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PART 1

PEDDLERS

§ 101. Definitions and Interpretation. [Ord. 218, 7/18/1966, § 1; as amended by Ord. 412, 5/10/1999, § 1; and by Ord. 468, 1/11/2010]

1. The word "peddling," as used in this Part 1, shall mean engaging in peddling, canvassing, soliciting or taking orders, either by sample or otherwise, for any goods, wares or merchandise, upon any of the streets or sidewalks, or from house to house, within the Borough of Laureldale. The word "peddling," as used in this Part 1, shall also include any outside sale of goods or services within the Borough of Laureldale. The word "peddling" shall not include Borough of Laureldale residents holding a yard sale or garage sale, as those terms are commonly defined. The word "peddling" shall not include the outside sale of goods at school sporting events.
2. The word "peddler," as used in this Part 1, shall mean any person who shall engage in peddling, as hereinabove defined. The word "peddler," as used in this Part 1, shall include both mobile street vendors (e.g., those who sell door to door) and stationary street vendors (e.g., those who sell goods outside on a table or stand).
3. The word "person," as used in this Part 1, shall mean any natural or legal person, including but not limited to any business, association, partnership, firm, corporation, limited liability company, or other business entity.
4. In this Part 1, the singular shall include the plural, and the masculine shall include the feminine and the neuter.
5. HOLIDAY — The following days of the calendar year: New Year's Day, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day.
6. The word "goods," as used in this Part 1, shall mean any movable thing. This definition includes, but is not limited to, foodstuffs of any kind, flowers, shoes, clothing and fireworks.

§ 102. Peddlers to Obtain Licenses. [Ord. 218, 7/18/1966, § 2; as amended by Ord. 468, 1/11/2010]

No person shall engage in peddling within the Borough without first having obtained a license from the Mayor and paying a fee therefor at the rate of \$1,000 per annum, \$500 per month, or \$100 per diem. Moreover, peddlers who operate as stationary street vendors must provide the Mayor with a copy of a certificate of insurance for public liability in the amount of \$500,000. No peddler shall be granted a license to sell goods or services when that peddler intends to operate within 500 yards of any other existing licensed establishment that sells similar goods or services, unless the peddler obtains written consent from the existing licensed establishment. Additionally, no peddler shall be granted a license from the Borough

to sell foodstuffs unless that peddler produces proof to the Mayor that he or she has obtained a license from the Pennsylvania Department of Agriculture or unless he or she produces a letter from the Pennsylvania Department of Agriculture stating that no such license is needed.

§ 103. Peddlers to Carry License and Exhibit It Upon Request. [Ord. 218, 7/18/1966, § 3]

Every peddler, at all times while engaged in peddling within the Borough, shall carry his license upon his person, and shall exhibit such license, upon request, to all police officers, Borough officials and citizens or residents of the Borough.

§ 104. Regulations Applicable to Peddlers. [Ord. 218, 7/18/1966, § 4; as amended by Ord. 412, 5/10/1999, § 2]

No peddler shall hawk or cry his wares upon any of the streets or alleys in the Borough; nor shall any peddler occupy any fixed location upon any of the streets, alleys or sidewalks in the Borough for the purpose of peddling, with or without a stand or counter; nor shall any peddler, when selling from a vehicle, stop or park such vehicle upon any of the streets or alleys in the Borough longer than necessary in order to sell therefrom to persons residing in the immediate vicinity; nor shall any peddler engage in peddling within the Borough before 9:00 a.m. or after 7:00 p.m. from Monday until Friday, before 11:00 a.m. or after 5:00 p.m. on Saturday or during any time of day or night on Sunday or on any holiday.

§ 105. Suspension of Peddlers' Licenses. [Ord. 218, 7/18/1966, § 5]

The Mayor may suspend any license issued under this Part 1 when he deems such suspension to be for the benefit of the health, safety or morals of the Borough, or for violation of any of the provisions of this Part, or for giving false information upon any application for a license hereunder. Appeals from any such suspension may be made to the Borough Council. No part of a license fee shall be refunded to any person whose license shall have been suspended.

