

## LATROBE CITY COUNCIL SPECIAL MEETING AGENDA

December 23, 2024 | 6:30 PM  
Municipal Building, Council Chambers

\*Special Meeting of Council – Agenda Session to follow\*

1. Call to Order
2. Pledge of Allegiance
3. Moment of Silence
4. Roll Call
5. Citizen's Request related to Agenda Items only (limit 3-5 minutes per citizen)
6. Committee Reports
  - a. Finance Committee – 2025 City Budget. General Fund, Liquid Fuels, Storm water fund and Capital Projects budget for 2025.
7. Board/Authority
8. **Department Reports**
  - A. **Administration and Finance Department**
    1. Ordinance # 12-24 approving the 2025 City Budget
    2. Appoint Janina Hall as the Council Secretary for 2025 per M O U with AFSME Local 629.
    3. Motion to approve Police contract between City of Latrobe and F O P.
    4. Motion to approve purchase of 3 RhinoTab P C units for police dept. patrol vehicles using grand funds of \$15,684 from PCCD Federal Grant.
    5. Motion to approve Kenwood radios for police dept. in amount of \$23,627.48 quote from Westcom Wireless using \$20,131.01 in grant funds from DA.
    6. Motion to approve HVAC installation cost loan from S W account with yearly installments per 2025 budget.
9. **Unfinished Business:** A. Motion to assign ARPA funds of \$15,824.16  
B. **Motion to approve a payroll settlement agreement with Doug Tuk.**
10. **New Business:** Review and consideration of motion to approve Consent Order and Agreement at Westmoreland County Court of Common Pleas Docket No's: 4072 of 2021 & 4073 of 2021 (Consolidated).
11. Public Comment.
12. Adjournment

**Agenda meeting to immediately follow.**

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Eric Bartels, Mayor

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Terry Carcella, City Manager

**ORDINANCE NO. 2024-12**  
**ADOPTION OF BUDGET FOR FISCAL YEAR 2025**

NOW, THEREFORE, be it enacted and ordained by Council of the City of Latrobe, and the City of Latrobe hereby ordains as follows:

SECTION 1. That the budget, in final form as presented at this meeting for the fiscal year ending December 31, 2025, showing total revenue of \$7,420,580.40 and total expenditures of \$7,379,474.00, be and hereby is approved at the fiscal year 2025 budget for the City of Latrobe.

SECTION 2. That any capital expenditure involving a cooperative purchase and/or professional services must be presented to Council for approval.

SECTION 3. That the Secretary of the City of Latrobe be and is hereby authorized to file certified copies of the budget adopted hereby with all appropriate offices of the Commonwealth of Pennsylvania and any Federal Agency required by any applicable statute or regulation.

SECTION 4. That the within Ordinance shall take effect on the date of publication of the post-enactment notice of passage of the same.

ENACTED and ORDAINED this 23rd day of December 2024.

COUNCIL OF THE CITY OF LATROBE

By:

\_\_\_\_\_  
Eric Bartels, Mayor

ATTEST:

\_\_\_\_\_  
Karen Meholic, Secretary





# PatrolPC®

A division of Advanced Electronic Design, Inc.  
344 John Dietsch Blvd #2  
North Attleboro, MA 02763

# Invoice

www.PatrolPC.com

Date 10/1/2024  
Invoice # 8277865

Phone: 508-699-0249 Fax: 508-699-2531 Email: AR@patrolpc.com

### Bill To

Latrobe PD  
Attn: Accounts Payable  
901 Jefferson Street  
Latrobe, PA 15650

### Ship To

Latrobe PD  
Attn: Beth Straka  
901 Jefferson Street  
Latrobe, PA 15650

P.O. No.	Terms	Rep	Ship Date	Due Date	Via	Project
Richard M Bosco	Net 30	JFS	10/1/2024	10/31/2024	UPS-Gro...	QUO-12890

