

Introduced in Council on above date
and referred to Committee on July 28, 1976

Public Health Approval

7-28-76
City Clerk

FILE OF THE COUNCIL NO. 38

1976

AN ORDINANCE

CREATING A COMMISSION FOR ARCHITECTURE AND URBAN DESIGN FOR THE CITY OF SCRANTON. SAID COMMISSION TO CONCERN ITSELF WITH PUBLIC BUILDINGS AND OPEN SPACES AND TO ENCOURAGE PRIVATE CONSTRUCTION TO ADHERE TO THE PRINCIPLES OF URBAN DESIGN.

WHEREAS, the City of Scranton is concerned with providing for urban renewal and community development, and

WHEREAS, there is expressed public interest in the continuing vitality of the downtown area, and

WHEREAS, presented this opportunity, future structures in Scranton will become buildings of beauty with the citizenry being the beneficiary and the current concern for the impersonal and functional character of the environment will be replaced by enjoyment, awareness, and pride.

WHEREAS, the City of Scranton recognizes the need to provide for the protection, enhancement, preservation and use of structures, works of art and other objects in the City having special character or special historical or aesthetic interest or value, and

WHEREAS, designers and builders should be encouraged and stimulated to aid in beautification and in the development of an attractive community possessing an atmosphere conducive to economic growth and prosperity, and,

WHEREAS, the aesthetically conceived environment, through good design and the appropriate use of space enhances the economic value and stability of real property, and

Chairman of Department of Public Health,
City of Scranton

Robert J. ...
Chairman

CERTIFIED COPY

James W. ...
City Clerk

WHEREAS, an atmosphere of visual pleasure and physical comfort promotes and reflects prosperity.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON:

Section 1. That there is hereby created a Commission to be known as the Commission for Architecture and Urban Design.

Section 2. Definitions - Work of Art The term "work of Art" as used in this act shall apply to and include all paintings, mural decorations, statues, bas-reliefs, sculptures, monuments, fountains, arches, ornamental gateways, and other structures of a permanent character, intended for ornament or commemoration.

Section 3. Membership Membership of this Commission shall consist of nine (9) members who shall serve without remuneration and shall be composed of the following: One (1) Architect, one (1) Landscape Architect, one (1) Professional Engineer, one (1) painter, one (1) sculptor, and four (4) other persons who, by training, experience or interest, are qualified to carry out the duties of a Commission for Architecture and Urban Design.

The members of the Commission shall be governed by the Code of Ethics as contained in the Administrative Code of the City of Scranton and in this regard shall not participate in any vote taken on any proposal before the Commission in which they have a financial interest either direct or contrived.

Section 4. Terms of Membership Members of the Commission shall be appointed by the Mayor and approved by Council and shall serve for a term of five (5) years. The terms of these members initially appointed shall be staggered so that no more than two (2) terms expire in any year. Members shall continue to serve until their replacements are appointed and qualified.

Section 5. Offices The Commission shall elect from its members a Chairperson and Vice-Chairperson and such other officers as it deems necessary.

Section 6. Quorum A majority of the voting membership shall constitute a quorum at any meeting. A quorum shall be necessary to conduct business.

Section 7. Powers and Duties. The Commission shall have the following powers and duties in addition to those elsewhere described in this ordinance.

1. Duties

1. To hold at least one meeting in each month and as many other meetings at such other times as in the opinion of the Chairman or majority of the Commission are necessary or desirable for the efficient discharge of the business of the Commission. The Commission shall provide copies of the minutes of their monthly meeting to Council within 30 days of said meeting and shall provide yearly reports of the business of the Commission within 30 days of the close of the fiscal year.

2. To adopt such rules and regulations as may be necessary, not inconsistent with the provisions of this ordinance, with respect to the conduct of the meetings and the business of the Commission and the other matters incidental and appropriate to the powers and duties of the Commission as described by this ordinance and for the proper administration and enforcement of this ordinance and to amend or repeal any of such rules or regulations by a majority vote at any special or regular meeting, with at least thirty (30) days written notice of the proposed change.

