

COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

Tuesday, August 30, 2022, 10:00 A.M.

COUNCIL CHAMBERS & ZOOM MEETING

DIAL: +1 646 558 8656 US & INCLUDE THE MEETING ID: 456-920-3798 & PRESS#.

JOIN ONLINE AT: <https://us02web.zoom.us/j/4569203798>.

Committee responsibilities - Code Enforcement and Zoning, Future Zoning, Housing, Planning, Preservation/HARB, Downtown, Comprehensive Plan and Strategic Plan.

Committee Members: Toni Bell (Chair), Jim Huber and Nicholas McGaw.

Citizens to be heard:

Carolyn Yagle- Environmental Planning and Design- Zoning rehaul

1. Review of the code enforcement active status report from 10/01/2019- 08/29/2022.
2. Review of the code enforcement permit report from 08/01/2022- 08/29/2022.
3. Approval of the minutes from the 07/26/2022 meeting.
4. Review of the Flood Task Force meeting minutes from the 8/10/2022 meeting.
5. Discussion of the food truck ordinance- Michael Reffeor.
6. Discussion of appointing Vincent Peter Fayock to the Codes Appeal Board. Resume was sent out with the agenda. Note: There are two alternates with terms expiring 12/31/2022.
7. Update on the acquisition and demolition application of 102 Leonard Street.

Old business:

Ostergaard Acoustical Associates.

Next meeting: September 20, 2022



Town of Bloomsburg

Case Report

10/1/2019 - 08/29/2022

Case #	Assigned To	Owner Name	Main Status	Description	Parcel Address
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Group: Citation Issued

220279	Michael Reffeor	B & D LLC	Citation Issued	grass and weeds	125 NORTH ST
220275	Michael Reffeor	SNYDER JASON D	Citation Issued	Grass and rubbish	254 E EIGHTH ST
220088	Kyle Bauman	WHITEHAIR ROY ALLAN	Citation Issued	Sidewalk Deviation	274 E TENTH ST
210410	Kyle Bauman	DEMELFI VINCENT J	Citation Issued	Condemned	239241 W FIRST ST
210241	Michael Reffeor	BRADY PATRICK JAMES	Citation Issued	Weeds, paint, windows	236238 W RIDGE AVE
210226	Kyle Bauman	ALL ACCESS MONTOUR LLC	Citation Issued	Structure unfit for human occupancy/ Grass and weeds (9 citations issued)	405 MILLVILLE RD
210224	Michael Reffeor	Salguero Jainer Ariel Aldana and Leily Marily Ramos Milla	Citation Issued	Grass and weeds	576 Rear Main Street
210215	Michael Reffeor	PENMAN JANINE	Citation Issued	Siding, weeds, rubbish	161 E FIFTH ST
210214	Michael Reffeor	KALBACH ROSEMARIE	Citation Issued	Garbage	179181 RAILROAD ST
200466	Michael Reffeor	DEMELFI VINCENT J	Citation Issued	(Plan of action completion 6-1-21 deadline) Dilapidated structure (2 citations issued)	239241 W FIRST ST
200122	Michael Reffeor	SNYDER JASON D	Citation Issued	Structure unfit for human occupancy	254 E EIGHTH ST
190042	Kyle Bauman	GROHOWSKI TODD	Citation Issued	EXTERIOR CONDITIONS (Additional Citation Issued)	330 LEONARD ST

Group Total: 12

Group: NOV Issued

220298	Michael	BLOOM REAL	NOV	Disruptive Conduct	61 Iron Street
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	Reffeor	ESTATE LP C/O KEYSTONE REAL ESTATE	Issued		(8894 KNAPP AVE)
220297	Gregory Ash	EFFANGE ROBERT JOHNSON ESOMBI ELSIE NGOWO EFFANGE MBELLA	NOV Issued	Tall Grass and Weeds	147 W FIFTH ST
220295	Michael Reffeor	ECK GABRIEL & KATERI	NOV Issued	grass	201 FAIR ST
220294	Kyle Bauman	ROOSA MICHAEL D & SHELLI R	NOV Issued	Grass and abandoned vehicle	351353 W FIFTH ST
220293	Michael Reffeor	BLOOM REAL ESTATE LP C/O KEYSTONE REAL ESTATE	NOV Issued	grass and weeds	401403 LIGHTSTREET RD
220292	Michael Reffeor	R M PROPERTY MANAGEMENT LLC	NOV Issued	grass and weeds	118120 MURRAY AVE
220291	Kyle Bauman	RTH LTD	NOV Issued	Grass & Weeds	334336 W FOURTH ST
220290	Kyle Bauman	ECIFFO OFFICE LLC	NOV Issued	Fall on Sidewalk	2931 E MAIN ST
220288	Kyle Bauman	SPIWAK DAVID M & TERESA D	NOV Issued	Electrical Fire	230232 SCOTT AVE
220287	Kyle Bauman	SPIWAK DAVID M	NOV Issued	Roof leak	420 W MAIN ST
220286	Gregory Ash	BOWMAN SARA A	NOV Issued	Tall Grass and Weeds	808 OLD BERWICK RD
220284	Gregory Ash	KNELLY CHARLES O & RALPH S	NOV Issued	Rubbish & Municipal Waste	445447 WEST ST
220283	Gregory Ash	LEININGER L ROBERT	NOV Issued	tall grass and weeds	222224 W EIGHTH ST
220277	Michael Reffeor	SUSQUEHANNA RENTALS INC	NOV Issued	grass and weeds	311 LIGHTSTREET RD
220270	Michael Reffeor	SONES DWAYNE L & KAREN M	NOV Issued	Sidewalk and tree	1027 CATHERINE ST
220269	Kyle Bauman	FENG ZHENGJIE YANHUI PANG	NOV Issued	NSR Expiration	800 COUNTRY CLUB DR
220264	Michael Reffeor	MIOSI THOMAS J & ALEXANDRA	NOV Issued	sidewalk deviation and tree removal	243 E TENTH ST