Qty	Item	Description	Rate	Amount
3	RH-M3	RhinoTab® M3 UltraRugged® Portable MDT (Projected Capacitive Touch Screen, Internal Battery, Ambient Light Sensor, WiFi 802.11 2.45GHz B/G/N/AC + BlueTooth, GPS, Front Camera and Rear Camera w/ Flash, Dual Digital Microphones, Stereo Speakers) S/N: RHM3-0924-0287, RHM3-0924-0286, and RHM3-0924-0285	3,995.00	11,985.00T
3	RAM-32GB-DDR4	16GB DDR4-2400 RAM	0.00	0.00T
3	SSD-250GB-NVMe	250GB M.2 NVMe SSD - 1GB = 1,000,000,000 bytes. Total uable memory will be less depending on actual system configuration	0.00	0.00T
3	SCRN-IND-S-RH-M3	12.1in 1024x768, 4:3 Ratio, Sunlight Readable, Optically bonded Display - 1200 NITs+ W/ Standard Graphic Overlay Package	0.00	0.00T
3	OS-W11E64-RH-M3	Windows 11 IoT Enterprise 64 Bit Operating System for RhinoTab® M3 w/ CBB License.	220.00	660.00T
3	BMP-S-RH-M3	RhinoTab® M2 Shock-Absorbing Bumpers (Standard)	0.00	0.00T
3	CARRY-HANDLE-S-RH-M3	RhinoTab® M2 RhinoTab® M3 Side-Mount Handle	0.00	0.00T
3	CELL-ATT-URC1-RH-M3	RhinoTab® M3 Embedded Cellular Modem. ATT. Dual SIM capable. Certified for FirstNet and Band 14. Uses black FirstNet Core SIM Card	574.00	1,722.00T
3	2DS-RH-M3	RhinoTab® M3 Embedded 2D Barcode Scanner	372.00	1,116.00T

**Total**

**Pymnts/Credits**

**Balance Due**

Thank you for your purchase. Please make checks payable to Advanced Electronic Design, Inc. Tax ID #04-3480281  
Interest of 1-1/2 percent per month will be added to balances not paid before the due date. Other binding terms and conditions apply. Ask for a copy of our standard terms and conditions of sale.



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Richard M Bosco	Net 30	JFS	10/1/2024	10/31/2024	UPS-Gro...	QUO-12890

Qty	Item	Description	Rate	Amount
3	WRNT-3YR-RH-M3	3 Year RhinoTab® Computer Warranty (Tablet Only)	0.00	0.00T
3	RD-V2	Patrol PC® RhinoDock™ Low Profile Dock (Non-Configurable) - 1 10/100/1G Ethernet, 2 USB 3.0, 2 Always On USB 2.0, 4 RF Pass-Thru, 2 Ports for External Power Control and Ignition Sense. 10 AMP Fused Power Cable, 3 Year Warranty S/N: RDV2-0924-1302, RDV2-0924-1303, and RDV2-0924-1304	627.00	1,881.00T
3	CBL-PWR-6FT-NC	6 FT Fused Power Cable. (Included with RhinoDock™)	0.00	0.00T
3	WRNT-3YR-RD-M2	3 Year RhinoTab® Dock Warranty (RD-M2 Dock Only)	0.00	0.00T
3	KBD-TG3-BLTXR-UCNNR-US	Rugged Backlit Keyboard - TG3 KBA-BLTX R 82 Key Rubber Membrane Backlit Red Illuminated Keyboard with Touchpad/Coiled Cord - 3 Year Manufacturer's Warranty. S/N:Y2211260653545, Y2211260653546, and Y2211260653549	234.00	702.00T
1	PWR-AC-15V-90W	90W A/C Power Adaptor US Plug (100-250VAC in, 15VDC Out, 1 Year Manufacturer's Warranty)	0.00	0.00T
1	Shipping Standard	Shipping of Unit / Dock / Cables / Keyboard - UPS Ground -1Z68YA684246745879	82.01	82.01T

Total

Pymnts/Credits

Balance Due

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 901 Jefferson Street  
 Latrobe, PA 15650

P.O. No.	Terms	Rep	Ship Date	Due Date	Via	Project
Richard M Bosco	Net 30	JFS	10/1/2024	10/31/2024	UPS-Gro..	QUO-12890