§ 106. Penalties. [Ord. 218, 7/18/1966, § 6; as amended by Ord. 336, 1/13/1986]

Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300 and/or to imprisonment for a term not to exceed 90 days. Every day that a violation of this Part 1 continues shall constitute a separate offense.

PART 2

CABLE TELEVISION

§ 201. Short Title. [Ord. 239, 4/14/1969, § 1]

This Part 2 shall be known and may be cited as the "Closed-Circuit Television Franchise Ordinance."

§ 202. Definitions. [Ord. 239, 4/14/1969, § 2; as amended by Ord. 337, 3/10/1986, § 1]

For the purpose of this Part 2, the following terms, phrases, words, and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory:

BOROUGH — The Borough of Laureldale.

COMPANY — American Television & Communications Corporation, trading as Berks Cable, a Delaware corporation, grantee of rights under this franchise, or its assignee or successor.

COUNCIL — The Borough Council of the Borough of Laureldale.

PERSON — Any person, firm, partnership, association, corporation, company or organization of any kind.

§ 203. Grant of Authority. [Ord. 239, 4/14/1969, § 3]

The Borough hereby grants the right and privilege of the company to construct, erect, operate and maintain in, upon, along, across, above, over and under the streets, alleys, public ways and public places now dedicated and under Borough jurisdiction, and all extensions thereof and additions thereto in the Borough, poles, wires, cables, underground conduits, manholes and other television conductors and fixtures necessary for the maintenance and operation in the Borough of a community television system and for closed-circuit cable service.

1. Nonexclusive grant. The right to use and occupy said streets, alleys, public ways and places for the purpose herein set forth shall not be exclusive, and the Borough reserves the right to grant a similar use of said streets, alleys, public ways and places to any person at any time during the period of this franchise.

§ 204. Compliance with Applicable Laws and Ordinances. [Ord. 239, 4/14/1969, § 4]

1. The company shall, at all times during the life of this franchise, be subject to all lawful exercise of the police power by the Borough and to such reasonable

regulation, pursuant to the exercise of such police power, as the Borough shall hereafter by resolution or ordinance provide.

2. In addition, the company shall apply for and take out any and all building permits required by the Borough for any construction to be undertaken by said company.

§ 205. Company Liability and Indemnification. [Ord. 239, 4/14/1969, § 5]

It is expressly understood and agreed by and between the company and the Borough that the company shall save the Borough harmless from loss sustained by the Borough on account of any suit, execution, claim, or demand whatsoever, including but not being limited to the court costs and attorneys fees in defending any lawsuits, resulting from negligence on the part of the company in the construction, operation or maintenance of its television system in the Borough. The Borough shall notify the company's representative within 10 days after the presentation of any claim or demand, either by suit or otherwise, made against the Borough on account of any negligence as aforesaid on the part of the company. The company shall furnish to the Borough at least 15 days prior to its commencement of performance of any act or deed directly or indirectly in pursuance of its franchise, but not less than 30 days from the enactment date of this Part, satisfactory evidence, in writing, that the company has in force and will maintain in force during the term of this franchise public liability insurance of not less than \$100,000 for any one person and \$300,000 for any one accident and property damage insurance of not less than \$100,000, duly issued by an insurance company or insurance companies authorized to do business in this Commonwealth.

§ 206. Company Rules. [Ord. 239, 4/14/1969, § 6]

The company shall have the authority to promulgate such rules, regulations, terms and conditions governing the conduct of its business as shall be reasonably necessary to enable the company to exercise its rights and perform its obligations under this franchise and to assure an uninterrupted service to each and all of its customers; provided, however, that such rules, regulations, terms and conditions shall not be in conflict with the provisions hereof or laws of the Commonwealth of Pennsylvania.