220263	Michael Reffeor	COMREY DAVID J	NOV Issued	sidewalk deviation and tree removal	229 E TENTH ST
220262	Michael Reffeor	FRENCH BEATRICE A & JOHN R	NOV Issued	sidewalk deviation	219 E TENTH ST
220257	Gregory Ash	Pixie Hideaways LLC	NOV Issued	Tall Grass and Weeds(on porch & house)	728 POPLAR ST
220256	Michael Reffeor	SERVICE ELECTRIC CABLEVISION INCORPORATED	NOV Issued	parking lot potholes	245 IRON ST
220255	Gregory Ash	PATEL JIGNESH	NOV Issued	Tall Grass and Weeds	329331 MARY AVE
220241	Kyle Bauman	BASILIO JOANNA JUAN ALVAREZ	NOV Issued	Grass & Weeds - NSR	557561 W MAIN ST
220236	Kyle Bauman	VANNATTA MARK R	NOV Issued	Sanitation Concerns	236238 W ANTHONY AVE
220209	Michael Reffeor	CENTRAL PA PETROLEUM LLC	NOV Issued	Dilapidated signage	502 W MAIN ST
220199	Kyle Bauman	BEAGLE MATTHEW E & ETAL TRUSTEES C/O DALE BEAGLE	NOV Issued	Sidewalk Deviation	404 MARKET ST
220172	Michael Reffeor	NANCY AND RAYMOND CHULOCK	NOV Issued	Electrical hazard	130 E TENTH ST
220170	Michael Reffeor	VENTURI ENTERPRISE INC	NOV Issued	Weeds and porch	250 W FIRST ST
220134	Michael Reffeor	TEENER BARBARA C/O THOMAS GORDON	NOV Issued	Exterior and weeds	430 EAST ST
220118	Kyle Bauman	ISIS HOLDING LTD	NOV Issued	Accessory Structure, Municipal Waste, Unregistered Vehicle	259265 E SIXTH ST
220103	Michael Reffeor	SUSQUEHANNA RENTALS INC	NOV Issued	multiple maintenance issues	269 W FIRST ST
220090	Kyle Bauman	BLOOM REAL ESTATE LP	NOV Issued	Parking Lot Deviations	
220089	Kyle Bauman	MALIA SHANE P	NOV Issued	Interior conditions	208 W FIRST ST
220059	Kyle Bauman	KESTER ANTOINETTE	NOV Issued	Unsafe Structure	290 W ELEVENTH ST

220049	Michael Reffeor	HOWELL D RANDY & TINA M	NOV Issued	Unfit conditions	550 MILLVILLE RD
220048	Kyle Bauman	VERSTRAETEN FRANS A & CHERYL	NOV Issued	Sidewalks	5759 E MAIN ST
220032	Michael Reffeor	WATSON WILLIAM E	NOV Issued	Unsafe Structure	159 W FOURTH ST
210419	Michael Reffeor	WANDELL RENEE L	NOV Issued	Unsafe building	218220 E TENTH ST
210392	Michael Reffeor	MUELLER KENNETH A	NOV Issued	(Action plan in progress) Dilapidated structure	540542 JEFFERSON ST
210391	Michael Reffeor	MAUSTELLER RANDALL J	NOV Issued	Unfit for human occupancy	222230 BLACKBERRY AVE
210347	Michael Reffeor	MAUSTELLER RANDALL J	NOV Issued	No rental license	222230 BLACKBERRY AVE
210269	Michael Reffeor	Sugar Bowl Way LLC	NOV Issued	Unsafe structure	116 IRON ST
210223	Kyle Bauman	IVY LEA PROPERTIES LLC	NOV Issued	Roof Damage & Weeds (Citations Issued)	516518 OLD BERWICK RD
210168	Michael Reffeor	STAHL CHARLES B & ARLENE BRANDON T STAHL	NOV Issued	Ordinance violation: Excessive number of cats (10+) with unsanitary conditions. Strong odor of cat urine evident from outside of the structure.	428 W NINTH ST
210167	Michael Reffeor	STAHL CHARLES B & ARLENE BRANDON T STAHL	NOV Issued	IPMC violation: Excessive number of cats (10+) with unsanitary conditions. Strong odor of cat urine evident from outside of the structure.	428 W NINTH ST
200486	Michael Reffeor	WATTS KURT	NOV Issued	Dilapidated structure	531 CATHERINE ST
190049	Kyle Bauman	FEATHERMAN BRADLEY & CHRISTINE	NOV Issued	Exterior Conditions (ON HOLD. WAITING ON HOME GRANT APPROVAL)	571 W THIRD ST