Qty	Item	Description	Rate	Amount
3	MNT-VEH-1M-5502UDB-U	Westin Tablet and Keyboard Mount with Two Telescopic Posts, 12" Tablet Post with G.R.I.P. Tilt/Swivel and Single Arm with Universal Display Bracket with VESA 75, VESA 100 & 2X4 Patterns (UDB-01), 10" Keyboard Post with G.R.I.P. Tilt/Swivel and Double Arm with Triple Pivot and Adjustable Tray for 12" Keyboard, Telescopic Mid Section with the Next Generation Under the Seat UNIBASE EVOLUTION (See list of vehicles) Chevrolet TAHOE (2021+), SUBURBAN (2021+), SILVERADO (2021+), EQUINOX (2018-2020), Dodge CHARGER (2011+) and CARAVAN (2011+), Ford CROWN VICTORIA (1992-2012), EDGE (2013+), ESCAPE (2013+), EXPLORER (2020+), POLICE INTERCEPTORS SEDAN and UTILITY (2011+), EXPEDITION (2018+), F150 (2015-2020), FSD (2017+), TRANSIT CONNECT (2002-2020), FUSION (2013+), RANGER (2019+) & TRANSIT (2013+) (Specify Year of Vehicle) MPN#500-0001	631.00	1,893.00
3	Shipping Standard	Shipping of Mounts - UPS Ground -1Z1A01110362914625 Sales to government offices, which are not taxed	30.00 0.00%	90.00 0.00

<b>Total</b>	\$20,131.01
<b>Pymnts/Credits</b>	\$0.00
<b>Balance Due</b>	\$20,131.01

Thank you for your purchase. Please make checks payable to Advanced Electronic Design, Inc. Tax ID #04-3480281  
 Interest of 1-1/2 percent per month will be added to balances not paid before the due date. Other binding terms and conditions apply. Ask for a copy of our standard terms and conditions of sale.

ITEM 5. Radio purchase

10 Kenwood radios, equipment and programming \$23,627.48


Paid for by Westmoreland Co. DA Office Grant \$20,131.01

Paid for by 2025 Capital Funds \$3,496.47

Attachments:

Copy of Westmoreland Co. D. A Grant Check

Quote for 10 Kenwood Radios, equipment and programming

<b>WESTMORELAND CO. D.A. INVESTIGATIVE FUND</b>		 MEMBER FDIC 1-800-711-BANK (2285) fcbanking.com 60-682/433	2250
PAYING ACCOUNT FUND 2 2 N MAIN STREET SUITE 206 GREENSBURG, PA 15601			8/9/2024
PAY TO THE ORDER OF	City of Latrobe	\$	**20,131.01
Twenty Thousand One Hundred Thirty-One and 01/100*****			DOLLARS
City of Latrobe 901 Jefferson Street Latrobe, PA 15650			
MEMO	Purchase of in-car computers	AUTHORIZED SIGNATURE	

⑈0000 2250⑈ ⑆043306826⑆ 7110 145015⑈

Recd

**Beth Straka**

---

**From:** Nicole W. Zicarelli <NZICCARE@westmorelandcountypa.gov>  
**Sent:** Friday, December 13, 2024 3:27 PM  
**To:** Beth Straka  
**Cc:** Ronald Zona  
**Subject:** RE: Westmoreland County funds

Thank you, Beth. I approve the use of these funds as you have requested. Please note that I have cc'd Chief Zona to this email in case we need to take any further steps for our paperwork.

Have a great weekend.

*Nicole W. Zicarelli, Esq.*  
Westmoreland County District Attorney  
2 N Main Street, Suite 206  
Greensburg, PA 15601  
724.830.3949  
[nzicare@co.westmoreland.pa.us](mailto:nzicare@co.westmoreland.pa.us)



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**From:** Beth Straka <bstraka@cityoflatrobe.org>  
**Sent:** Friday, December 13, 2024 3:12 PM  
**To:** Nicole W. Zicarelli <NZICCARE@westmorelandcountypa.gov>  
**Subject:** Westmoreland County funds

**WARNING:**  
This email message did not originate from inside Westmoreland County's Email System and is from an external organization. DO NOT CLICK links or attachments and DO NOT enter user information unless you recognize the sender and are certain the content is safe.  
Westmoreland County Information Systems - Ext. 4145

Good Morning District Attorney Zicarelli,  
In August, the Latrobe Police Department was awarded funds from the investigative fund to be used toward the purchase of car computers and software upgrades for all our vehicles. From that time until the time of installation (October), a technology grant from PCCD was awarded to the department allowing some of those PCCD funds to be used towards the purchase of these computers. We are respectfully requesting to redirect the use of the remaining unused funds from the county investigative fund check to help purchase new radios for the use of our officers. Our radios are several years old and unreliable. New radios would ensure uninterrupted communication as well as the safety of our officers during the many drug details that the department is involved in.