§ 207. Conditions of Street Occupancy. [Ord. 239, 4/14/1969, § 7]

1. Use. All transmission and distribution structures, lines and equipment erected by the company within the Borough shall be so located as to cause minimum interference with the proper use of streets, alleys and other public ways and places and to cause minimum interference with the rights or reasonable convenience of property owners who adjoin any of the said streets, alleys or other public ways and places.
2. Restoration. In case of any disturbance of pavement, sidewalk, driveway or other surfacing, the company shall, at its own cost and expense and in a manner approved by the Borough Engineer, replace and restore all paving,

sidewalk, driveway or surface of any street or alley disturbed in as good condition as before said work was commenced.

3. Relocation. In the event that, at any time during the period of this franchise, the Borough shall lawfully elect to alter or change the grade of any street, alley or other public way, the company, upon reasonable notice by the Borough, shall remove, relay, and relocate its poles, wires, cables, underground conduits, manholes and other telephone fixtures at its own expense.
4. Placement of fixtures. The company shall not place poles or other fixtures where the same will interfere with any gas, electric or telephone fixture, water hydrant or main, and all such poles or other fixtures shall be placed at the outer edge of the sidewalk and inside the curbline, and those placed in alleys shall be placed close to the line of the lot abutting on said alley, and then in such a manner as not to interfere with the usual travel on said streets, alleys and public ways.
5. Temporary removal of wire for building moving. The company shall, on the request of any person holding a building moving permit issued by the Borough, temporarily raise or lower its wires to permit the moving of buildings. The expense of such temporary removal, raising or lowering of wires shall be paid by the person requesting the same, and the company shall have the authority to require such payment in advance. The company shall be given not less than 48 hours' advance notice to arrange for such temporary wire changes.
6. Tree trimming. The company shall have the authority, but only after having received approval from the Borough, to trim trees upon and overhanging streets, alleys, sidewalks, and public places of the Borough so as to prevent the branches of such trees from coming in contact with the wires and cables of the company.

§ 208. Assignment. [Ord. 239, 4/14/1969, § 8]

The franchise or privilege granted hereunder shall be fully and freely assignable, but no assignment to any person, firm or corporation shall be effective until the assignee has filed with the Borough Secretary an instrument, duly executed, reciting the fact of such assignment, accepting the terms of this franchise, and agreeing to perform all the conditions hereof and receiving written approval from the Borough for such assignment.

§ 209. Borough Rights in Franchise. [Ord. 239, 4/14/1969, § 9]

1. Borough rules. The right is hereby reserved to the Borough to adopt, in addition to the provisions herein contained and existing applicable ordinances, such additional regulations as it shall find necessary in the exercise of the police power; provided that such regulations, by ordinance or otherwise, shall be reasonable and not in conflict with the rights herein

granted and shall not be in conflict with the laws of the Commonwealth of Pennsylvania.

2. Use of system by Borough. The Borough shall have the right, during the life of this franchise, free of charge, where aerial construction exists, of maintaining upon the poles of the company within the Borough limits wire and pole fixtures necessary for a police and fire alarm system, such wires and fixtures to be constructed and maintained to the satisfaction of the company and in accordance with its specifications.
3. Inspection. The Borough shall have the right to inspect all construction or installation work during such construction or installation or at any time after completion thereof in order to insure compliance with the provisions of this Part and all other governing ordinances.

§ 210. Payment to Borough. [Ord. 239, 4/14/1969, § 10; as amended by Ord. 337, 3/10/1986, § 2]

1. The company shall pay to the Borough for the privilege of operating its community television system under this franchise the sum of 3% of the gross monthly rental charges for basic cable television services collected every taxable year, payable annually as herein provided so long as the company operates the system under this franchise, but not less than \$600 each year, whichever shall be the greater sum.
2. Termination of operation by the company shall terminate liability under this tax provision. The company shall make payments to the Borough of the amounts it is obliged to pay hereunder in annual installments within 90 days after the 31st day of December of each year, beginning the 31st day of December 1986.