Group Total: 47

14

Group: Open

220289	Gregory Ash	WESTMINSTER PLACE AT BLOOMSBURG LP	Open	No Building/Maintenance Manager	100 WESTMINSTER DR
220285	Kyle Bauman	NARN BLOOMSBURG LLC	Open	Smoke detection check	13 E THIRD ST
220274	Kyle Bauman	ROOSA MICHAEL D & SHELLI R DAVID M ROOSA	Open	Municipal Waste	355 E FIFTH ST
220265	Michael Reffeor	NEW ROAD PHARMACY AND SURGICAL INC	Open	grass and weeds	1100 OLD BERWICK RD
220249	Kyle Bauman	LAFATA GIUSEPPE & EDITH A	Open	Poison Shumack	1820 W THIRD ST
220239	Kyle Bauman	SHAFFER LESLIE W	Open	Unlicensed School Bus	712 POPLAR ST
220227	Michael Reffeor	REIFENDIFER RICHARD & KAREN G C/O GEORGETTA WYNINGS	Open	Unfit for occupancy	217 SUMMIT AVE
220201	Gregory Ash	SINGLEY MATTHEW	Open	Tall Grass and Weeds, Soffit/facia repair	66 LINCOLN AVE
220198	Gregory Ash	YOUNG CRAIG	Open	Sidewalk Deviation	335 JEFFERSON ST
220195	Gregory Ash	PROPERTY MAX LLC	Open	Sidewalk Deviation	255 E TENTH ST
220194	Gregory Ash	LEVAN BRYAN T & SUSAN L	Open	Sidewalk Deviation	1001 CATHERINE ST
220193	Gregory Ash	LEVAN BRYAN T & SUSAN L	Open	Sidewalk Deviation	1003 CATHERINE ST
220192	Gregory Ash	MARTARANO JOSEPH A & SHEREE U	Open	Sidewalk Deviation	265-273 E Tenth St
220191	Gregory Ash	SNYDER BRANDON M	Open	Sidewalk Deviation	1005 CATHERINE ST
220190	Gregory Ash	MARTARANO JOSEPH A & SHEREE U	Open	Sidewalk Deviation	266 E TENTH ST
220189	Gregory Ash	DAVIS KEITH E	Open	Sidewalk Deviation	250 E TENTH ST

1-5

220188	Gregory Ash	CHRISTIE ALFRED DOUGLAS JR	Open	Sidewalk Deviation	244 E TENTH ST
220187	Gregory Ash	STETLER RICHARD E & ANGELA M	Open	Sidewalk Deviation	222 E TENTH ST
220186	Gregory Ash	THOMAS PAUL L III	Open	Sidewalk Deviation	204 E TENTH ST
220185	Gregory Ash	DROGAN ROBERT J & ROBIN R	Open	Sidewalk Deviation	202 E TENTH ST
220181	Michael Reffeor	CAN U XCAPE LLC	Open	Zoning violation	204 W MAIN ST
220156	Gregory Ash	BLOOMSBURG ALTERNATIVE POWER COMPANY LLC	Open	Shade tree	341 E SECOND ST
210208		ROOT CLARENCE E II	Open		328 E FOURTH ST
200510	Kyle Bauman	LEE CHESTER A C/O SUSAN K LEE	Open	Exterior Conditions in disrepair.	136 E THIRD ST
200482	Michael Reffeor	KRANIG RUTH C	Open	Floodplain violations	516 FORT MCCLURE BLVD

Group Total: 25

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Total Records: 84

8/29/2022



Town of Bloomsburg

2-1

Permit Report

8/1/2022 - 08/29/2022

Permit #	Permit Date	Permit Type	Project Description	Project Cost	Parcel #	Parcel Address	Owner Name	Owner Address
2022147	8/24/2022	Zoning	install non-permanent shed	7,000	05E01 04000000	170 E ELEVENTH ST	OBRIEN KEVIN M & ALICIA A DROSDAK	170 EAST ELEVENTH STREET
2022146	8/26/2022	Building	Gas lines for house after fire	325	05E18 02600000	113 HEMLOCK LN	MADARA CHARLES W	113 HEMLOCK LANE
2022144	8/26/2022	Demolition	Demolish Greenhouse #16 Dillion floral corp	12,000	05E14 01200000	933 COLUMBIA BLVD	DILLON FLORAL CORPORATION	P O BOX 180
2022143	8/18/2022	Zoning	shed on rear of property	1,000	05E07 01100000	424 MILLVILLE RD	HUNTINGTON ERIC M & AMY L	424 MILLVILLE RD
2022142	8/24/2022	Building	Installation of a 5.76 kw roof mounted solar system.	20,333	05W02 21400000	184 W TWELFTH ST	DECKER THOMAS M & DEBRA K	184 WEST TWELFTH STREET
2022141	8/24/2022	Building	Porch, roof, and pavilion	11,000	05E08 00107000	125 ARBUTUS PARK RD	CONTRERAS GUADALUPE & MARIO H	125 ARBUTUS ROAD
2022140	8/17/2022	Zoning	Shed install	3,000	05E01 05500000	11 E TWELFTH ST	KERR JEFFREY S & SUANNE M	11 EAST TWELFTH STREET
2022139	8/24/2022	Building	Add several offices	50,000	05E12 05900000	599 E SEVENTH ST	GLOBAL SPACE DEVELOPING INC ATTN: MARTIN MARIANO	P O BOX 127
2022138	8/12/2022	Zoning	Adding small sign under "FamilyNest" sign that already exists. Sign will be a small, white, metal sign matching existing sign. Sign will read "including Rooted Relational	60	05W02 16400000	1000 MARKET ST	NAM FUTURES LLC	1167 RIDGE ROAD

