

CHAPTER 13

LICENSES

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PART I**PINBALL AND VIDEO GAMES****SECTION 13-101. License.**

That hereafter it shall be unlawful for any person, firm or corporation to install, maintain or exhibit for use by individuals within the confines of the Borough any pinball machine, miniature bowling alley, coin operated shuffleboard or video game without first having procured a license so to do.

(Ord. 138, 6/6/1950, §1)

SECTION 13-102. Duty to Notify and Obtain License.

It shall be the duty of any person, firm or corporation desiring to install, maintain or exhibit for use by individuals any pinball machine, miniature bowling alley, shuffleboard or video game within the limits of the Borough, to make application to the Secretary for a license so to do. The Secretary shall thereupon grant such license upon payment of the license fee.

(Ord. 138, 6/6/1950, §2)

SECTION 13-103. Fee.

The fee for such license shall be \$150.00 per year for each pinball machine, miniature bowling alley, coin operated shuffleboard or video game for which a license is sought, and said license shall be effective for one (1) year from the date of issuance.

(Ord. 138, 6/6/1950, §3, Ord. 372, 6/6/2006)

SECTION 13-104. Penalties.

Any person, firm or corporation violating any of the provisions of this Chapter shall be liable to a penalty of Five Hundred Dollars (\$500.00) for each offense, with costs, same to be for the use of the Borough and to be collected as like fines are now by law collectible. Each day that a violation continues shall be deemed a separate offense.

(Ord. 138, 6/6/1950, §4, Ord. 372, 6/6/2006)

PART II**SOLICITING****SECTION 13-201. Definitions and Interpretations.**

A. Peddling 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 Harmony. Provided, the word Peddling shall not apply to: (1) farmers selling their own produce, (2) to the sale of goods, wares and merchandise, donated by the owners thereof, the proceeds whereof are to be applied solely to any charitable or philanthropic purpose, or (3) to any manufacturer or producer in the charitable or philanthropic purpose, or (4) to any manufacturer or producer in the sale of bread and bakery products, meat and meat products, or milk and milk products.

B. Peddler shall mean any person who engages in peddling as herein above defined.

C. Person shall mean any natural person, association, partnership or corporation.

D. The singular shall include the plural and the masculine shall include the feminine and neuter.

(Ord. 221, 4/6/1971, §1)

SECTION 13-202. License Required.

Licenses require to engage in peddling: No person shall engage in peddling in the Borough without first having taken out a license as herein provided.

(Ord. 221, 4/6/1971, §2)

SECTION 13-203. Application.

Every person desiring to engage in peddling in the Borough shall first make application to the secretary of the Council of Harmony Borough for a license. Upon such application, such person shall give his name, address, his previous criminal record, if any; the name of the person for whom he works, if any; the type of goods, wares and merchandise he wishes to peddle; the length of time for which he desires to be licensed; the type of vehicle he uses, if any; and the number of helpers he has. Provided, where a person makes application for himself and one or more helpers, all applicable personal information specified above shall be given for each helper, and an individual license shall be required for each helper. No license issued under this ordinance shall be transferrable from one person to another.

(*Ord. 221, 4/6/1971, §3*)

SECTION 13-204. License Fee.

No license shall be issued under this ordinance until a license fee, as follows, shall be paid to the Secretary of Borough Council, such license fee to be for the use of the Borough of Harmony:

There shall be a license fee of \$250, which shall be the license fee for a period of one (1) week. No license shall be issued for less than \$250, even though the requested period of time shall be less than one week. For each person desiring to obtain a license for one (10) year, the license fee shall be \$1,000.00. The license fee shall be required for each individual peddler.

(*Ord. 221, 4/6/1971, §4, Ord. 372, 6/6/2006*)

SECTION 13-205. License to be Displayed.

Licenses shall be carried and exhibited on request of any police officer, borough official or employee, or citizen. No peddler shall engage in selling any product not mentioned in such license.

(*Ord. 221, 4/6/1971, §5, Ord. 372, 6/6/2006*)

SECTION 13-206. Hours and operation.

No person licensed under this Chapter shall engage in peddling at any time on Sunday, or upon any other day of the week before 9:00 A.M. or after 6:00 P.M. No person licensed under this Chapter shall peddle, sell, hawk or cry his or her wares upon any of the streets, alleys or sidewalks of the Borough, nor shall he or she use any loudspeaker or other device by which the public is annoyed.

(*Ord. 221, 4/6/1971, §6-8, Ord. 372, 6/6/2006*)

SECTION 13-207. Suspension of License.

The Borough may suspend any license issued for violation of any of the provisions of this Chapter.

(*Ord. 221, 4/6/1971, §9, Ord. 372, 6/6/2006*)

SECTION 13-208. Penalties.

Any person, firm or corporation violating any of the provisions of this Chapter shall be liable to a penalty of Five Hundred Dollars (\$500.00) for each offense, with costs, same to be for the use of the Borough and to be collected as like fines are now by law collectible. Each day that a violation continues shall be deemed a separate offense.

(Ord. 221, 4/6/1971, §10, Ord. 372, 6/6/2006)

SECTION 13-209. Validity, Severability.

The invalidity of any section, paragraph, subsection, clause or provision of this Chapter and Part, as so declared by a court of competent jurisdiction, shall not invalidate this Chapter and Part as a whole or the parts of it not declared invalid.

(Ord. 221, 4/6/1971, §10, Ord. 372, 6/6/2006)