**Beth A Straka**  
Community Service Officer  
Latrobe Police Department



# Westcom Wireless

2773 Leechburg Road  
Lower Burrell, PA 15068

Office - 724-337-1400  
FAX - 724-339-2535  
sales@westcomusa.com

Latrobe Police Department  
Katie Fink  
901 Jefferson Street  
Latrobe, PA 15650  
724-537-5526  
kfink@cityoflatrobe.org

Cell 814-881-2313

Date 12/16/2024  
Quote # 10801  
Salesman Sam Sarraf

Quoted Valid for 30 Day  
Westcom Costar #012-163

Qty	Item Description	Unit Price	Extended
10	EFJ/Kenwood VP5430 Portable 800MHz Radio Package VP5430 7/800 Mission Critical Radio, Model II 1/4 Wave Antenna, High Cap Battery, OTAP, 5 Year Warranty P25 Conventional, P25 Phase I Trunking, ADP Encryption 1024 Ch/TG, TrueVoice Noise Cancellation	\$2,031.80	\$20,318.00
2	KSC526K Six Bay Rapid Charger	\$659.04	\$1,318.08
10	KMC-70M Spk/Mic	\$126.64	\$1,266.40
10	Basic TX/RX Programming	\$47.50	\$475.00
City of Latrobe 25-6000395			
Doc Sam 724-689-2096 Give me a call if you have any questions.			
		<b>Sub Total</b>	<b>23,377.48</b>
		<b>Sales Tax</b>	
		<b>Shipping</b>	<b>250.00</b>
		<b>Installation</b>	
		<b>Total</b>	<b>23,627.48</b>

### HVAC 2024 Project - Installation Costs

Total Installed Cost HVAC	525,850
Total Installed Cost Lighting	92,210
First Energy Rebate (Pd to Tudi)	<u>-142,751</u>
Net Cost:	475,309
ARPA	-48,000
CFA Grant	-131,000
Loaned General Funds 2024 ~5	<u>296,309</u>
2025 Budget	-15,000
Balance	<b>281,309</b>

### Amount due to TUDI

Total Cost	\$475,309.00
30% down payment	-142,592.70
Balance Due	\$332,716.30

Budget Yr.	New Loan Total	Pd. Per Yr.
2026	266,309	15,000
2027	251,309	15,000
2028	236,309	15,000
2029	221,309	15,000
2030	206,309	15,000
2031	191,309	15,000
2032	176,309	15,000
2033	161,309	15,000
2034	146,309	15,000
2035	131,309	15,000
2036	116,309	15,000
2037	101,309	15,000
2038	86,309	15,000
2039	71,309	15,000
2040	56,309	15,000
2041	41,309	15,000
2042	26,309	15,000
2043	11,309	11,309
2044	0	

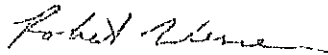
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<b>Total Installed Cost (HVAC):</b>	<b>\$525,850.00</b>
<b>Total Installed Cost (Lighting):</b>	<b>\$ 92,210.00</b>
<b><i>FirstEnergy Rebate (Paid To Tudi Mechanical Systems):</i></b>	<b><i>(\$142,751.00)</i></b>
<b>Net Cost:</b>	<b>\$475,309.00</b>

*Terms: 30% Down Payment - net 30 days. Credit card processing fees may apply.  
All prices are valid for 15 days from the above date.*

Please feel free to contact me at (412) 606-0687 or bob.wesner@tudi.com if you have any questions or concerns. I look forward to hearing from you.

Sincerely,



Bob Wesner  
Director - Energy Solutions  
TUDI Mechanical Systems, Inc.