			Counseling, Nicole Pastore, MA. LMFT, LPC" & will include the logo.					2-2
2022137	8/12/2022	Floodplain Development	Pour cement in carport.	100	05W07 11800000	579 W THIRD ST	FESTER REYNOLD	579 WEST THIRD ST
2022135	8/12/2022	Floodplain Development	Helipad fencing	2,000	05W09 00500000	620 W 3rd St	COLUMBIA COUNTY H & A MECH ASSOCIATION	P O BOX 479
2022133	8/11/2022	Zoning	Replace 20 feet of sidewalk	6,650	05W05 01500000	120-122 W MAIN ST	DERR DALE A ETAL CHARLES B PURSEL	120 WEST MAIN STREET
2022132	8/3/2022	Zoning	Dog fence	10,000	05E14 00308000	750 E FOURTH ST	HESS THEA HELENA	750 E FOURTH ST
2022131	8/2/2022	HARB	In rear of house, existing windows to be framed in and replaced with two 24" wide x 36" tall windows with a 2 lite vertical grid to match existing windows on first floor. Windows to be double hung. New sheeting as needed and new drywall as needed. On the side of the building, removal of existing door, frame in opening, drywall inside of doorway, installing white vinyl siding in a straight 4" profile. remove	18,000	05W03 08700000	455 MARKET ST	Lori Yourth	455 Market st

			stairs from doorway.					2-3
2022128	8/3/2022	Building	Replace a leaking metal roof with a new standing seam metal roof - only over the portion of the roof that currently has a metal roof	24,960	05E04 02900000	232 EAST ST	COLUMBIA COUNTY FARMERS NATIONAL BANK	232 EAST STREET
2022127	8/3/2022	Building	Verizon Wireless will install one (1) wireless antenna on an existing light pole at 31'. Also proposing two (2) conduits connecting the antenna to a proposed junction box mounted at 5'. 3-Phase, 120V-208V power will be installed in a proposed 2" underground PVC conduit trenched approx. 350 L.F.	19,500	05W09 00500000		COLUMBIA COUNTY H & A MECH ASSOCIATION	P O BOX 479
2022126	8/3/2022	Zoning	Existing wireless facility on 80' Monopole; upgrade to existing equipment.	10,000				
2022123	8/3/2022	Building	Install deck	26,775	05W02 21900000	140 W TWELFTH ST	GARCIA JOHN C & JANE M	8729 CHRISEY COURT

Community & Economic Development Committee Meeting Minutes
Tuesday, July 26, 2022 10:00 a.m.
Town Hall or via Zoom

The meeting was called to order at 10:00 a.m., present were Council Members Toni Bell, Nick McGaw, and Jim Huber (via Zoom). Also present were Justin Hummel, James Garman, Vince DeMelfi, Town Manager/ Secretary/ Treasurer Lisa Dooley, Code Enforcement Officer Kyle Bauman, Director of Governmental Services Charles Fritz and Administrative Assistant Christine Meeker (Zoom). Also present were Carolyn Yagle, David Hill and MJ Mahon.

Carolyn Yagle from Environmental Planning & Design was present for the discussion on the zoning ordinance overhaul project. Ms. Yagle opened the discussion by asking for direction for the Commercial District/Main Street corridor. The Committee suggested that the Main Street corridor needs an entertainment layer plus an overnight housing component. Parking requirements could be tied in by supplemental regulations. The C-W district should be reframed to allow for smaller contractors and artisan businesses. The H-D district will need more input. J. Huber wants to look at "fluid zoning" that would have no specific regulations. The I-P district in the area of the fairgrounds is hampered due to flooding. Suggestions are to relax the zoning regulations. The next series will look at the 3-D modeling.

Charles Fritz updated the Committee on the recent CRS flood educational update. These brochures will be available on the town's website. The CRS brochure will be sent to approximately 565 properties and the additional brochure will be sent to all property owners behind the flood wall (approx. 100).

The Committee reviewed the code enforcement active status report thru 07/25/22 and the permit report from 10/1/2019 thru 07/25/2022. V. DeMelfi questioned whether a permit was given for the Bloomsburg Fair Grounds for a garage that was recently built. The Codes Department will look into this.

On a motion by N. McGaw, seconded by J. Huber, and voted on unanimously, the Committee approved the minutes from the 06/28/2022 meeting with no corrections or additions.

L. Dooley updated the Committee on the operations of the code office. M. Reffeor completed his BCO and Zoning officer certifications. Phillip Prout, Barry Isset will remain working with the code office through the end of the year. Greg Ash has been working out well and the intern Branden Long will be wrapping up in August.

K. Bauman gave an update on the sidewalk/tree issues in the 10th Street area. Inspections are being done.

The Committee reviewed the draft of the noise ordinance language. Department leaders have reviewed it and made suggestions and Ostergaard will be reviewing it as well. The data from the sound collection has been sent to Ostergaard for review and compilation. Another round of collections will take place in August.

L. Dooley reported that the professional sound engineers have notified her of a cost overrun on the project. More details will be submitted at the August Council meeting.

K. Bauman updated the Committee on the Planning Commission reviews and approvals.

On a motion by N. McGaw, seconded by J. Huber, and voted on unanimously, the Committee adjourned the meeting at 11:45 a.m.

Notes taken by Christine Meeker and reviewed by Lisa Dooley.

