

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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**CITY COUNCIL**

**FEBRUARY 5, 2009**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CONSENT AGENDA (RESOLUTIONS)**

**CONSENT AGENDA (ORDINANCES)**

**PRESENTATIONS BY COUNCIL MEMBERS**

**PUBLIC DISCUSSION**

**ADJOURNMENT**

CITY COUNCIL  
FEBRUARY 5, 2009

**CONSENT AGENDA (RESOLUTIONS)**

Approving transfer of Liquor License R-4962 from Edwardsville to Las Banderas Restaurant, LLC located at 41 East Northampton Street, Wilkes-Barre, PA.

Oppose any and all efforts to close the Wilkes-Barre Post Office now in or in the future.

Authorizing the proper City officials to open an M & T Money Market account for Liquid Fuels Fund.

Authorizing the real property, earned income tax, net profits mercantile, and business privilege taxes within the city designated as a keystone Opportunity Substitution in the existing zone.

Authorizing the filing of an application for funds with the Pennsylvania Department of community and Economic Development for the Stegmaier Lofts Reuse Project.

**MINUTES**

Of the Wilkes-Barre City Planning Commission Meeting of January 21, 2009.

Of the Parking Authority of the City of Wilkes-Barre of December 16, 2008.

Of the Wyoming Valley Sanitary Authority Board Meeting of December 16, 2008.

Of the Regular Session of Wilkes-Barre City Council of January 12, 2009.

Of the Regular Session of Wilkes-Barre City Council of January 20, 2009.

CITY COUNCIL  
FEBRUARY 5, 2009

**CONSENT AGENDA (ORDINANCES)**

**FILE OF COUNCIL NO. 2 OF 2009** – AN ORDINANCE AMENDING THE TENANT AND RENTAL UNIT INSPECTION AND PROPERTY TRANSFER INSPECTION REQUIREMENTS WITHIN THE CITY OF WILKES-BARRE, SPECIFICALLY PORTIONS OF ARTICLE 7 OF THE WILKES-BARRE CITY CODE OF ORDINANCES. **(FIRST READING)**

**FILE OF COUNCIL NO. 3 OF 2009** – AN ORDINANCE AMENDING ARTICLE I, SECTION 3.5-24 REGARDING ADVANCED LIFE SUPPORT AMBULANCE SERVICES. **(FIRST READING – ON TITLE)**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED* by the City Council of the City of Wilkes-Barre:

A RESOLUTION OF THE MUNICIPALITY OF WILKES-BARRE COUNTY OF LUZERNE COMMONWEALTH OF PENNSYLVANIA, APPROVING TRANSFER OF LIQUOR LICENSE R-4962 (lid #11644) INTO WILKES-BARRE MUNICIPALITY FROM EDWARDSVILLE MUNICIPALITY.

Whereas, Act 141 of 2000 ("the Act") which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code, if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

Whereas, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

Whereas, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of a liquor license into the receiving municipality; and

Whereas, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a liquor license into the municipality.

Now, Therefore, Be It Resolved, Las Banderas Restaurant, LLC has requested the approval of the City Council of Wilkes-Barre for the proposed transfer of Pennsylvania liquor license to its facilities within Wilkes-Barre which will trade as Las Banderas Restaurant, LLC with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

Be It Further Resolved, that the City Council of Wilkes-Barre finds that the transfer of a liquor license into Wilkes-Barre by Las Banderas Restaurant, LLC will not adversely affect the welfare, health, peace and morals of the municipality or its residents.

Be It Further Resolved, that Wilkes-Barre City approves, by adoption of this Resolution, the proposed transfer of Las Banderas Restaurant, LLC to be located at 41 East Northampton Street, Wilkes-Barre, PA 18701.

Be It Further Resolved, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

I hereby certify that this Resolution was adopted by the Wilkes-Barre City Council at its meeting on February 5, 2009.

