

**BOROUGH OF WEST READING
PLANNING COMMISSION
OCTOBER 5, 2022**

The West Reading Planning Commission met for their regular meeting on Wednesday, October 5, 2022 at 6:00 p.m. at Borough Hall with the following persons present: Chair Philip Wert; Members Jennifer Bressler, Daniel Horman, Zanna Leiendecker, and James Keller; Zoning Officer Cathy Hoffman; Assistant Zoning Officer Chad Moyer; and Borough Secretary Cynthia Madeira. Vice Chair Christopher Lincoln, and Members Cody Rhoads, Mariella Napoli, and Kacie Rodriguez were unable to attend.

Visitors Michael Rohrer, SDE Planner James Rogers, Resident (arrived 6:05 p.m.)

Mr. Wert called the meeting to order at 6:02 p.m.

Public Comment

There were no public comments.

Approval of Minutes

Motion to approve the September 7, 2022 minutes. **Moved** by Mr. Keller and seconded by Mr. Horman.
Motion carried 5-0.

New Business

- a. **Election Signage:** Solicitor comments were reviewed with regards to temporary political signage regulations. The current placement restrictions associated with temporary political signage is sixty-days prior to an election. It was noted that placement restrictions on construction sites may not exceed seven days after completion of the construction work. Ms. Leiendecker referred to the solicitor's analysis that recommends governance of commercial, and non-commercial (political) speech equally or less stringently than commercial speech. The option to create equal time placement for all types of temporary signs (i.e.: real estate, construction, political, etc.) was discussed at length, specifically with regards to the difficulties to enforce such regulations. Additional options that were discussed were temporary sign permitting, prohibition of temporary signs, or the removal of temporary sign regulations. The solicitor will be requested to join next month's meeting for further discussion.
- b. **Code Red/Code Blue for Animals:** Mr. Wert referred to an example ordinance from the City of Reading to enforce animal welfare conditions in extreme hot or cold temperatures. It was unclear as to whether the Animal Rescue League would be named as the Animal Control Officer, if a Police Officer could uphold these regulations or if this service would be included in the current animal control services contract. Mr. Moyer noted that Section 141-207 (5) provides the Animal Control Officer the ability to impound an animal if the person in control of the dog has not complied with the regulations as opposed to merely filing citations. Current state statutes and the animal control services contract would need to be reviewed prior to taking any action.
- c. **Rental Occupancy Ordinance:** The following solicitor comments were reviewed:
 - **Rental Inspection Checklist** – The solicitor recommended incorporating a reference to the checklist as an Appendix to the ordinance with language through Section 355-11(A). Mr. Moyer suggested to reference the adopted edition of the International Property Maintenance Code (IPMC) for an exhaustive list of items to be inspected. The solicitor will be requested to incorporate the adopted 2018 IPMC within Section 355-11(A).

Mr. Rogers recommended requiring proof of a current Business Privilege License at the time of inspection to ensure these businesses are in compliance with the Business Privilege Licensing and Taxes.

- **Administrative Search Warrant** – The solicitor indicated that probable cause for an administrative search warrant exists when the Borough is indiscriminately conducting inspections pursuant to Section 355-11(A) through (C). A separate ordinance section would not be required.
 - **Eviction** – The solicitor was not confident that the Borough has the power to constructively evict a tenant who is disruptive under Section 355-13 (C) by forcing the landlord to take action. It was thought that evictions for disruptive conduct should remain within the rental ordinance and to request additional guidance from the solicitor.
 - **Disruptive Conduct Appeals** – The ordinance had been edited to provide Borough Council the authority to grant variances on appeals of disruptive conduct reports as opposed to the Housing Review Board. It was noted that a replacement member to the Housing Review Board is needed now that Mr. Moyer is performing rental inspections.
- d. **Shopping Center Redevelopment** – Mr. Wert shared that the owner of the shopping center parcel has decided to delay redevelopment based on the cost of construction materials and rising interest rates. This is unfortunate due to the need for housing in the area.

Adjournment

Motion was made to adjourn the meeting at 7:52 p.m. by Mrs. Bressler and seconded by Ms. Leiendecker. **Motion carried 5-0.**

Respectfully submitted,

Cynthia Madeira
Borough Secretary