Agreed and Accepted By:

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

# **Latrobe City Council**

**Agenda Meeting**

**December 23, 2024**

**6:30 PM**

**Call to Order**

**Citizens Public Comment (Agenda Items)**

- 1. Resolution for passing rate under Civil Service written examinations for promotion.**
- 2. Resolution for amendments to Civil Service rules and regulations for the City of Latrobe.**
- 3. Personnel memo for future police staffing. (Chief)**
- 4. CDL Driver position opening for 2025.**
- 5. Zoning Ordinance amendment for Vape and smoke shops, hookah bars and convenience stores.**

**Citizens Public Comment. (General Comments)**

**Adjournment**

**Resolution No. 2024-**

**MODIFYING THE PASSING RATE FOR THE CORPORALS, SERGEANT, AND  
LIEUTENANT WRITTEN EXAMINATION UNDER THE CIVIL SERVICE  
REGULATIONS**

WHEREAS, the City of Latrobe currently has an 85% passing rate requirement for candidates for sergeant in its civil service regulations;

WHEREAS, City Council has been requested to modify the passing rate to 75% under the said civil service regulations;

NOW, THEREFORE, BE IT REOLVED by the Council of the City of Latrobe, in a special meeting assembled and by authority of the same and duly advertised:

SECTION 1. The passing rate for the written examination for candidates for the position of lieutenant, sergeant, and corporal is hereby modified from 85% to 75% under the civil service regulations.

SECTION 2. That the Mayor, City Manager, and/or Secretary of the City of Latrobe and any other proper city officer be and are hereby authorized and directed to sign any and all documents and to take any action necessary to carry into effect this Resolution.

RESOLVED IN COUNCIL, this 2nd day of January 2025.

Attest:

COUNCIL OF THE CITY OF LATROBE

---

Karen Meholic, Secretary

---

Eric Bartels, Mayor



**Resolution No. 2024-**

**APPROVING AMENDMENTS TO THE CIVIL SERVICE RULES AND REGULATIONS FOR THE CITY OF LATROBE**

WHEREAS, Rules and Regulations were adopted for the Civil Service Commission on June 8, 1992 by Resolution 1992-22; and,

WHEREAS, pursuant to Section 13.01 of the Rules and Regulations, the Commission, with the approval of the city Council, may from time to time, amend any part of the Rules and Regulations insofar such amendments do not run contrary to the Home Rule Charter and/or Federal or State laws, rules or regulations, and,

WHEREAS, the Chief of Police has recommended certain amendments to the Rules and Regulations.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Latrobe, in regular meeting assembled, and it is hereby resolved by authority of the same.

SECTION 1. That CHAPTER 3, DEFINITION OF TERMS, be and is hereby renamed as CHAPTER 3, APPLICATIONS

SECTION 2. That Section 3:03, SPECIAL QUALIFICATIONS REQUIRED FOR ADVANCED RANKS IN POLICE SERVICE OTHER THAN CHIEF, be and the same is hereby amended to change the title and add new Subsection (a) as set forth below:

3:03 SPECIAL QUALIFICATIONS REQUIRED FOR ADVANCED RANKS IN POLICE SERVICE OTHER THAN CAPTAIN AND CHIEF

In addition to meeting the General Qualifications specified in Section 3:01 and 3:02, each applicant for advanced rank in the Police Service shall meet the following special qualifications at the time of appointment:

- a. Any applicant shall have been continuously employed in the City of Latrobe police service for at least three (3) years on the date of application or five (5) years full-time in another department. The rest and remainder of Section 3.03 Subsections (b) through (f) inclusive shall remain in full force and effect.

SECTION 3. That Section 6:02, EXAMINATION FOR RANKS ABOVE THE POSITION OF POLICE OFFICER AND BELOW THE RANK OF CHIEF OF POLICE, be and the same is hereby amended to change the title and add new subsections ( c) through (i), as set forth below:

Section 6:02 EXAMINATION FOR RANKS ABOVE THE POSITION OF POLICE OFFICER AND BELOW THE RANK OF CAPTAIN AND CHIEF OF POLICE

An examination for the above positions shall consist of:

- a. Shall remain unchanged by this amendment
- b. Shall remain unchanged by this amendment
- c. A written standardized test would be given to all interested candidates with three (3) years' experience in the Latrobe Police Department or five (5) years full-time in other departments
- d. The candidates would be ranked by their written scores from highest to lowest
- e. The participating candidates would move on to an oral interview to be administered by an objective board of three law enforcement officials who have no interest in the individual candidates or the Latrobe Police Department
- f. The oral exam would consist of a series of questions and be scored by the independent panel
- g. Each applicant's oral score will be added to his/her written score for a final score
- h. A promotion would then be warranted on the total combined score of oral examination and written testing
- i. This promotion standard would be used in the promotion of Corporal, Sergeant, and Lieutenant. The position of Captain and Chief would remain the same as the previous promotional standards.