§ 211. Records and Reports. [Ord. 239, 4/14/1969, § 11]

The company shall at all times maintain adequate records of the gross receipts from service rental income, which shall be available at all reasonable times to inspection by the Borough through its duly designated agents or officers.

§ 212. Term of Franchise. [Ord. 239, 4/14/1969, § 12; as amended by Ord. 337, 3/10/1986]

Any franchise granted hereunder shall be for the initial term of 15 years; conditioned, however, that said franchise permit thereafter shall automatically renew for each successive year upon the payment of the fees provided hereunder and compliance with the terms and conditions herein imposed and that the financial conditions of the franchisee shall remain satisfactory to the Borough. The term "financial conditions" shall be interpreted to mean that the franchisee's condition is such that it will permit the franchisee to perform all of its services to its subscribers.

§ 213. Publication Costs. [Ord. 239, 4/14/1969, § 13]

The company shall assume the costs of publication of this Part, as such publication is required by law, by placing in escrow with the Borough Secretary a certified check payable to the order of the Borough of Laureldale in an amount equivalent to the cost of publication.

§ 214. Penalties. [Ord. 239, 4/14/1969, § 14]

Any violation by the company, its vendee, lessee or successor of the provisions of this franchise or any material portion or portions thereof, or the failure promptly to perform any of the provisions thereof, shall be cause for the forfeiture of this franchise and all rights hereunder to the Borough after written notice to the company and continuation of such violation, failure or default.

§ 215. Binding Effect. [Ord. 239, 4/14/1969, § 15]

No Borough ordinance or resolution under any Act of Assembly now in force or hereafter passed shall be enacted during the term hereof which shall alter, amend, repeal, impair or in any manner affect the purpose, intent and the obligation of this Part 2 (granting the within nonexclusive franchise), it being the express intent hereof that the term of this nonexclusive franchise as set forth in § 212 herein shall constitute a full and unabridged term of the within-granted nonexclusive franchise without modification, until either the company terminates its operation or the term of the franchise expires, whichever occurs first.

§ 216. Waiver of Objections. [Ord. 239, 4/14/1969, § 16]

By the adoption of this Part 2, the Borough hereby expressly waives any and all objections it has or may have to the legal right of the company to attach its cable, equipment and transmission lines to the poles of the Metropolitan Edison Company and the Bell Telephone Company of Pennsylvania and to the authority of said public utilities to grant said right to the company.

§ 217. Taxation. [Ord. 239, 4/14/1969, § 17]

During the effective term of this contract, the Borough expressly agrees that it will not enact any ordinance or adopt any resolution which will impose a tax on the company that is discriminatory insofar as said company is concerned, but that the company shall occupy the same status tax wise as any other owner of real or personal property, or owner, or operator of any business enterprise within the corporate limits of the Borough.

PART 3

MECHANICAL DEVICES

§ 301. License Required. [Ord. 167, 3/14/1960; as amended by Ord. 336, 1/13/1986]

No person or persons, firm or corporation shall at any time have in their possession within the Borough of Laureldale any mechanical device, machine or apparatus whatsoever for the playing of games and amusements, said mechanical devices, etc., being commonly known as "pinball machines," upon which baseball, football, and other games are played, or any mechanical devices upon which shuffleboard or bowling are played or any similar machine or any mechanical devices, commonly known as "jukeboxes," which are operated or played from the insertion therein of a coin or any metal disc, slug or token whatsoever, without having first procured a license therefor as hereinafter provided in this Part.

§ 302. License Application. [Ord. 167, 3/14/1960; as amended by Ord. 336, 1/13/1986]

1. Any person or persons, firm or corporation desiring to procure a license, as provided in § 301, shall apply therefor, in writing, to the Borough Secretary. Said application shall set forth the name or names and the residence or residences of the person or persons, firm or corporation so applying, together with the present and previous occupation of the applicant or applicants and the length of residence at the present address of the applicant and at the previous place of residence; the name of the owner of the premises upon which the aforesaid machines are to be used and installed; and if the owner of the premises is not the applicant, then the applicant shall set forth the length of time for which the premises has been leased. The applicant shall also set forth the manufacturer and nature of the machines to be installed and used.
2. The information hereby required shall be furnished over the signature of the applicant or applicants and shall be made under oath or affirmation.

