



Borough of Chambersburg

*A full service municipality in Franklin County
celebrating over 65 years of consumer owned natural gas
service over 125 years of community electric and a
regional wastewater, water, and municipal solid waste utility*

CHAMBERSBURG TO BRING RESTAURANT ENFORCEMENT IN-HOUSE

Chambersburg – On Monday, August 26, 2019, the Chambersburg Town Council selected a plan to bring restaurant, food service licensing, and health code enforcement in-house, to be managed by Borough employees, beginning in January 2020. At the meeting, there were four options presented by Borough Manager Jeffrey Stonehill and Land Use and Community Development Director Phil Wolgemuth to Council. A large group of citizens and restaurant owners weighed in on the discussions, which lasted over an hour, as Council deliberated on what to do with this system going forward.

According to Borough staff, there are over 100 municipalities throughout Pennsylvania, which manage their own restaurant, food service licensing, and health code enforcement systems; including most major cities and two counties. Chambersburg has been unique in that since 2005, the system developed by the Borough, included management by a third-party private code enforcement agency. In June 2019, Council, in response to objections about the customer service experience at the third-party private code enforcement agency, decided to issue a Request for Proposals, to determine whether any other private company would like to provide these services on the Borough's behalf.

On Monday night, staff indicated that the existing contractor, the Pennsylvania Municipal Code Alliance (PMCA) of Chambersburg, was the only respondent to the Request for Proposals. However, Mr. Stonehill and Mr. Wolgemuth outlined several options for Council to consider. Mr. Stonehill said "the status quo is not an option going forward. The current contractor has put in a proposal, but their response would change the current system to one managed by Borough staff, where the contractor would, for a fee from the Borough, provide only inspection services, and not manage the permit and licensing system."

According to Mr. Wolgemuth, "in the current arrangement, PMCA manages the entire system, collects the fees directly from the local food service businesses, and the Borough sets the fee schedule, but is otherwise not involved in the management of the system, the collection of fees, or paying for the cost of the system. This will end in 2020 regardless of what option Council selects."

One option outlined by Mr. Stonehill and Mr. Wolgemuth was turning the entire system over to the Pennsylvania Department of Agriculture. Mr. Wolgemuth said this is the system in 90% of municipalities in Pennsylvania. Mr. Stonehill said that he was concerned that Borough residents and visitors would be disappointed with the level of enforcement provided by the State, given that for the last forty years the Borough has been dedicated to local enforcement. Council Member Sharon Bigler spoke emphatically for local control saying "I vote in favor of doing this ourselves, we manage many complex systems here in Chambersburg, and we can run a system that is fair and equitable for businesses and safe for consumers."

Council Member Michael Herbert agreed adding, "Chambersburg is the only town that runs a natural gas and electric utility; certainly we can manage this system as well."

Some citizens were concerned about the cost of managing the system in-house, as Mr. Stonehill outlined the need to hire new personnel should Council bring the program back in house, as it once was managed, from 1976 to 2005. Mr. Stonehill said there would be “synergy” as the personnel added to the Code Enforcement Department would also help with other functions, including the Borough’s growing operation as a host to street fairs and community events; and, administration of Chambersburg’s growing Storm Sewer Utility, which has indicated the need for more personnel in 2020 regardless of the decision on the health code. “While the cost of operating this system in-house would likely not be fully covered by permit fees,” Mr. Stonehill added, “we do a lot of cross-training and shared costs in Chambersburg, and this would help mitigate the cost of the additional personnel added. When the Storm Sewer utility does their budget request in October, you would have heard about the need to hire more administrative personnel anyway.”

There are currently 320 permittees in the system, including restaurants, school cafeterias, churches, food stores, special events, food trucks, and farmer’s market booths. Mr. Wolgemuth estimated the system would cost approximately \$161,580 per year to manage in-house and generate income of about \$50,000. However, with the addition of other functions, such as enforcement and permitting for the storm sewer utility, the Borough could spread the cost of the employees on other revenue sources, such as storm sewer fees.

After considerable discussion, Town Council voted to bring the system in-house beginning in January 2020. Mr. Stonehill added that staff will now set about to prepare a plan, hire employees, and present policies and a proposed fee schedule for Council to consider. Council Member Barb Beattie added that she would like to form something like an advisory committee to insure that local business owners could give their input on policies and fees. According to Mr. Stonehill, “there had been a number of public comments that fees, as were provided in the old system, were unfair, duplicative, and arbitrary in their enforcement.” Mr. Stonehill pledged to get input as the new system was developed.