Submitted by \_\_\_\_\_

ROLL CALL

YEAS

RESOLUTIONS

NAYS

BARRETT



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

Whereas, the intent of this Resolution is to address persistent rumors relative to the potential closing of the Wilkes-Barre Post Office; and

Whereas, said closing would prove to be extremely detrimental in numerous ways to the residents and businesses of Wilkes-Barre who rely on this office for the regular, efficient conduct of their personal and /or commercial postal business.

Now, Therefore Be It Resolved that the City of Wilkes-Barre strongly opposes any and all efforts to close the Wilkes-Barre Post Office now or in the future.

Further, that City Council encourages all residents and businesses to voice opposition to their respective state and federal representatives, urging them to reject any attempts to close this vital communications and shipping resource for our community.

Submitted by \_\_\_\_\_

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED* by the City Council of the City of Wilkes-Barre:

WHEREAS, The City of Wilkes-Barre receives Liquid Fuels Funds from the Commonwealth of Pennsylvania, AND

WHEREAS, The City of Wilkes-Barre maintains a separate bank account for said funds, AND

WHEREAS, The City of Wilkes-Barre desires to receive a higher interest rate on these funds,

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Wilkes-Barre that the proper City Officials are authorized to open a M&T Money Market account and transfer any existing funds and close the existing Citizens Bank Checking account per the attached proposal dated January 20, 2009.

Submitted by \_\_\_\_\_

ROLL CALL

YEAS

RESOLUTIONS

NAYS

BARRETT



January 20, 2009

City of Wilkes Barre  
40 East Market Street  
Wilkes Barre, Pa 18711

Dear Mr. Koval:

Thank you for considering M&T Bank for your Liquid Fuel Account. As indicated, here is the rate and product profile for a Money Market Account:

**M&T Bank Deposit Product Types:**

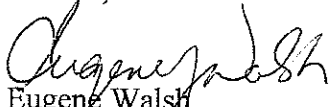
**I. Municipal Money Market Account (Money Market Account)**

- Interest Rate: 1.25%\*
- Product features:
  1. Up to 6 transactions per month
  2. Fully collateralized variable interest account.
  3. Monthly review of the interest rate by your Relationship Manager.

\*Rates shown reflect the expected net annualized yield after market rate declines through today's date. Further changes may occur based on additional market moves.

Please feel free to call me at (570) 821-7156 or on my cell at (570) 332-2772 if you have any questions.

Thanks,

  
Eugene Walsh  
Vice President  
M&T Government Banking



Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

A RESOLUTION AUTHORIZING REAL PROPERTY, EARNED INCOME TAX, NET PROFITS MERCANTILE, AND BUSINESS PRIVILEGE TAXES WITHIN A SPECIFIC GEOGRAPHIC AREA IN THE CITY OF WILKES-BARRE, LUZERNE COUNTY DESIGNATED AS A KEYSTONE OPPORTUNITY SUBSTITUTION IN THE EXISTING ZONE, IN ORDER TO FOSTER ECONOMIC OPPORTUNITIES, STIMULATE INDUSTRIAL, COMMERCIAL, AND RESIDENTIAL IMPROVEMENTS AND PREVENT PHYSICAL AND INFRASTRUCTURE DETERIORATION WITHIN THE DESIGNATED AREAS OF THE CITY OF WILKES-BARRE, LUZERNE COUNTY, COMMONWEALTH OF PENNSYLVANIA, UPON CERTAIN TERMS AND CONDITIONS.

