

Christopher T. Spadoni
Attorney at Law

*P.O. Box 522
215 West Broad Street
Bethlehem, PA 18018
Phone: (610) 867-3938
Fax: (610) 625-4788*

April 17, 2009
File No. 98-13

Via Fax 610-997-5738
and Regular Mail
Cindy Biedenkopf, City Clerk
Bethlehem City Council
City of Bethlehem
10 East Church Street
Bethlehem, Pennsylvania 18018

Re: Liquor License Transfers/Zoning Hearing Board Notice

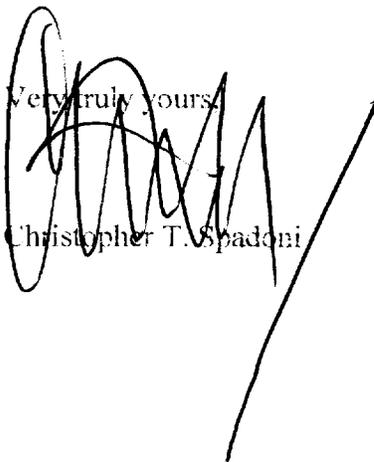
Dear Cindy:

Please accept this correspondence as communication for listing at the Tuesday, April 21, 2009 Council meeting as to "posting" (noting Resolution No. 15.083) of the City and Ordinance amending 1325.04 entitled Notice of Hearings. (Bill No. 46-2008, Ordinance No. 2009-2 as enacted by the City)

I am attaching my preliminary Drafts and would you kindly list this correspondence to be referred to the appropriate committee for review.

Thanks.

Very truly yours,


Christopher T. Spadoni

CTS: kr
Enclosures

BILL NO. ____-2009

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BETHLEHEM COUNTIES OF LEHIGH
AND NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA
AMENDING THE ZONING ORDINANCE OF THE CITY OF BETHLEHEM
SECTION 1325.04
NOTICE OF HEARINGS

THE COUNCIL OF THE CITY OF BETHLEHEM HEREBY ORDAINS AS FOLLOWS;

Section 1

That Section 1325.05 of the Zoning Ordinance of the City of Bethlehem reads as follows

1325.04 Notice of Hearings

(a) Upon filing with the Board an application for a special exception variance or interpretation of this Ordinance, the Board shall determine a place and a reasonable time, not to exceed sixty (60) days from the date of application for a public hearing thereon and give notice as follows:

(1) At least seven (7) days prior to the date fixed for public hearing, publish a public notice describing the location of the building or lot and the general nature of the question involved in a newspaper of general circulation in the City.

(2) Give written notice to parties in interest at least seven (7) days in advance of such hearing. Such parties shall be at least those persons whose properties adjoin and face on the same street as the property in question and the City Planning Commission. For any Zoning Appeals other than a dimensional variance request for an existing single family owner-occupied structure from the Table of Area, Yard & Building Regulations, notice of hearing shall include all parties who own premises within a radius of three hundred feet (300') of the subject property lot lines, and the City Planning Commission.

Shall be amended to read as follows:

1325.04 Notice of Hearings

(a) Upon filing with the Board an application for a special exception variance or interpretation of this Ordinance, the Board shall determine a place and a reasonable time, not to exceed sixty (60) days from the date of application for a public hearing thereon and give notice as follows:

(1) At least seven (7) days prior to the date fixed for public hearing, publish a public notice describing the location of the building or lot and the general nature of the question involved in a newspaper of general circulation in the City.

(2) Give written notice to parties in interest at least seven (7) days in advance of such hearing. Such parties shall be at least those persons whose properties adjoin and face on the same street as the property in question and the City Planning Commission. For any Zoning Appeals other than a dimensional variance request for an existing single family owner-occupied structure from the Table of Area, Yard & Building Regulations, notice of hearing shall include all parties who own premises within a radius of **five hundred feet (500')** of the subject property lot lines, and the City Planning Commission.

Section 2

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

Sponsored by _____

PASSED finally in Council on the ____ day of _____, 2009.

President of Council

ATTEST:

Cynthia H. Biedenkopf, City Clerk

This Ordinance approved this ____ day of _____, 2009.

Honorable John B. Callahan, Mayor

PROPOSED

RESOLUTION NO. _____

WHEREAS, the Council of the City of Bethlehem is mandated for review of liquor license transfers, and the approval of studies, and of community and economic development plans (hereinafter "submissions") affecting the City and its residents; and

WHEREAS, the Council of the City of Bethlehem is desirous of assuring that adequate public notice is given to surrounding residents to assure their knowledge and input of the submissions to the City of Bethlehem; and

WHEREAS, the Council of the City of Bethlehem enacted Resolution No. 15,083 requiring a written certification be provided to the Council of the City of Bethlehem that all property owners within 500 feet have been notified by first class mail as required therein; and

WHEREAS, the Council of the City of Bethlehem is desirous of the affected property being posted to further assure public notice.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BETHLEHEM that in Council's consideration of liquor license transfers and the approval of community and economic plans and/or studies, the following written certification must be provided to the Council of the City of Bethlehem.

A Certificate shall be submitted in writing that the affected property was posted at three conspicuous locations upon the premises with such posting to include a summary of the submission, indicate where such documentation may be reviewed in detail during normal business hours, and shall further advise as to the date, time and place for the consideration by the City of Bethlehem.

Sponsored by _____

ADOPTED by Council this ____ day of _____, 2009.

President of Council

ATTEST:

Cynthia H. Biedenkopf, City Clerk

CURRENT

RESOLUTION NO. 15,083

WHEREAS, the Council of the City of Bethlehem is mandated for review of liquor license transfers, and the approval of studies, and of community and economic development plans (hereinafter "submissions") affecting the City and its residents; and

WHEREAS, the Council of the City of Bethlehem is desirous of assuring that adequate public notice is given to surrounding residents to assure their knowledge and input of the submissions to the City of Bethlehem.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BETHLEHEM that in Council's consideration of liquor license transfers, and the approval of community and economic development plans and/or studies, the following written certification must be provided to the Council of the City of Bethlehem:

A Certificate shall be submitted in writing that all property owners within 500 feet of any submission have been notified by first class mail, and such notice shall include a summary of the submission, indicate where such documentation may be reviewed in detail during normal business hours, and shall further advise as to the date, time and place of consideration by the City of Bethlehem.

Sponsored by /s/ Joseph F. Leeson, Jr.

/s/ Robert J. Donchez

ADOPTED by Council this 19th day of June, 2007.

/s/ J. Michael Schweder
President of Council

ATTEST:

s. Cynthia H. Biedenkopf
City Clerk