TOWN OF BLOOMSBURG FLOOD TASK FORCE

Minutes 8-10-22

Members present: Charles Fritz, Teri Provost, Kyle Bauman, John Littlewood, and Ryan Eck. Also present were: Eric Stahley, Mike Reffeor and Phil Prout.

The meeting was called to order by Charles Fritz at 12:12 p.m.

The minutes of the 4-13-2022 Flood Task Force were reviewed and approved.

CRS recertification Activity 620 levee protection requirements. C. Fritz and E. Stahley met to review the 620 required documentation for the certified levee. Code Enforcement Intern Brandon Long was tasked with referencing the page numbers on the 620 CRS form.

Risk 2.0 update R. Eck noted that it is approaching one year since Risk 2.0 has been in effect. He has observed a few problems with some of FEMA's renewal forms having incorrect names or addresses which then does not show past claims. Recommend adding a reminder to review your policy closely when you receive it.

Public outreach - C. Fritz provided copies of the 3 outreach projects that are ready to go. The outreach to all residents (sent in the annual calendar), Repetitive Loss outreach (sent to all SFHA) is ready and meets all CRS requirements. In addition, a page addressing a citizen complaint regarding more information on the floodway, floodplain was added. The third outreach is all properties behind the flood levee (newly required – the document has been reviewed by a CRS specialist).

Volunteer group K. Bauman asked if a copy of the Boots on the Ground request for helpers could be sent with the outreach to again establish a list of people willing to help at the time of an event.

Elevation Certificate M. Reffeor asked if it is possible for the code department to have copies of any Elevation Certificates that were completed with the West End Study. It was noted that no official EC's were done but approximate data was collected on the first floor height as part of the study.

Program updates T. Provost informed the committee that 1 of the 2 home elevation projects through the FMA grant are moving forward. The 122 E. 12th Street is underway. The E. 9th Street came back over the allowable cost for FMA funds, SEDA-COG has since reapplied under FEMA's FMA Swift Current Initiative program and is currently in the process of applying under FEMA's Hazard Mitigation Grant Program (HMGP). CDBG-DR grant funds for improvements to the Snyder Run inlet at Honeysuckle Lane area by the Hospital is held up due to paperwork review. The 120 Leonard Street did not receive funding this round of FMA (FY 2021), consideration to reapply under the next FMA grant round.

Hazard Mitigation Plan – E. Stahley noted the plan is still being worked on and hopes to have it completed by the fall 2022.

Diversion Ditch at Recycling Center – C. Fritz noted that the diversion ditch clean out work has been completed. The bio swale is clear of debris and obstructions and grass seed has been planted.

The meeting was adjourned at 12:48 p.m. The next Flood Task Force meeting will be set for the 4th quarter date and time TBD.

TOWN OF BLOOMSBURG
OFFICE OF CODE ENFORCEMENT & ZONING
Application for a Food Vendors Permit

Signature of this application shall indemnify, defend and hold the Town harmless from all claims, liabilities, obligations, damages, penalties, costs, and expenses, including reasonable attorney fees and disbursements of any kind or nature including, but not limited to, actions for personal injury or death, or the assessment of fines or penalties by any governmental agency. Food Vendors are asked to refrain from selling during Block Party. Town Council will continue to review how Food Vendor presence may or may not contribute to Block Party and other large events.

NAME: _____

BUSINESS NAME: _____

ADDRESS: _____ CITY: _____ STATE: _____

ZIP: _____ PHONE: _____ CELL PHONE: _____

PRODUCTS FOR SALE: _____

PA DEPT. OF AGRICULTURE CERTIFICATE NUMBER: _____

(Certificate must be submitted prior to commencement of business)

SERVSAFE CERTIFICATE NUMBER: _____

(Certificate must be submitted prior to commencement of business)

LIABILITY INSURANCE CARRIER: _____ EXPIRATION DATE _____

PA SALES TAX NUMBER: _____ (Certificate Required)

Food vendors are subject to the Town's Gross Receipts Tax, contact Berkheimer Associates at 610-599-3140 for application forms

Signature of Applicant

Date

OFFICIAL USE ONLY:

Date Stamp:

PERMIT Fee Paid: _____

(\$350.00)

Date of Issuance: _____

§ 13-601 General Provisions.

[Ord. No. 1022, 4/26/2021^[1]]

1. Title. This Part shall be known as the 'Food Vendor and Street Vendor Ordinance.'
2. Authority. The authority for this Part arises from the proprietary function of the Town of Bloomsburg to regulate the use of its rights-of-way.
3. Purpose. The purpose of this Part is to provide for the health, safety, and welfare of the citizens of the Town of Bloomsburg and permitted food vendors and street vendors and their customers.

[1] Editor's Note: This ordinance also repealed former Part 6, Street Vendors, adopted by Ord. No. 938, 2/28/2011.

§ 13-602 Definitions.

[Ord. No. 1022, 4/26/2021]

1. As used in this Part, the following terms shall have the meanings indicated:

FOOD TRAILER

A nonmotorized vehicle, that is normally pulled behind a motorized vehicle, operating as a mobile food business that prepares and sells food and beverages within the public right-of-way of the Town of Bloomsburg.

FOOD TRUCK

A licensed, self-contained, motorized vehicle operating as a mobile food business that prepares and sells food and beverages within the public right-of-way of the Town of Bloomsburg.

FOOD TRUCK/TRAILER VENDING

The act of selling food from a food truck or food trailer by a food vendor.

FOOD VENDING

For purposes of this Part, all references shall relate to both food vendors and street vendors unless specifically stated otherwise.