§ 303. Investigation of Application; Transfer Prohibited. [Ord. 167, 3/14/1960; as amended by Ord. 336, 1/13/1986]

No license shall be granted until a period of seven days shall have elapsed from the date of application, during which time the officials or employees of the Borough may, at their discretion, investigate the facts set forth in the application. No license shall be transferable.

§ 304. Gambling Devices not Licensed. [Ord. 167, 3/14/1960; as amended by Ord. 336, 1/13/1986]

Nothing in this Part shall in any way be construed to authorize, license or permit any gambling device whatsoever or any mechanism that has been judicially

determined to be a gambling device or in any way contrary to law or that may be contrary to any present or future laws of the Commonwealth of Pennsylvania.

§ 305. License Fee. [Ord. 167, 3/14/1960; as amended by Ord. 336, 1/13/1986]

1. No license shall be issued until an annual fee shall have been paid to the Borough Secretary. The amount of the fee shall be \$25 as set by the Borough Council. Each license shall expire on December 31 of each year.
2. License fees shall not be prorated but shall remain the same for the whole or portion of any one year.
3. The Chief of Police, or any other officer the Borough Council may designate, may, in his discretion, put a lead (or any other type) seal upon any device for which no license fee has been paid; and when the proper license fee has been paid for such sealed device, said seal shall be removed by the Chief of Police or other designated officer of the Borough.
4. While said unlicensed device is under seal as aforesaid, the owner, proprietor, manager, or person in charge of the place where said device is located shall be responsible for the device and for any unlawful use thereof while such mechanical device is unlicensed.

§ 306. Issuance of License. [Ord. 167, 3/14/1960; as amended by Ord. 336, 1/13/1986]

Upon payment of the license fee, the Secretary shall issue a metal disc or plate setting forth the number of the license for each machine. Such disc or plate shall be attached and fastened to the respective machine or device so that the same shall be clearly observable and readable.

§ 307. Penalties. [Ord. 167, 3/14/1960; as amended by Ord. 336, 1/13/1986]

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not more than \$300 and/or to undergo imprisonment for a term not to exceed 90 days. Each day that a violation of this Part continues shall constitute a separate offense.

PART 4

ALARM SYSTEMS

§ 401. Timing Devices. [Ord. 345, 1/11/1987, § 1]

Any and all burglar devices installed or modified in any building located within the Borough of Laureldale must be equipped with a timing device which will disconnect any audible alarm after a maximum period of time of 10 minutes. Any and all audible alarms without such disconnection devices are prohibited from being installed or modified within the Borough of Laureldale.

§ 402. Permit Required. [Ord. 345, 1/11/1987, § 2]

No burglar alarm system may be installed or modified in any manner in the Borough without the property owner first obtaining a permit from the Borough to install such a system at a cost of \$10 for each system being installed and/or modified. All permits must be obtained prior to any work on the system being installed and/or modified being initiated.

§ 403. Penalty. [Ord. 345, 1/11/1987, § 3]

Any person violating any provision of this Part shall be punished, upon conviction thereof, by a fine of not more than \$300 and costs of prosecution, or by imprisonment in the Berks County Prison for not more than 90 days, or by both fine and imprisonment. In the event of the imposition of a fine only, default of payment of such fine and costs of prosecution shall be subject the violator to imprisonment in the Berks County Prison for not more than 90 days.