WHEREAS, the City of Wilkes-Barre recognizes the need to encourage investment in a defined geographical area of the City of Wilkes-Barre, Luzerne County (as set forth in Attachment 'A') that is experiencing distress characterized by one or more of the following: high unemployment, low investment of new capital, blighted conditions, underutilized, obsolete or abandoned industrial commercial and residential structures, deteriorated tax base, and

WHEREAS, the Pennsylvania Keystone Opportunity Zone Act 63 of 2005, as amended by Act 79 of 2008 (SB 1412) hereinafter referred to as the "Act," authorizes political subdivisions to apply to the Pennsylvania Department of Community and Economic Development (DCED) for designation of an area within the respective political

Submitted by \_\_\_\_\_

ROLL CALL

YEAS

RESOLUTIONS

NAYS

BARRETT

subdivisions as an substitution for an existing property of a KOZ (*as set forth in Attachment "B"*) granting exemptions, deductions, abatements or credits from all local taxes identified in the Act, and

WHEREAS, approval of the benefits provided in the Act will result in improving both the economic, physical, and social conditions within the proposed expansion to the KOZ by stimulating businesses to retain and to create new jobs and to diminishing blight; and

WHEREAS, it is expected that increased private and public-sector investors will reverse the disinvestment and conditions of blight within the herein described tracts of land by the termination of the substituted property in the zone under the Act.

NOW, THEREFORE, BE IT RESOLVED by the City of Wilkes-Barre, Luzerne County that effective as of the date of this Resolution, contingent only upon DCED's approval of the application for the Proposed substitution zone, the following provisions shall apply:

1. Real Property Tax on the herein described tracts is 100% exempt in accordance with the provisions and limitations hereinafter set forth in accordance with the Act, such exemption to terminate 12/31/10.
2. Earned Income and Net Profits Taxes; Business Privilege and Mercantile Taxes. The City of Wilkes-Barre also waives business gross receipts tax for operations conducted by a qualified business; earned income received by a resident and/or net profits of a qualified business received by a resident or nonresident of the Proposed expanded KOZ attributable to business activity conducted with said zone terminating on 12/31/10.

3. The provisions of the Act not herein enumerated, shall, nevertheless, be incorporated as part of this Resolution by reference.
4. This resolution shall be effective as of the date of passage, conditioned upon the approval of the application by DCED.

ATTEST:

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City Clerk



H-95E-3

H-10/SW-1

H-10/SW-1

H-10  
SW-4

WILKES BARRE, CITY  
 LUZERNE COUNTY, PENNSYLVANIA  
 AMERICAN EDUCATION PROJECT  
 REWAS 1-1-00 517 88 H-10/SW-4

19



Current KOZ

H-10  
SW-4

PROPOSED  
ROAD

Coal Street Park

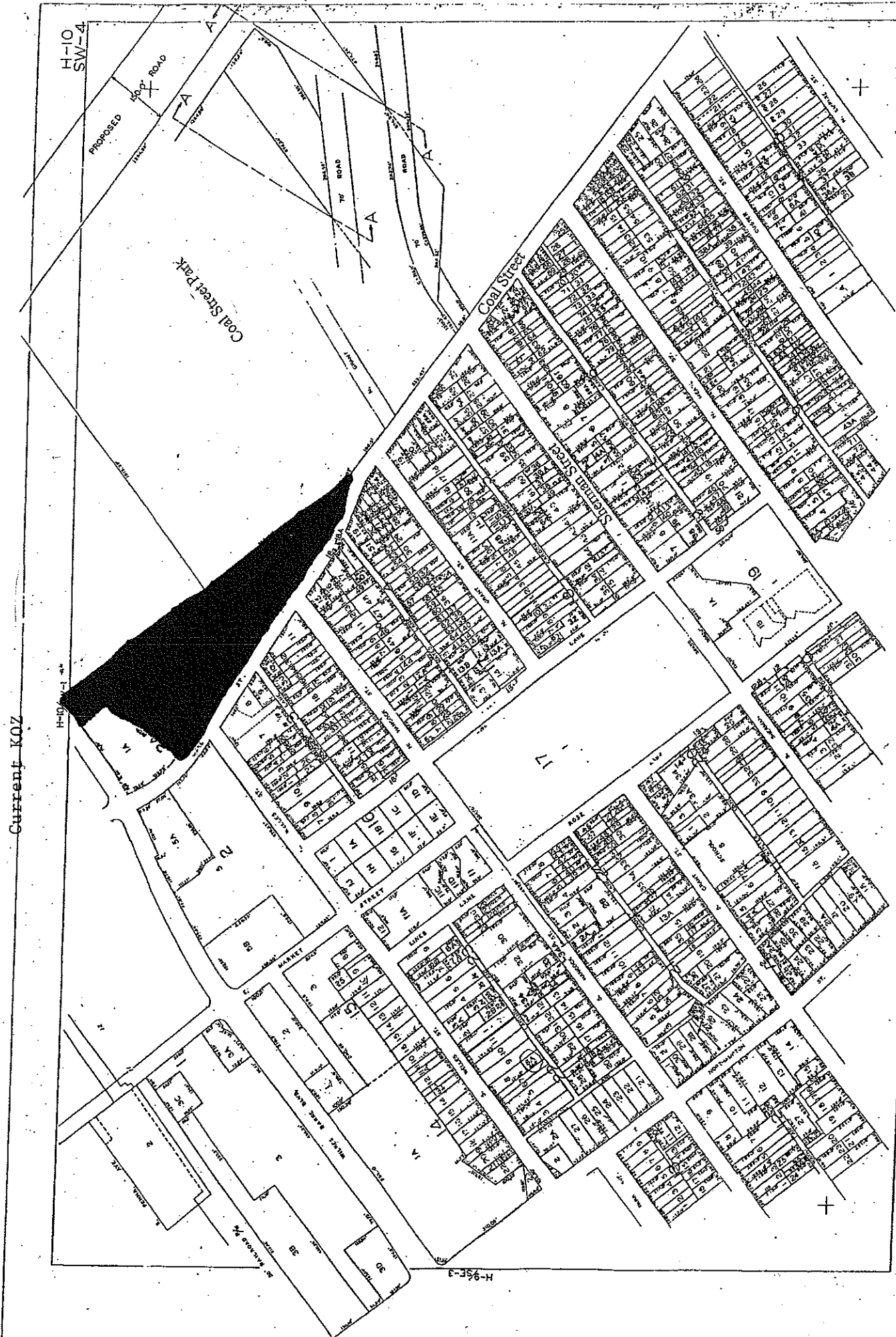
H-95E-3

H-10/SW-4

19

WILKES BARRE, CITY  
LUZERNE COUNTY, PENNA.  
AMENDMENT EQUALIZATION PROJECT  
SCALE 1"=100' 887 B. H-10/SW-4

THIS MAP PREPARED FROM UNOFFICIAL AERIAL PHOTOGRAPHY. THE CITY OF WILKES BARRE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.