FOOD VENDING PERMIT

A permit allowing for food vending in accordance with this Part.

FOOD VENDOR

A person who sells food and beverages from a food truck or food trailer.

PUBLIC RIGHT-OF-WAY

That portion of a public street located in an area where food vending is permitted which is limited to a designated parking space on such public street.

STREET VENDING

The act of selling food and beverages by a street vendor.

STREET VENDOR

A person who sells food and beverages from a vending cart.

VENDING CART

A transportable, nonmotorized, self-contained conveyance from which food and beverages are prepared and sold within the public rights-of-way of the Town of Bloomsburg as defined herein. A vending cart shall not have walls or a floor and cannot be occupied. Vending carts shall be capable of quick removal from any location in the event of an emergency.

§ 13-603 Food Vending Permit Required.

[Ord. No. 1022, 4/26/2021]

1. It shall be unlawful for any person to engage in food vending without a food vending permit, which permit shall be prominently displayed on the food truck, food trailer, or vending cart.
2. A food vending permit issued under this Part shall not be transferable.
3. Food vending permits shall be issued for a period of one year (365 consecutive days), except as provided in Subsection 4.
4. Single-day, weekly, and monthly food vending permits may be issued based on availability determined by the Code Enforcement Office after application submitted in accordance with the provisions set forth in § 13-604.
5. A food vending permit fee, as set by resolution of Town Council from time to time, shall be paid to the Town of Bloomsburg within five days of the granting of the food vending permit. If such fee is not timely paid, the permit shall be void and available to another applicant.
6. Within five days of issuance of the food vending permit, the applicant shall register with the Department of Revenue of the Commonwealth of Pennsylvania for taxing purposes and with the Town of Bloomsburg Local Tax Administrator with regard to the Town of Bloomsburg business privilege/gross receipts tax.

§ 13-604 Application Procedure.

[Ord. No. 1022, 4/26/2021]

1. An application for a food vending permit shall be submitted on a form made available by the Town of Bloomsburg.
2. No fee is required to be submitted at the time of application for a food vending permit. The permit fee shall be paid prior to the issuance of the permit by the Code Enforcement Office.
3. Applications for food vending permits shall be submitted in accordance with the following subsections, and permits shall be issued on a first-come, first-served basis:
 - A. Persons who hold previously issued food vending permits may submit an application for renewal no more than 30 days prior to the expiration of an existing permit. Upon expiration of a food vending permit, the permit holder shall have a grace period of 15 days to reapply. Food vending is not permitted during the grace period.
 - B. If the number of applications submitted exceeds the number of food vending permits available, the Code Enforcement Office will notify applicants of denials in writing.

§ 13-605 Limitation on Number of Permits and Locations.

[Ord. No. 1022, 4/26/2021]

1. The number of food vending permits for street vendors shall be limited to the number of locations established by Town Council of the Town of Bloomsburg. Each location shall be limited to one street vendor.
2. The number of food vending permits for food vendors shall be limited to the locations as established by the Town Council of the Town of Bloomsburg.

§ 13-606 Permitted Area for Food Vending.

[Ord. No. 1022, 4/26/2021]

1. Street Vending.
 - A. Street vending shall be permitted only between the hours of 9:00 p.m. and 3:00 a.m., seven days per week, in designated locations, and such time period shall include setup and cleanup time. Street vendors are permitted to utilize approved municipal parking lots, as set forth in Subsection 2A.
 - B. In the event that the location assigned on the food vending permit is occupied by a vehicle between 9:00 p.m. and 3:00 a.m., the street vendor may occupy the first open parking space on either side of the assigned space. If the

location designated in the permit is under repair, Town Council may consider the use of an alternate location until repairs are completed.

- C. Street vendors shall not block the visibility of an established business during established hours of operation without the expressed consent of the business owner.

2. Food Truck/Trailer Vending.

- A. Food truck/trailer vending shall only be permitted on Town property in approved municipal metered parking spaces and shall not be conducted between the hours of 3:00 a.m. and 7:00 a.m. Municipal parking spaces are not reserved or guaranteed for food vendors. Food vendors are responsible for applicable parking regulations; however, meter fees will be waived for food vendor permit holders while food vendors are conducting business.
 - B. Food truck/trailer vending shall also be permitted on paved commercial use lots located within the Downtown Commercial Zoning District with the expressed consent of the property owner. Such consent shall be in writing and shall be kept in the food truck or food trailer at all times.
 - C. Food vendors shall not locate their food truck or food trailer adjacent to or block the visibility of an established business during established hours of operation without the expressed consent of the business owner.
 - D. A food truck or food trailer shall utilize no more than two adjacent parking spaces in municipal parking lots for a maximum of five consecutive hours, and such time period shall include setup and cleanup time.
 - E. Food trucks and food trailers shall not be greater than 28 feet in length.
 - F. No more than a total of two food vendors shall occupy a specific municipal parking lot at any given time.
3. In the event that a special function that is approved by the Town of Bloomsburg, which is scheduled and coordinated by an organization to be held on the streets where food vending is permitted under this Part, shall conflict with the hours that food vendors and street vendors are permitted to operate their businesses, the food vendors and street vendors shall not operate within 600 feet of the defined area of the approved special function, unless the food vendors and street vendors secure permission from the special function permit holder.

§ 13-607 Limitation on Permits.

[Ord. No. 1022, 4/26/2021]

The issuance of a food vending permit under this Part shall not create a real estate interest in any permitted space as a leasehold or otherwise, and the holder of the food vending permit shall be a licensee.