§ 404. Unnecessary Calls/False Alarms. [Added by Ord. No. 507, 12/11/2017]

1. The Borough of Laureldale shall charge a fee for responding to calls resulting from repeated activation of fire alarms or burglar alarms due to causes other than fire, smoke, or unlawful intruders. Such causes include, but are not limited to:
 - A. Alarm activation for no apparent reason;
 - B. Alarms resulting from failure to maintain or repair systems;
 - C. Failure to protect detection devices from dust, dirt, or fumes during construction;
 - D. Failure to use proper exhaust or ventilation equipment; or
 - E. Intentional or unintentional activation of alarm when no emergency exists.
2. When more than one false alarm occurs in a calendar year, the fee that will be charged to the property owner shall be under the following fee schedule:

Alarms in Calendar Year	Fee
1	Free (no charge)
2	\$50
3	\$50
4	\$100
5	\$100
6	\$150
7 or more	\$200 per each false alarm

3. If an owner, after receiving an invoice from the Borough Secretary for the false alarm call, fails to pay the Borough within 30 days of said invoice being sent, then the Borough may assess said fee as either a municipal lien or may seek payment of said fee in a civil action before either the Magisterial District Court or before the Court of Common Pleas of Berks County. The costs that the Borough incurs in pursuing said fees from a property owner, including attorneys' fees, shall be added to the fee.

PART 5

PUBLIC UTILITY POLES

§ 501. Definitions. [Ord. 361, 1/8/1990, § 1]

Unless the context specifically and clearly indicates otherwise, the meanings of terms and phrases used in this Part shall be as follows:

APPURTENANCES — Includes any guide wires or supports appurtenant thereto and that aid in the support and stability of utility poles.

PUBLIC UTILITY —

- A. Includes any person or corporation now or hereafter owning or operating in this Borough equipment or facilities for:
- (1) Producing, generating, transmitting, distributing or furnishing natural or artificial gas, electricity, or steam for the production of light, heat, power to or for the public for compensation.
 - (2) Diverting, developing, pumping, impounding, distributing or furnishing water to or for the public for compensation.
 - (3) Transporting passengers or property as a common carrier.
 - (4) Uses as a canal, turnpike, tunnel, bridge, wharf, and the like for the public for compensation.
 - (5) Transporting or conveying natural or artificial gas, crude oil, gasoline, or petroleum products, materials for refrigeration, or oxygen or nitrogen, or other fluid substance, by pipeline or conduit, for the public for compensation.
 - (6) Conveying or transmitting messages or communications, except as set forth in Subsection C(4), by telephone or telegraph or domestic public land mobile radio service, including but not limited to point-to-point microwave radio service for the public for compensation.
 - (7) Sewage collection, treatment, or disposal for the public for compensation.
- B. Includes but is not limited to:
- (1) Bell of Pennsylvania.
 - (2) U.G.I.
 - (3) Metropolitan Edison.
 - (4) Barta.
 - (5) All other entities which constitute "public utilities" as defined in the Public Utility Code, 66 Pa.C.S.A. § 101 et seq.
- C. Does not include:

- (1) Any person or corporation, not otherwise a public utility, who or which furnishes service only to himself or itself.
- (2) Any bona fide cooperative association which furnishes service only to its stockholders or members on a nonprofit basis.
- (3) Any producer of natural gas not engaged in distributing such gas directly to the public for compensation.
- (4) Any person or corporation, not otherwise a public utility, who or which furnishes mobile domestic cellular radio telecommunications service.

UTILITY POLE — Any pole, post or other apparatus, including terminal and distribution poles, erected or constructed to carry, support, or distribute cables, wires, conduits and all other overhead apparatus necessary in the operation of the public utility.

§ 502. Imposition of Fee. [Ord. 361, 1/8/1990, § 2]

A fee of \$55 shall be imposed on a public utility on such occasion that said public utility erects, installs or constructs any utility pole or appurtenance thereto. The public utility shall notify the Borough of the date and location of the installation of each utility pole within 30 calendar days of such installation.