11. Powers and Functions Concerning:

A. Public Property; Approval of Design of Site, Design of Structure, Location, Alterations and Demolition.

1. No design for a building, bridge, approach, gate, step, fence, lamp, street furniture or other structure or addition which shall be erected upon any street or property owned, leased, or occupied by the City, County, State or Federal Government or any Public Agency, or involving the use of funds or monies of or from the City, County, State, or Federal Government or any Public Agency shall be implemented without the recommendation of the Commission. No work of art shall be erected or placed on or upon any street, park, public building or other property belonging to the City until the same and its proposed location have been reviewed by the Commission and a course of action is recommended to the Council. No work of art or public structure may be removed, demolished, relocated or altered in any way without the recommendation of the Commission to the Council, except as provided hereafter in sub-section 11, paragraph B, sub-paragraph 1.

2. The Commission shall also consider the location of structures and works of art and may make recommendations for changes in location thereof.

3. No arch, bridge, approach, permanent sign, the property of any person intended to extend or extending over or upon any sidewalk or street, park or property belonging to the City shall be erected or altered without the recommendation of the Commission to the Council. Prior to submission to the

proper City authority, the design of any sign except traffic signs or safety signs required under the Vehicle and Traffic Law of the Commonwealth of Pennsylvania, which requires City permission shall be submitted to and approved by the Commission.

4. The Commission shall require submission of drawings or models of designs of municipal property for its approval and also materials and colors intended for use. After an alteration or change in design is made upon advice from the Commission, the designs shall be resubmitted for final approval. These drawings and/or models shall become the property of the City.

Works of art acquired in any way, by gift, bequest, or purchase by a museum shall not come within the jurisdiction of the Commission.

B. Landmarks and Other Property.

1. The Commission may identify and list landmarks, structures and sites both in public and private ownership that are deemed worthy of preservation by reason of the value of each to the City as (1) an outstanding example of an architectural style either past or present; (2) one of the few remaining examples of a past architectural style; (3) a place where an historical event of significance to the City, Region, State or Nation, or representative activity of a past era took place. The Superintendent of Building Inspection shall refer to the Commission any application for Alteration, moving, or demolition of any listed landmark, structure or site for its review and recommendation. No listed landmark or structure can be demolished for a period of six months from the date the application is made, if the Commission does not recommend approval of the application for demolition. In the event of hardship, the Commission may grant a shorter period for demolition.

2. All applications for permits for new construction or for alterations which materially affect the exterior appearance of a structure, shall be forwarded by the Superintendents of Buildings to the Commission for its review. The Commission may then make such recommendations to the Superintendent of Building Inspection and may include alternatives and advice for possible alteration. The Commission shall return all applications for permits in not more than forty-five (45) days from the date said applications are referred to said Commission. If the Commission fails to act within forty-five (45) days, approval shall not be required.

3. A prospective private builder may seek advice from the Commission previous to the submission of plans to the Building Inspector for a permit.

C. Factors.

1. In considering application for approval and in the recommendation of designs for structures and works of art as set forth in Section 7, Paragraphs II A and II B of this Ordinance, the Commission shall review all materials submitted to it taking into consideration, but not limited to, the following factors:

(a) The location of the building, structure, sign or work of art on the site or street.

(b) Volume, height, form design, proportion, color, texture.

(c) The relation of the building, structure or work of art to adjacent space or spaces, including adjoining property, both private and public, including streets.

(d) The form and volume of the building, structure or work of art in association with other nearby structures.

(e) The creation of public open spaces and the design of these spaces.

(f) The placing of buildings, works of art, or other structures in existing or newly created public open spaces, including parks.

Section 8. The Commission may recommend that works of art be a part of any new public construction and may require an amount not to exceed 1% of the total cost of construction be used for works of art.

Section 9. 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 portion of this ordinance, which shall remain in full force and effect; and to this end the provisions of this ordinance are hereby declared to be severable.

Section 10. That this ordinance shall take effect immediately.

Passed by The Council

August 4, 1976

receiving the affirmative votes of MESSRS.

Doherty, Melnick, Moran, Rossi & Mrs Schimelfenig

Negative

NONE

President

APPROVED:

EUGENE J. PETERS, MAYOR

DATE: 8-9-76