Proposed Substitution K02

H-10  
SW-4

PROPOSED  
ROAD

Coal Street Park

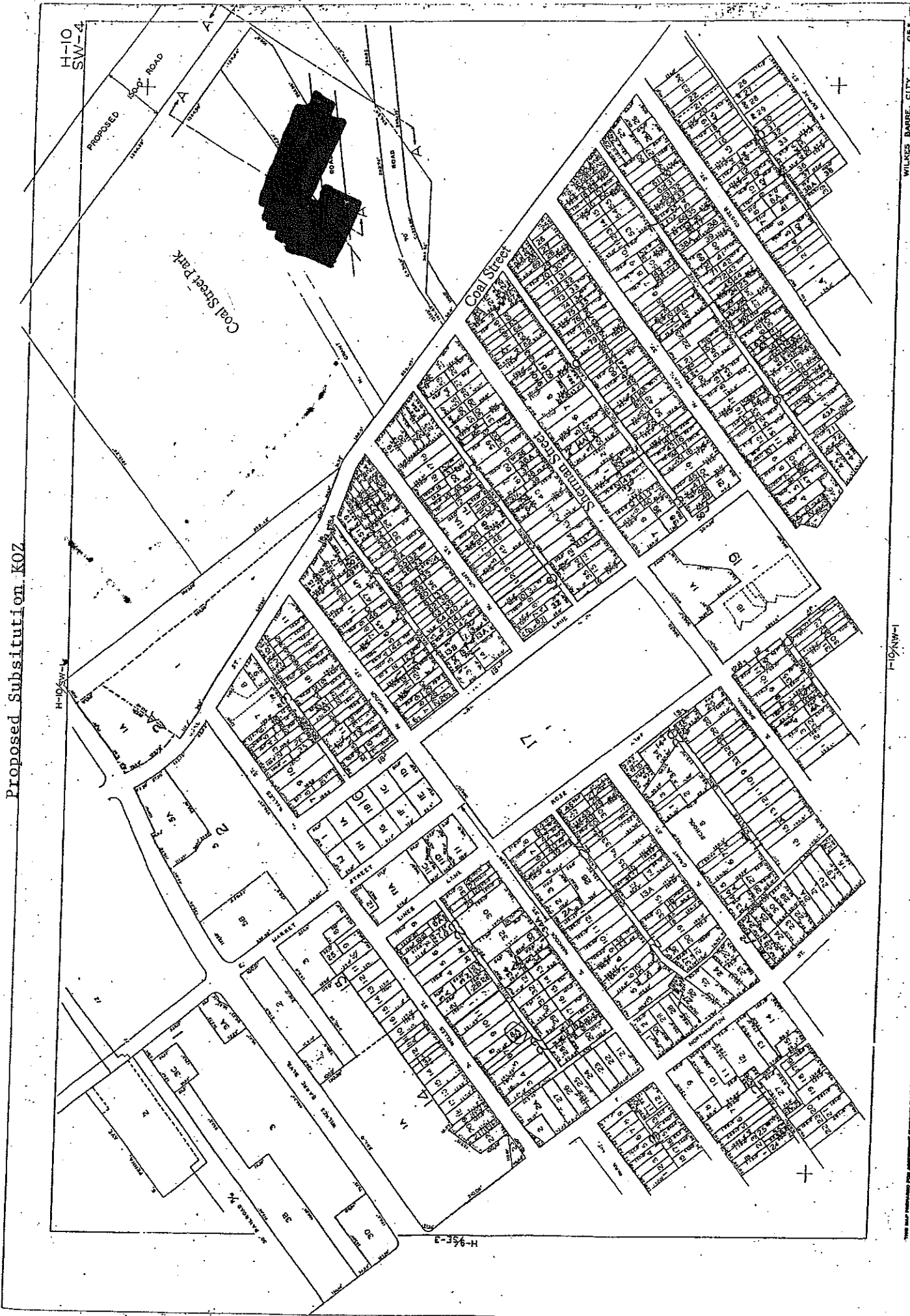
H-95E-3

H-10/SW-4

19

WILKES BARRE, CITY  
LUZERNE COUNTY, PENNA.  
SEWERAGE AND SANITATION DEPARTMENT  
RESCALE FROM 1887 No. H-10/SW-4

These maps show the proposed sewerage system and are not to be construed as a contract for the proposed sewerage system.







Wilkes-Barre, Pa. \_\_\_\_\_

Resolution No. \_\_\_\_\_

*BE IT RESOLVED by the City Council of the City of Wilkes-Barre:*

**CITY OF WILKES-BARRE**  
40 E. Market Street  
Wilkes-Barre, PA 18711

**A RESOLUTION OF THE CITY OF WILKES-BARRE AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDS WITH THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT FOR THE STEGMAIER LOFTS REUSE PROJECT.**

WHEREAS, the City of Wilkes-Barre is desirous of obtaining funds from the Department of Community and Economic Development, Commonwealth of Pennsylvania, in the amount of \$500,000 under the Growing Greener II Program for Downtown Revitalization, pursuant to Section 3 of the Act of April 23, 2002, known as the Main Street Act for Main Street and Downtown Redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the City of Wilkes-Barre that a blighting influence exists because of unsafe, unsanitary, inadequate or overcrowded conditions of dwellings; inadequate planning of the area; defective design and arrangement of the buildings thereof; and economically or socially undesirable land use; and the proposed project will prevent further blight and or eliminate the existing influence by the rehabilitation and reuse of vacant structures; and construction of new business facilities within the Project Area.