PART 6

GARAGE/YARD SALES AND AUCTIONS

§ 601. Definitions. [Ord. 402, 7/8/1996, § 1; as amended by Ord. 451, 7/10/2006]

1. For the purpose of this Part, the following shall apply when used herein:

APPLICANT — A person who maintains or lives at the address. Each property owner intending to have a garage, porch or yard sale must individually apply for a permit under this Part. No group applications for two or more properties shall be accepted.

AUCTION — A public sale of property to the highest bidder through successive increased bids, made through the services of a licensed auctioneer.

GARAGE SALE — A public sale of goods conducted in a residentially associated garage.

LICENSED AUCTIONEER — An individual who is paid to conduct a public sale of property to the highest bidder through successive increased bids, so licensed in accordance with the laws of the Commonwealth of Pennsylvania.

PERSON — Any person, association, partnership, firm or corporation.

PORCH SALE/YARD SALE — An outdoor public sale of goods on residential property.

2. In this Part, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

§ 602. License Required. [Ord. 402, 7/8/1996, § 2; as amended by Ord. 451, 7/10/2006]

Except as hereinafter described, it shall be unlawful for any person to hold a garage sale, yard sale, porch sale or auction without first obtaining a license in compliance with the provisions of this Part.

§ 603. Application. [Ord. 402, 7/8/1996, § 3]

Applicants for a license under this Part must file with the Borough Secretary an application, in writing, on a form provided by the Borough for that purpose, which shall provide the following information:

- A. Name and address of applicant.
- B. Type of sale.
- C. Types of items to be sold.

- D. Date of sale.
- E. A statement confirming that the goods to be sold belong to the household and that said goods have not been purchased or obtained solely for this sale, with the exception of charities and service organizations as exempted by this Part.

§ 604. Fees. [Ord. 402, 7/8/1996, § 4; as amended by Ord. 451, 7/10/2006]

- 1. The license for any sale governed by this Part sponsored by a charitable or service organization shall be on a non-fee basis.
- 2. The fee for yard/garage sale licenses shall be set at \$5 per license.
- 3. The fee for an auction shall be set at \$25 per license.

§ 605. Issuance of License. [Ord. 402, 7/8/1996, § 5]

Upon payment of fees as listed in § 604, and upon determination of the Borough Secretary that the application meets all requirements for a license, the Secretary shall issue a license.

§ 606. Duration of License. [Ord. 402, 7/8/1996, § 6; as amended by Ord. 451, 7/10/2006]

- 1. A license for a garage, yard or porch sale shall be valid for four consecutive days. In the event that inclement weather causes postponement of the event, the license will be valid for a new date(s), provided that the Borough Secretary is notified prior to the new date(s).
- 2. A license for an auction shall be valid for one month. In the event that inclement weather causes postponement of the event, the license will be valid for an additional one-month period of time, provided that the Borough Secretary is notified within three days of the event being postponed.

§ 607. Display of Licenses. [Ord. 402, 7/8/1996, § 7]

The license shall be displayed at all times during the days of the sale.

§ 608. Limitations on Licenses. [Ord. 402, 7/8/1996, § 8; as amended by Ord. 451, 7/10/2006]

- 1. Garage sales, yard sales, porch sales and auctions shall be limited to three licenses per calendar year per residence.
- 2. Items to be sold at garage, yard or porch sales or auctions must belong solely to the household where the sale is held, except that auctions may include some items other than from the household so long as they constitute a minority of items being sold.

§ 609. Hours. [Ord. 402, 7/8/1996, § 9; as amended by Ord. 451, 7/10/2006]

Garage, yard or porch sales and auctions may be held between the hours of 7:00 a.m. and 5:00 p.m., prevailing time.

§ 610. Encroachment on Right-of-Way. [Ord. 402, 7/8/1996, § 10]

A license granted under this Part does not permit encroachment on the right-of-way (sidewalk or street).

§ 611. Penalty. [Ord. 402, 7/8/1996, § 11]

Any person violating any of the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$1,000 for each such separate offense.