So far as they are able, the Civil Service Commission shall provide that the written portion of the examination for the varying ranks shall place emphasis upon those qualifications which are important in each rank.

SECTION 4. That any and all other provisions of the Civil Service Rules and Regulations, not amended, repealed or inconsistent herewith shall remain in full force and effect.

SECTION 5. That the within resolution shall take effect immediately.

RESOLVED IN COUNCIL, this 2nd day of January 2025.

Attest:

COUNCIL OF THE CITY OF LATROBE

---

Karen Meholic, Secretary

---

Eric Bartels, Mayor

**To: Terry Carcella, Eric Bartels, Ralph Jenko, Ann Amatucci**

**From: Chief Richard M. Bosco**



**Subject: Urgent Staffing Needs for the Police Department**

I am writing to bring to your immediate attention a critical staffing need within our police department. That need is for the urgent hiring of a new police officer.

We are currently facing significant staffing challenges due to the following unforeseen circumstances.

**1. Reduction in Workforce:**

- One officer is assigned to a special detail and will be unavailable to the department until May, as they are scheduled to transition to FMLA leave.
- Another officer has notified us of their intention to take up to six weeks of FMLA leave for the birth of a child in early April.

**2. Pending Retirement:**

- A senior officer has indicated their intent to retire, with tentative plans to leave the department in February. While their status is not yet finalized, my communication with both the officer and their prospective new agency suggests a 99% likelihood of retirement.

Earlier this year, after conducting a thorough review of staffing and budgetary constraints, we hired two new officers to address a previous manpower shortage and alleviate excessive overtime costs. Unfortunately, the retirement of Officer Derk and the leave status of Officer Fink have negated the short-term relief these hires provided.

Now, with another retirement on the horizon and additional FMLA leave forthcoming, the department is once again facing not only the original staffing shortages but renewed substantial overtime costs and increased operational strain.

**Actionable Opportunity:**

The current Civil Service List expires in early March, providing us with a limited window to make a new hire. I strongly recommend the immediate hiring Officer Gavin Shaw. Officer Shaw, a recent academy graduate with six months of experience, may require a longer training period compared to our most recent hire, Officer Ong. However, I am confident that Officer Shaw's capabilities and commitment will make him an asset to our department in the long term.

**Conclusion:**

Hiring Officer Shaw promptly is essential to address our ongoing staffing deficits and reduce the financial strain caused by excessive overtime expenses. I urge your support in expediting this critical hiring process.

Thank you for your attention to this matter. Please let me know if you require any additional information or have further questions. I look forward to your response.

City of Latrobe: Proposed Amendments to City Code

**Executive Summary:** The proposed content is to amend the City Code to limit and regulate Vape Shops along with Hookah Bars, Smoke Shops, Tobacco Stores, and Neighborhood Convenience stores.

**Description of Intent:** The reason for the proposed changes to the City Code is to further the purpose of the zoning regulations. The City, through its planning and zoning regulations, wishes to provide for its citizens and tourists the atmosphere that is both safe, healthy and aesthetically pleasing and one that fosters activities appropriate for residents and visitors of all ages within the downtown area, the commercial corridors, and adjacent neighborhoods.

It is further to promote the health, safety and general welfare of the citizens of the City and to establish reasonable regulations. The proposed changes to the City Code have neither the purpose nor the effect of imposing a limitation or restriction on access to tobacco, tobacco products, or tobacco paraphernalia including e-cigarettes and e-cigarette accessories.

The proposed content is based on existing ordinances adopted by the Boroughs of Pottstown, Darby, and Mataromas. All three boroughs are municipalities within the Commonwealth of Pennsylvania.

**Ordinance Description:** An ordinance of the members of Council of the City of Latrobe amending various sections of the City of Latrobe City Code. Specifically, amending Part III: Land Use and Development Administration and Regulation, Chapter 166: Zoning, and Articles III, V, and VII to create certain additional definitions, criteria, and regulation to provide for hookah bars, smoke shops, tobacco stores, and neighborhood convenience stores by conditional use in certain zoning districts.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and members of Council of the City of Latrobe, Westmoreland County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of the same as follows:

AMENDMENT 1: The existing table of permitted uses established in §166-16 Permitted uses, A. Land Use Table of Article III: General Requirements and General Uses, of Chapter 166: Zoning, of Part III: Land Use and Development Administration and Regulation of the Code of Ordinances of the City of Latrobe, as amended, is hereby amended to include the following uses as part of the Commercial Use section:

and vapors from migrating into adjacent buildings and/or suites and to outdoor public areas. A mechanical exhaust hood system shall be required if an establishment permits indoor smoking.

