selected from time to time by resolution of, and shall receive such compensation for his services and expenses as determined from time to time by the Council of the City of Pittston. Such officer shall have the powers and duties, and be subject to the penalties, provided in "The Local Tax Enabling Act", its supplements and amendments.

SECTION 7.

The City of Pittston does hereby designate as Income Tax Officer for the year 1979 the H.A. Berkheimer Associates, to serve at a compensation of 3.50% of Tax Collected.

SECTION 8. Applicability.

The Tax imposed in Section II of this Ordinance shall not be levied on the net profits of any person, institution, or organization as to whom it is beyond the power of the Council of the City of Pittston to impose said tax under the Constitution of the United States of America or the Constitution and laws of the Commonwealth of Pennsylvania.

SECTION 9. Severability.

The provisions of this Ordinance are severable, if any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid part not been included herein.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith be and the same hereby repealed.

SECTION 11.

The Ordinance shall become effective January 1, 1979

PASSED FIRST READING: November 29, 1978

PASSED SECOND READING: December 29, 1978

PASSED THIRD READING: December 29, 1978

ATTESTED: December 29, 1978 APPROVED: December 29, 1978

Anthony J. Ferrara
CITY CLERK

[Signature]
MAYOR

F I L E O F C O U N C I L

NO. 6 (1978)

MAYOR ROBERT A. LOFTUS IN PLACE

NOVEMBER 29, 1978

"A N O R D I N A N C E"

IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION DURING THE PERIOD BEGINNING JANUARY 1, 1979, OR THE EFFECTIVE DATE OF THIS ORDINANCE, AND CONTINUING FOR EACH TAXABLE YEAR THEREAFTER, BY RESIDENTS OF THE CITY OF PITTSBURGH, AND ON SALARIES, WAGES, COMMISSIONS AND OTHER COMPENSATION EARNED DURING SAID PERIOD BY NON-RESIDENTS OF THE CITY OF PITTSBURGH FOR WORK DONE, OR SERVICES PERFORMED OR RENDERED IN THE CITY OF PITTSBURGH, AND ON THE NET PROFITS EARNED DURING SAID PERIOD FROM BUSINESSES, PROFESSIONS OR OTHER ACTIVITIES CONDUCTED IN THE CITY OF PITTSBURGH, BY NON-RESIDENTS; REQUIRING THE FILING OF DECLARATIONS AND RETURNS, AND THE GIVING OF INFORMATION BY EMPLOYERS AND BY THOSE SUBJECT TO THE TAX, IMPOSING ON EMPLOYERS THE DUTY OF COLLECTING THE TAX AT SOURCE, PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE ORDINANCE, AND IMPOSING PENALTIES FOR VIOLATIONS THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH, LUZERNE COUNTY, PENNSYLVANIA, BY VIRTUE OF AND UNDER THE AUTHORITY VESTED IN IT BY "THE LOCAL TAX ENABLING ACT" (ACT #511 OF 1965) OF DECEMBER 31, 1965, P.L. 1257, AS AMENDED, (hereinafter referred to as "THE LOCAL ENABLING ACT") as follows:

SECTION 1. INCORPORATION OF STATUTE.

The provisions of Section 13 of "The Local Tax Enabling Act" (Act #511 of 1965) of December 31, 1965, P.L. 1257, its supplements are incorporated herein by reference, with the exception of where hereinafter it is specifically provided otherwise. A copy of the said provisions of section 13 is designated Addendum "1" and attached hereto and made an integral part of this ordinance, as is more fully delineated in the body of the ordinance.

SECTION 2. IMPOSITION OF TAX.

A tax for general revenue purposes in the amount of one-half of 1 percent is hereby imposed on earned income and net profits earned by residents of the City of Pittsburgh, and on earned income and net profits earned by non-residents of the City of Pittsburgh for work done, or services performed or rendered in the City of Pittsburgh, during the taxable period beginning on the 1st day of January, 1979, or the effective date of this ordinance and continuing for each taxable year thereafter, without annual re-enactment.

SECTION 3. DECLARATION, RETURN & PAYMENT OF TAX.

A. NET PROFITS

Quarterly Payments.