BE IT FURTHER RESOLVED, that the City of Wilkes-Barre will submit said application to the Department of Community and Economic Development – Growing Greener II.

BE IT FURTHER RESOLVED, that the City of Wilkes-Barre is committed to the Stegmaier Lofts downtown project and will cooperate with all stakeholders, including private developers, in carrying out the Project.

Submitted by \_\_\_\_\_

ROLL CALL

YEAS

RESOLUTIONS

NAYS

BARRETT

BE IT FURTHER RESOLVED, that the City Clerk and Mayor are directed to execute a certificate attesting to the adoption of this resolution and to furnish a copy of the Resolution to the DCED.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

CITY OF WILKES-BARRE

\_\_\_\_\_  
MAYOR

ATTEST:

I, James Ryan, City Clerk of the City of Wilkes-Barre, do hereby certify that this is a true and correct copy of a Resolution adopted by the City of Wilkes-Barre at its meeting held on \_\_\_\_\_, 2009.

\_\_\_\_\_  
James Ryan, City Clerk

FILE OF COUNCIL

No. 2 of 2009

PRESENTED IN CITY COUNCIL February 5, 2009

**AN ORDINANCE AMENDING THE TENANT AND RENTAL UNIT INSPECTION  
AND PROPERTY TRANSFER INSPECTION REQUIREMENTS WITHIN THE CITY  
OF WILKES-BARRE, SPECIFICALLY PORTIONS OF ARTICLE 7 OF THE WILKES-  
BARRE CITY CODE OF ORDINANCES**

Recitals

WHEREAS, in the interest of the health, safety and welfare of the citizens and residents of the City of Wilkes-Barre, the City Council intends on amending portions of File of Council Number 63 of 2004, and subsequent amendments thereto, to address the method of inspection of Regulated Rental Units, as well as properties which are to be sold and/or transferred, and are located within the City of Wilkes-Barre; and

WHEREAS, the Housing Code of the City of Wilkes-Barre shall be amended through this Ordinance, specifically the relevant portions of Article 7 of the Wilkes-Barre City Code of Ordinances; and

NOW, THEREFORE, in consideration of the foregoing Recitals, BE IT ORDAINED by the City Council of the City of Wilkes-Barre, the relevant portions of Article 7 of the Wilkes-Barre City Code of Ordinances are hereby amended as follows:

**SECTION I.** SECTION 7-223 of the Code of Ordinances of the City of Wilkes-Barre, shall be stricken in its entirety, and shall be replaced by the following provisions:

**SECTION 7-223. Inspection Standards.** The Code Enforcement Officer shall use the standards set forth herein in the inspection of the properties. The Code Enforcement Officer shall inspect each rental unit located within the City of Wilkes-Barre, consistent with this Article, and shall follow the requirements contained and set forth as the "Inspection Standards" outlined below. These Inspection Standards shall be integrated into the Housing Statistical Report which shall be kept on file in the Wilkes-Barre City Code Office for public inspection. In the event the Regulated Rental Unit does not meet all Inspection Standards, the inspection shall fail, and the Owner shall be required to make changes, consistent with the Code of Ordinances, prior to

having the Regulated Rental Unit re-inspected in accordance with this Article. The relevant Inspection Standards are:

- (a) **Smoke Detectors.** All Regulated Rental Units and rental properties shall be required to have working smoke detectors installed where required by this Code of Ordinances and any applicable laws. Smoke detectors may be battery operated so long as the battery is a ten-year lithium type and approved by the Code Enforcement Officer. Smoke detectors shall be located:
- (1) In every bedroom;
  - (2) In common area outside all bedrooms;
  - (3) At least one on each floor;
  - (4) One in basement, where applicable;
  - (5) One in attic, where applicable;

In the event there is construction and/or a complete renovation of the Regulated Rental Unit(s) which is subject to the rules and regulations of the Wilkes-Barre City Building Code and/or the International Building Code (or Residential Code), the Owner(s) and Occupant(s) shall be subject to the requirements of the said Codes. In the event there is a conflict between this section and the above-referenced Codes, the code which is stricter shall apply.