H. Compliance. Each hookah bar shall comply with all current Federal, Commonwealth, and local laws including, but not limited to the Clean Indoor Air Act. Failure to comply with these listed expectations and regulations in §166-23 Special Exceptions and Conditional Uses, B. Conditional Uses shall result in rejection of an occupancy permit, suspension of an occupancy permit, or termination of an occupancy permit.

I. Nonconforming Use. Each hookah bar legally existing on the effective date of this section may continue to operate as legal nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the legal nonconforming use and a violation of all current Federal, Commonwealth, and local laws shall require compliance with this chapter and a conditional use permit.

J. Violations and Penalties. Each hookah bar found by the Code Enforcement Department to be in violation of any City Code is subject to violations and penalties as listed in §166-67 Violations and Penalties.

K. Definition. HOOKAH – A substance typically smoked through a water pipe with a smoke chamber, a bowl, a pipe and a hose, commonly referred to as a “hookah,” and also known as “narghile,” “argileh,” “shisha,” “hubble-bubble,” and “goza,” or any similar substance.

HOOKAH BAR – Any establishment that is devoted to, marketed as, or designed for, whether as its primary use or as an accessory use, the on-premises use of smoking hookah. The term “hookah bar” includes, but is not limited to, establishments variously known as “hookah parlors,” “hookah cafes,” and “hookah lounges”.

### (3) Smoke Shop / Tobacco Store

A. Location. Each smoke shop / tobacco store shall be located no closer than 1,200 feet, measured property line to property line, from any other hookah bar, smoke shop/tobacco store, and/or neighborhood convenience store.

Each smoke shop / tobacco store shall be located no closer than 1,200 feet, measured property line to property line, from a school (private or public), family day-care home, child-care facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.

B. Minor. It is unlawful for a smoke shop / tobacco store to knowingly allow or permit a minor not accompanied by his or her parent or legal guardian to enter or remain within any smoke shop or tobacco store. In the Commonwealth of Pennsylvania, a person under the age of 18-years is considered a minor.

C. Signage. Each smoke shop / tobacco store shall post clear signage stating that minors may not enter the premises unless accompanied by a parent or legal guardian. At least one such sign shall be placed in a conspicuous location near each public entrance to the space occupied by the business.



**TOBACCO PRODUCTS** - Tobacco products as referred to in this Chapter shall include, without limitation, matches, lighters, hookahs, pipes, chewing tobacco, cigarette rolling machines, ashtrays, pipe tools, pipe supplies and pipe accessories.

**(4) Neighborhood Convenience**

**A. Location.** Each neighborhood convenience operation shall be located no closer than 1,200 feet, measured property line to property line, from any other hookah bar, tobacco store/smoke shop, and/or neighborhood convenience store.

Each neighborhood convenience operation shall be located no closer than 1,200 feet, measured property line to property line, from a school (private or public), family day-care home, child-care facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.

**B. Sales.** No sales may be solicited or conducted on the premises by minors. No self-service tobacco shall be permitted. No distribution of free or low-cost tobacco, as well as coupons for tobacco products or tobacco paraphernalia, shall be permitted. In the Commonwealth of Pennsylvania, a person under the age of 18-years is considered a minor.

**C. Sales License.** Each neighborhood convenience operation selling a tobacco product shall post near the entrance or near the cash register in an unobstructed location the valid Tobacco Sales license issued by the Pennsylvania Department of Revenue.

**D. Hours of Operation.** Neighborhood convenience operation shall not be permitted to operate within the hours of 2:00 am to 6:00 am.

**E. Compliance.** Each neighborhood convenience shall comply with all current Federal, Commonwealth, and local laws including, but not limited to the Clean Indoor Air Act. Failure to comply with these listed expectations and regulations in §166-23 Special Exceptions and Conditional Uses, B. Conditional Uses shall result in rejection of an occupancy permit, suspension of an occupancy permit, or termination of an occupancy permit.