1. Every tax payer making net profits shall on or before April 15, of each year, make and file a declaration of his estimated net profits for the current year and shall pay the tax due thereon in quarterly installments and shall file a final return, and pay to the officer the balance of the tax due, all as provided in section 13, 111, A. (111), (2) (3) (4) (5) of "The Local Tax Enabling Act", its supplements and amendments.

B. Earned Income.

1. Every taxpayer shall make and file returns and pay the taxes due, all as provided in section 13, 111 B, First paragraph of "The Local Tax Enabling Act", its supplements and amendments.

Quarterly Returns.

2. Every taxpayer who is employed for a salary, wages, or other compensation and who received any earned income not subject to the provisions relating to collection at source, shall make and file with the officer quarterly returns and shall pay Quarter-annually the amount of tax shown due on such returns, all as provided in Section 13, 111, B, (2) of "The Local Tax Enabling Act", its supplements and amendments.

SECTION 4. Duty of Employers.

Each employer within the City of Pittston as well as those employers situated outside the City of Pittston, but who engaged in business within the City of Pittston is hereby charged with the duty of collecting from each of his employees engaged by him and performing for him within the City of Pittston the said Tax of Ten (\$10.00) Dollars per annum and making a return and payment thereof to the Occupation Tax Collector. Further, each employer is hereby authorized to deduct this tax from each employee in his employ, whether said employee is paid by salary, wages or commission and whether or not part or all such services are performed within the City of Pittston.

SECTION 5. Returns.

Each employer shall prepare and file a return showing a computation of the tax on forms to be supplied to him by the Occupation Tax Collector's Office, City Hall, Pittston, Pennsylvania, each employer in filing this return and making payment of the tax withheld from his employees shall be entitled to retain a commission calculated at the rate of two percentum (2%) of the gross tax due and payable, provided that such tax is collected and paid over by the employer on or before the dates hereinafter set forth. It is further provided that if the employer fails to file said return and pay said tax, whether or not he makes collections thereof from the salary, wages, or commissions paid by him to said employees, the employer shall be responsible for the payment of the tax in full without deducting a commission and as though the tax had originally been levied against him.

SECTION 6. Dates for Determining Tax Liability and Payment.

Each employer shall use his employment records from the First day of January to the 15th. day of May, 1979 for determining the number of employees from whom said tax shall be deducted and paid over to the Occupation Tax Collector on or before June 15, 1979. Supplemental reports shall be made by each employer on August 15, 1979 and October 15, 1979 of new employees as reflected on his employment records from May 15, 1979 to August 15, 1979 and from August 15, 1979 to October 15, 1979. Payments of these supplemental reports shall be made on September 15, 1979 and November 15, 1979, respectfully.

SECTION 7. Individuals Engaged in More Than One Occupation.

Each individual who shall have more than one occupation within the City of Pittston shall be subject to the payment of this tax on his principal occupation and his principal employer shall deduct this tax and deliver to him evidence of deductions on a form to be furnished to the employer by the Occupation Tax Collector, which form shall be evidence of deductions having been made and when presented to any other employer shall be authority for such employer to not deduct this tax from the employees wages, but to include such employee on his return by setting forth his name, address, and the name and account number of the employer who deducted this tax.

SECTION 8. Self-Employed Individuals.

All self-employed individuals who perform services of any type or kind, engage in any occupation or profession within the City of Pittston shall be required to comply with the ordinance and pay the tax to the Occupation Tax Collector on June 15, 1979, or as soon thereafter as he engages in an occupation.

SECTION 9. Employers, Employees, and Self-Employed Individuals Residing Beyond the Corporate Limits of the City of Pittston.

All employers, employees, and self-employed individuals residing or having their place of business outside of the City of Pittston, but who perform services of any type or kind, or engage in any occupation or profession within the City of Pittston do by virtue thereof agree to be bound by and subject themselves to the provisions, penalties, and regulations promulgated under this ordinance with the same force and effect as though they were residents of the City of Pittston. Further, any individual engaged in an occupation within the City of Pittston, and an employee of a non-resident employer may, for the purpose of this ordinance, be considered a self-employed person, and in the event this tax is not paid, the City of Pittston shall have the option of proceeding against either the employer or employee for the collection of this tax as hereinafter provided.

SECTION 10. Administration of Tax.