- (b) **Requirements.** Each Regulated Rental Unit shall have at least one (1) of each of the following:
- (1) **Kitchen.** A Kitchen shall have a stove with at least two (2) working burners and an oven; it shall have a sink with both hot and cold water; it shall have at least one (1) gfi receptacle; it shall have one window which shall operate by opening to the outside; and it shall have at least one light fixture;
  - (2) **Bathroom.** A bathroom shall have one commode; it shall have one lavatory; it shall have one tub and/or shower; it shall have hot and cold water; it shall have at least one (1) gfi receptacle; it shall have one window and/or an approved exhaust fan exhausting to the outside; and it will have at least one light fixture;
  - (3) **Living Room.** A living room must have at least two (2) double receptacles or one double receptacle with a ceiling or wall mounted light fixture; it shall also have at least one (1) operating window which opens to the outside. Screens shall be provided for all windows and storm doors. Windows must be able to remain open without the aid of props.

- (4) **Bedroom.** Each bedroom must have at least two (2) double receptacles or one double receptacle with a ceiling or wall mounted light fixture; it shall also have at least one (1) operating window which opens to the outside. Screens shall be provided for all windows and storm doors. Windows must be able to remain open without the aid of props.
- (c) **Stairways.** Each Regulated Rental Unit that has stairways within the said Unit or in common areas shall have continuous hand rails;
- (d) **Heat Sources.** All Regulated Rental Units shall have either electric heat or a central heating source. Space heaters are not permitted as a sole source of heat. Kerosene heaters are prohibited.
- (e) **Hot Water Heaters.** All heating units and domestic hot water heaters shall be installed according to the manufacturer's specifications by a licensed contractor, and shall be maintained and in good, working order at all times.
- (f) **Electrical Requirements.** No Regulated Rental Unit is permitted to have exposed electrical wiring which does not meet the appropriate code and/or which can be a safety and/or health hazard.
- (g) **Other Standards.** All sockets, switches, outlet boxes and receptacles must have the appropriate covers/cover plates; plumbing fixtures and pipes cannot leak or be obstructed; roofs must be weathertight. The Code Enforcement Officer shall also be required to inspect for other violations of this Article which may or will have an impact on the health, safety and/or welfare of the Owner, Occupants or residents of the City of Wilkes-Barre.

**SECTION II.** SECTION 7-273 of the Code of Ordinances of the City of Wilkes-Barre, shall be stricken in its entirety, and shall be replaced by the following provisions:

**SECTION 7-273. Inspection Standards.** The Code Enforcement Officer shall use the standards set forth herein in the inspection of the properties. The Code Enforcement Officer shall inspect each property which is to be sold and/or transferred within the City of Wilkes-Barre and, and shall follow the requirements contained in and set forth as the "Inspection Standards" outlined below. These Inspection Standards shall be integrated into the Housing Statistical Report which shall be kept on file in the Wilkes-Barre City Code Office for public inspection. In the event the property which is to be sold and/or transferred does not meet all Inspection Standards, the inspection shall fail, and the Owner shall be required to make changes, consistent with the Code of Ordinances, prior to the issuance of a sales certificate in accordance with this Article. The relevant Inspection Standards are:

(h) **Smoke Detectors.** All properties which are to be sold and/or transferred shall be required to have working smoke detectors installed where required by this Code of Ordinances and any applicable laws. Smoke detectors may be battery operated so long as the battery is a ten-year lithium type and approved by the Code Enforcement Officer. Smoke detectors shall be located:

- (1) In every bedroom;
- (2) In common area outside all bedrooms;
- (3) At least one on each floor;
- (4) One in basement, where applicable;
- (5) One in attic, where applicable;

In the event there is construction and/or a complete renovation of the property which is to be sold and/or transferred, which is subject to the rules and regulations of the Wilkes-Barre City Building Code and/or the International Building Code (or Residential Code), the Owner(s) and Occupant(s) shall be subject to the requirements of the said Codes. In the event there is a conflict between this section and the above-referenced Codes, the code which is stricter shall apply.