**F. Nonconforming Use.** Each neighborhood convenience legally existing on the effective date of this section may continue to operate as legal nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the legal nonconforming use and a violation of all current Federal, Commonwealth, and local laws shall require compliance with this chapter and a conditional use permit.

**G. Violations and Penalties.** Each hookah bar found by the Code Enforcement Department to be in violation of any City Code is subject to violations and penalties as listed in §166-67 Violations and Penalties.

**H. Definitions. NEIGHBORHOOD CONVENIENCE** - A neighborhood convenience is a direct retail store with a floor area of 3,000 square feet or less which generally sells for off-site consumption and/or use any combination of (1) food and/or beverages; (2) over-the-counter drugs; (3) reading materials; (4) household supplies; and/or (5) tobacco products.

## City of Latrobe: Proposed Amendments to City Code

**Executive Summary:** The proposed content is to amend the City Code to limit and regulate Vape Shops along with Hookah Bars, Smoke Shops, Tobacco Stores, and Neighborhood Convenience stores.

**Description of Intent:** The reason for the proposed changes to the City Code is to further the purpose of the zoning regulations. The City, through its planning and zoning regulations, wishes to provide for its citizens and tourists the atmosphere that is both safe, healthy and aesthetically pleasing and one that fosters activities appropriate for residents and visitors of all ages within the downtown area, the commercial corridors, and adjacent neighborhoods.

It is further to promote the health, safety and general welfare of the citizens of the City and to establish reasonable regulations. The proposed changes to the City Code have neither the purpose nor the effect of imposing a limitation or restriction on access to tobacco, tobacco products, or tobacco paraphernalia including e-cigarettes and e-cigarette accessories.

The proposed content is based on existing ordinances adopted by the Boroughs of Pottstown, Darby, and Mataromas. All three boroughs are municipalities within the Commonwealth of Pennsylvania.

**Ordinance Description:** An ordinance of the members of Council of the City of Latrobe amending various sections of the City of Latrobe City Code. Specifically, amending Part III: Land Use and Development Administration and Regulation, Chapter 166: Zoning, and Articles III, V, and VII to create certain additional definitions, criteria, and regulation to provide for hookah bars, smoke shops, tobacco stores, and neighborhood convenience stores by conditional use in certain zoning districts.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Mayor and members of Council of the City of Latrobe, Westmoreland County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of the same as follows:

AMENDMENT 1: The existing table of permitted uses established in §166-16 Permitted uses, A. Land Use Table of Article III: General Requirements and General Uses, of Chapter 166: Zoning, of Part III: Land Use and Development Administration and Regulation of the Code of Ordinances of the City of Latrobe, as amended, is hereby amended to include the following uses as part of the Commercial Use section:

and vapors from migrating into adjacent buildings and/or suites and to outdoor public areas. A mechanical exhaust hood system shall be required if an establishment permits indoor smoking.

H. Compliance. Each hookah bar shall comply with all current Federal, Commonwealth, and local laws including, but not limited to the Clean Indoor Air Act. Failure to comply with these listed expectations and regulations in §166-23 Special Exceptions and Conditional Uses, B. Conditional Uses shall result in rejection of an occupancy permit, suspension of an occupancy permit, or termination of an occupancy permit.

I. Nonconforming Use. Each hookah bar legally existing on the effective date of this section may continue to operate as legal nonconforming uses and shall not be required to obtain a conditional use permit. However, any change or expansion of the legal nonconforming use and a violation of all current Federal, Commonwealth, and local laws shall require compliance with this chapter and a conditional use permit.

J. Violations and Penalties. Each hookah bar found by the Code Enforcement Department to be in violation of any City Code is subject to violations and penalties as listed in §166-67 Violations and Penalties.

K. Definition. HOOKAH – A substance typically smoked through a water pipe with a smoke chamber, a bowl, a pipe and a hose, commonly referred to as a “hookah,” and also known as “narghile,” “argileh,” “shisha,” “hubble-bubble,” and “goza,” or any similar substance.

HOOKAH BAR – Any establishment that is devoted to, marketed as, or designed for, whether as its primary use or as an accessory use, the on-premises use of smoking hookah. The term “hookah bar” includes, but is not limited to, establishments variously known as “hookah parlors,” “hookah cafes,” and “hookah lounges”.

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