(a) It shall be the duty of the Occupation Tax Collector to accept and receive payments of the tax and to keep a record thereof showing the amount received by him from each employer of self-employed person together with the date the tax was received.

(b) The Occupation Tax Collector is hereby charged with the administration and enforcement of this ordinance and is hereby charged and empowered to prescribe, adopt, promulgate rules and regulations relating to any matter pertaining to the administration and enforcement of this ordinance including provisions for the examination of the payroll records of any employer subject to this ordinance; the examination and correction of any return made in compliance with this ordinance and any payment alleged or found to be incorrect, or as to which overpayment is claimed or found to have occurred, any person aggrieved by any decision of the Occupation Tax Collector shall have the right to appeal to the Court of Common Pleas of Luzerne County as in other cases provided.

(c) The Occupation Tax Collector is hereby authorized to examine the books and payroll records of any employer in order to verify the accuracy of any return made by an employer, or, if no return was made, to ascertain the tax due. Each employer is hereby directed and required to give the Occupation Tax Collector the means, facilities and opportunity for such examinations.

SECTION 11. Suits for Collection.

(a) In the event that any tax under this ordinance remains due or unpaid thirty (30) days after the due dates above set forth, the Occupation Tax Collector may sue for the recovery of any such tax due or unpaid under this ordinance together with interest and penalty.

(b) If for any reason the tax is not paid when due, interest at the rate of six per-cent (6%) on the amount of said tax shall be calculated beginning with the due dates of said tax and penalty of five per-cent (5%) shall be added to the flat rate of said tax for nonpayment thereof. Where suit is brought for the recovery of this tax, the individual liable therefore shall, in addition, be responsible and liable for the costs of collections.

SECTION 12. Fine and Penalty.

Whoever makes any false or untrue statements on any return required by this ordinance, or who refuses inspection of his books, records, or accounts, in his custody and control setting forth the number of employees subject to this tax who are in his employment, or, whoever fails or refuses to file and return required by this ordinance, shall, upon conviction before any alderman or Magistrate, be sentenced to pay a fine of not more than three hundred (\$300.00) Dollars for each offense and in default of payment of said fine be imprisoned in Luzerne County Prison for a period not exceeding (30) thirty days for each offense. It is further provided that the action to enforce the fine and penalty herein provided may be instituted against any person in charge of the business of any employer who has failed or refuses to file a return required by this ordinance.

SECTION 13. Validity.

The provisions of this ordinance are severable and if any of its

provisions shall be held invalid or unconstitutional, the decision of the court shall not effect or invalidate any of the remaining provisions. It is hereby declared to be the legislative intent that this ordinance should have been adopted if such illegal, invalid or unconstitutional provision had not been included herein.

SECTION 14. Saving Clause.

(a) Nothing contained in this ordinance shall be constructed to empower the City of Pittston to levy and collected the tax hereby imposed on any occupation not within the taxing power of the City under the Constitution of the United States and the laws of the Commonwealth of Pennsylvania.

(b) If the tax hereby imposed under the provisions of this ordinance shall be held by any court of competent jurisdiction to be in violation of the Constitution of the United States or of the laws of the Commonwealth of Pennsylvania as to any individual the decision of the court shall not affect or impair the right to impose or collect said tax, or the validity of the tax so imposed on other persons or individuals as herein provided.

SECTION 15.

The City of Pittston does hereby designate as Occupation Tax Collector for the year 1979, the H.A. Berkheimer Associates, to serve at a compensation of 5% of Tax collected.

SECTION 16. Effective Date.

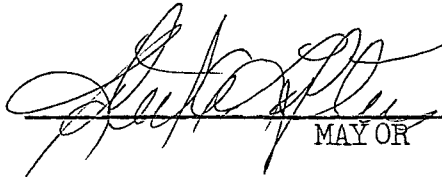
This ordinance shall become effective immediately and remain in force for the fiscal year of 1979.

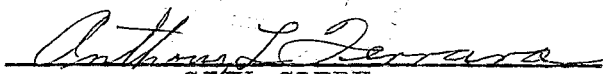
PASSED FIRST READING: November 29, 1978

PASSED SECOND READING: December 29, 1978

PASSED THIRD READING: December 29, 1978

ATTESTED: December 29, 1978 APPROVED: December 29, 1978


MAYOR


CITY CLERK