



Town of Johnstown

TOWN COUNCIL AGENDA COMMUNICATIONS

AGENDA DATE: May 1, 2023

SUBJECT: Ordinance No. 2023-248 Repealing Articles I-VIII of Chapter 6 and Readopting Articles I-IV of Chapter 6 of the Johnstown Municipal Code

ACTION PROPOSED: Consider Approval of Ordinance No. 2023-248

ATTACHMENTS: 1. Ordinance No. 2023-248

PRESENTED BY: Hannah Hill, Town Clerk

AGENDA ITEM DESCRIPTION:

Enclosed for review and consideration is Ordinance No. 2023-248 that would amend multiple sections of the Municipal Code Chapter 6. These amendments specifically repeal and replace certain sections to remove redundancy, be consistent with other municipal requirements, update and streamline processes. The existing chapters noted in this ordinance have not been significantly updated for several years. The proposed amended sections have been updated to be consistent with modern code which includes a purpose section, definitions, and an appeal process. Other substantive changes include the following:

Article 1- Business Licenses:

Clarification has been provided for what entities are required to hold a business license, taking into consideration new legislation regarding physical presence in Town limits.

Article II and III (proposed to repeal)- Fireworks Permit and Fireworks Public Display Permit:

This has been removed from Chapter 6 and moved to Chapter 10 for consistency and clarification on who the authority is to enforce this Code. An Ordinance noting this proposed amendment is on the agenda for tonight's meeting.

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Article IV (proposed to repeal) – Auctions and Auctioneers and Article V – Skating Rinks, Merry-Go-Round, Shows and Exhibitions, and Article VI- Coin-Operated Game Machines:

These have been repealed as licensing and enforcing is not sustainable for the number of businesses that can fall into this category. There are, as well, other regulations or inspections that now govern these the majority of these operations.

Article II – Peddlers and Solicitors:

References to Peddlers have been removed, as staff feels that falls under current Outdoor Vendor Code, with the purpose to provide notice to the Town of the persons conducting solicitation activities within the Town boundaries for the health, safety and welfare of the Town’s citizens and residents. By issuance of a solicitor license, the Town does not intend to be, and shall not be, liable for actions or omissions of the solicitor.

Article III- Tree Contractor License:

A requirement has been added into the Code for licensees to hold a valid certification from the International Society of Arboriculture or an equivalent exam, such as a neighboring municipality that requires field testing. This is in an effort to issue licenses to legitimate contractors and protect the community from entities that may be looking to take advantage after a natural disaster.

Article IV - Short Term Rental Licenses:

This new section of Code is proposed in an effort to provide regulation and consistent standards as the popularity of Short-Term Rentals grows. Over the last year, staff has received numerous calls from STR owners looking to receive a permit, and other entities requesting a listing of STRs. Formalizing a licensing process will assist with these requests.

LEGAL ADVICE:

The Town Attorney drafted the Ordinance.

FINANCIAL ADVICE:

NA

RECOMMENDED ACTION: Approve Ordinance No. 2023-248

SUGGESTED MOTIONS:

For Approval: I move to approve Ordinance No. 2023-248 on first reading.

For Denial: I move to deny Ordinance No. 2023-248.

Reviewed and Approved for Presentation,



Town Manager

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