§ 13-608 Vending Requirements.

[Ord. No. 1022, 4/26/2021]

1. All signage displayed by food vendors and street vendors shall display only food and beverages for sale by said food vendors and street vendors. Signage shall comply with supplementary sign regulations of the Town of Bloomsburg Code of Ordinances.
2. Food trucks, food trailers, and vending carts shall be maintained and kept in a sanitary condition.
3. Food trucks, food trailers, and vending carts must obtain and maintain a ServSafe® certificate and shall comply with statutes and regulations of the Commonwealth of Pennsylvania with regard to cooking, utensils, refrigeration, appliances, materials and food storage, and other matters, and a permit issued by the Department of Agriculture shall be prominently displayed on the food truck, food trailer, or vending cart, and a copy shall be provided to the Town of Bloomsburg Code Enforcement Office at the time of issuance of the food vending permit.
4. The food vending permit issued by the Town of Bloomsburg shall be prominently displayed on the food truck, food trailer, or vending cart.
5. A vending cart must have at least two wheels to allow for movement to another location in case of an emergency.

6. Food vendors and street vendors shall provide a trash receptacle with a tight-fitting lid for the collection of trash generated by their businesses. Food vendors and street vendors shall be responsible for proper disposal of the trash generated by their businesses whenever the trash receptacle becomes full or, at a minimum, at the conclusion of the day's operation; however, under no circumstances shall food vendors or street vendors dispose of the accumulated trash in trash receptacles provided by the Town of Bloomsburg.
7. Food vendors shall have a handwashing sink with hot and cold running water and a posted sign indicating that "employees must wash hands and comply with the regulations of the Department of Agriculture."
8. Only single-service articles, plates, or utensils may be used to dispense food and beverages, and articles, plates, or utensils which require washing shall not be used in food vending.
9. All refuse must be recycled in accordance with the Town of Bloomsburg Recycling Ordinance.
10. All food trucks, food trailers, and vending carts shall be equipped with a serviceable fire extinguisher.
11. All food vendors and street vendors are responsible for the removal and proper disposal of all grease and wastewater generated by their business. No dumping of materials will be permitted in storm drains on Town property or on private property within the limits of the Town of Bloomsburg.

§ 13-609 Location of Vending Carts.

[Ord. No. 1022, 4/26/2021]

1. Vending carts shall be placed in the center of the parking spaces where they are permitted to operate.
2. Vending carts shall be placed as close as possible to the curb when set up in the right-of-way.
3. Sales shall take place only from the sidewalks adjacent to the permitted spaces on Main Street and Market Square and in the approved parking lots referenced above, but shall not take place in the right-of-way of the parking lots.

§ 13-610 Prohibitions.

[Ord. No. 1022, 4/26/2021]

1. The following shall be prohibited:
 - A. Use of sidewalks or open areas of municipal parking lots for product display, storage, or the disposal of trash.
 - B. Connection of utilities to neighboring properties or Town-owned streetlights.
 - C. Advertising other than the list of food and prices set forth in § 13-608 above.
 - D. Tables, chairs, benches, stools, or other items for customers to use.
 - E. Fold-out shelves, awnings, or canopies that extend into the sidewalk area which interfere with pedestrian traffic. Umbrellas are permitted so long as they do not interfere with pedestrian traffic.
 - F. Propane cylinders in excess of 100 pounds.
 - G. Lighting which is likely to cause objectionable glare or distraction, as determined by either the Code Enforcement Office or the Police Department.
 - H. Sound-amplifying devices to attract attention, verbally hawking or soliciting product sales, and the making of loud or raucous noises.
 - I. Direct sales to motorists.
 - J. Any act that interferes with the free and open movement of persons on a sidewalk and vehicles in the street right-of-way or a municipal parking lot.
 - K. The sale of any nonfood merchandise other than a promotional T-shirt that displays the name of the food vendor. Such sales shall not be considered "peddling" under the Town of Bloomsburg's Transient Retail Business Ordinance.

- L. The use of a generator is not permitted before 7:00 a.m. or after 10:00 p.m. All generators must be operated in compliance with the Town of Bloomsburg's Nuisance and Hazard Abatement Ordinance (i.e., Noise Ordinance).

§ 13-611 Insurance Indemnification.

[Ord. No. 1022, 4/26/2021]

1. Each food vendor and street vendor shall maintain, and provide the Town of Bloomsburg with proof thereof, comprehensive liability insurance with a minimum policy limit of \$500,000 per person and \$1,000,000 per occurrence coverage for personal injury; \$50,000 coverage for property damage; and list the Town of Bloomsburg as an additional insured on the insurance policies.
2. A copy of a food vendor's certificate of insurance or a street vendor's certificate of insurance shall be provided to the Town of Bloomsburg Code Enforcement Office prior to issuance of the food vending permit.
3. Food vendors and street vendors shall indemnify, defend, and hold the Town of Bloomsburg harmless from all claims, liabilities, obligations, damages, penalties, costs, and expenses, including reasonable attorney fees and disbursements of any kind or nature, including, but not limited to, actions for personal injury or death, or the assessment of fines or penalties by any governmental agency.

§ 13-612 Permit Revocation.