(i) **Requirements.** Each of the rooms listed below shall meet the following criteria and conditions:

- (1) **Kitchen.** A Kitchen shall have a stove with at least two (2) working burners and an oven; it shall have a sink with both hot and cold water; it shall have at least one (1) gfi receptacle; it shall have one window which shall operate by opening to the outside; and it shall have at least one light fixture;
- (2) **Bathroom.** A bathroom shall have one commode; it shall have one lavatory; it shall have one tub and/or shower; it shall have hot and cold water; it shall have at least one (1) gfi receptacle; it shall have one window and/or an approved exhaust fan exhausting to the outside; and it will have at least one light fixture;
- (3) **Living Room.** Each living room must have at least two (2) double receptacles or one double receptacle with a ceiling or wall mounted light fixture; it shall also have at least one (1) operating window which opens to the outside. Screens shall be provided for all windows and storm doors. Windows must be able to remain open without the aid of props.
- (4) **Bedroom.** Each bedroom must have at least two (2) double receptacles or one double receptacle with a ceiling or wall mounted light fixture; it shall also have at least one (1) operating window which opens to the outside.

Screens shall be provided for all windows and storm doors. Windows must be able to remain open without the aid of props.

- (j) **Stairways.** All stairways within the said property shall have continuous hand rails;
- (k) **Heat Sources.** All properties shall have either electric heat or a central heating source. Space heaters are not permitted as a sole source of heat. Kerosene heaters are prohibited.
- (l) **Hot Water Heaters.** All heating units and domestic hot water heaters shall be installed according to the manufacturer's specifications by a licensed contractor, and shall be maintained and in good, working order at all times.
- (m) **Electrical Requirements.** No property is permitted to have exposed electrical wiring which does not meet the appropriate code and/or which can be a safety and/or health hazard.
- (n) **Other Standards.** All sockets, switches, outlet boxes and receptacles must have the appropriate covers/cover plates; plumbing fixtures and pipes cannot leak or be obstructed; roofs must be weathertight. The Code Enforcement Officer shall also be required to inspect for other violations of this Article which may or will have an impact on the health, safety and/or welfare of the Owner, Occupants or residents of the City of Wilkes-Barre.

### **SECTION III.      CONFLICTS**

All Ordinances or parts of Ordinances of the City of Wilkes-Barre in conflict with this Ordinance to the extent of such conflict, and no further, are hereby repealed. 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.

This ordinance shall become effective ten (10) days after final adoption by Wilkes-Barre City Council.

ATTEST:

\_\_\_\_\_  
JAMES RYAN, CITY CLERK

FILE OF COUNCIL

No. 3 of 2009

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PRESENTED IN CITY COUNCIL February 5, 2009  
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**AN ORDINANCE AMENDING ARTICLE I, SECTION 3.5-24 REGARDING  
ADVANCED LIFE SUPPORT AMBULANCE SERVICES**

TITLE ONLY

**SECTION II. CONFLICTS**

All Ordinances or parts of Ordinances of the City of Wilkes-Barre in conflict with this Ordinance to the extent of such conflict, and no further, are hereby repealed. 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.

**SECTION III EFFECTIVE DATE OF ORDINANCE**

This ordinance shall become effective ten (10) days after final adoption by Wilkes-Barre City Council.

ATTEST:

\_\_\_\_\_  
JAMES RYAN, CITY CLERK