[Ord. No. 1022, 4/26/2021]

1. Any person who violates any provision of this Part shall be subject to the revocation of the food vending permit by the Code Enforcement Office. A notice of revocation shall set forth the reasons for the revocation and shall be mailed to the food vendor or street vendor at the address indicated on the food vending permit application.
2. A food vendor or street vendor may appeal the notice of revocation to Town Council, on a form provided by the Town of Bloomsburg, within 20 days of the date of mailing of the notice of revocation. The procedure for the appeal shall be as follows:
 - A. Town Council shall hold an informal hearing at the Town Council meeting next following the date of receipt of the appeal in order to review the facts and render a decision.
 - B. If the notice of revocation is upheld, the food vendor or street vendor may request a formal hearing before Town Council, on a form provided by the Town of Bloomsburg, within 20 days of the aforementioned hearing held before Town Council (in the preceding subsection), under the provisions of the Local Agency Act, and a hearing thereunder shall be held upon payment of a fee as set by resolution of Town Council from time to time.

§ 13-613 Penalty.

[Ord. No. 1022, 4/26/2021]

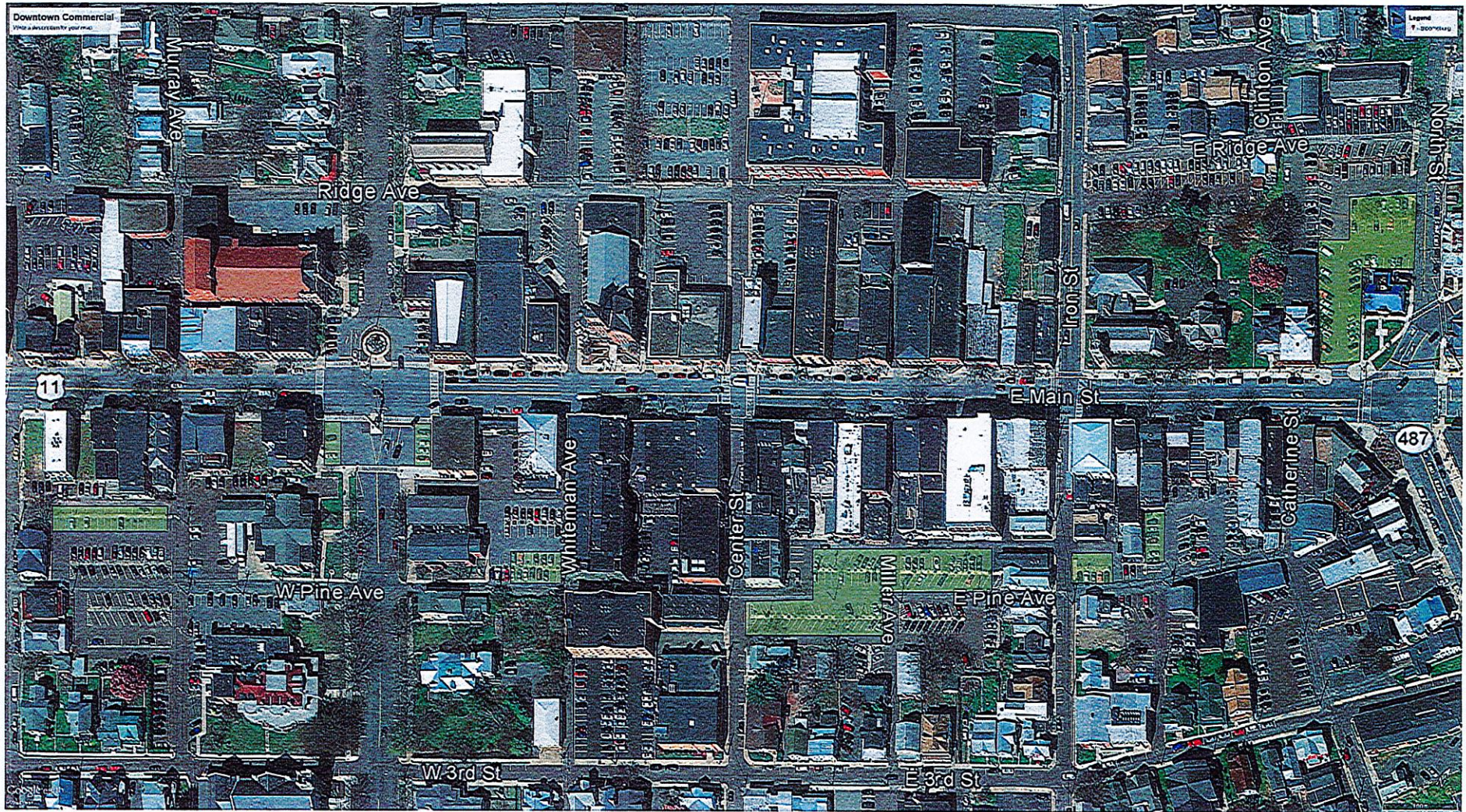
Any person violating this Part shall, upon conviction in a summary proceeding, be sentenced to pay a fine not in excess of \$1,000, to be paid to the use of the Town of Bloomsburg, together with costs of prosecution, or be imprisoned for not more than 10 days, or both. Each day of violation shall constitute a separate offense.

§ 13-614 Severability.

[Ord. No. 1022, 4/26/2021]

In the event that any provision of this Part is declared unconstitutional, unlawful, or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Part, or of this Part as a whole, but such shall continue in full force and effect as though the unconstitutional, unlawful, or unenforceable provision had never been a part hereof.

Town of Bloomsburg Food Truck Vending Permitted Public Areas



Permitted Areas

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Permitted Public Areas



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