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**PART 1**

**AMUSEMENT DEVICES**

**§101. Definitions.**

Unless otherwise expressly stated, the following definitions shall apply and bear the meanings indicated as follows:

DEVICES — any mechanical amusement device licensed under this Part; excluding, however, juke boxes.

JUKE BOX — any music vending machine or contrivance operated through the insertion of a coin or disk.

MECHANICAL AMUSEMENT DEVICE — any device other than a juke box which, upon insertion of a coin or disk, may be operated for use as a game, entertainment or amusement, whether or not registering a score and whether or not a prize is offered.

(Ord. 1011, 6/11/1974, §1)

**§102. License Required.**

It shall be unlawful for any person to possess a mechanical amusement device, as above defined, in the Borough without first procuring a license for it from the Manager.

(Ord. 1011, 6/11/1974, §2)

**§103. Application for License.**

Any person so possessing such a device shall make application for a license with the Manager in writing and under oath, setting forth:

- A. His present and previous occupation.
- B. The length of his present and previous place of residence.
- C. The name of the owner of the premises where the devices are to be used.
- D. If the owner of the premises is not the applicant, the length of the term of the lease for the premises.
- E. The type and serial number of the device sought to be licensed.

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(Ord. 1011, 6/11/1974, §3)

### **§104. License Fee.**

1. The license fee shall be as follows:
  - A. For all mechanical amusement devices subject to a license fee as set forth in this Part shall be \$200 except for the following;
  - B. For all pool tables required to be licensed by this Part shall be required to pay a license fee of \$50.
2. The license fee shall be paid annually, said year commencing to run from the date of the issuance of the license.

(Ord. 1011, 6/11/1974, §4; as amended by Ord. 1064, 3/14/1978; by Ord. 1411, 4/14/2003, Art. 1)

### **§105. Waiting Period; Investigation of Application.**

No license shall be granted until five days after application is made to the Manager, during which time the Manager may, at his discretion, investigate the facts set forth in the application.

(Ord. 1011, 6/11/1974, §5)

### **§106. Issuance of Certificate; Posting Required.**

Upon granting of license, the Manager shall issue a certificate to the licensee, which certificate shall be posted in a conspicuous place in the place of business where the devices are in use.

(Ord. 1011, 6/11/1974, §6)

### **§107. Penalty for Violation.**

1. Any person violating any provision of this Part, or failing to carry out any provision or requirement of this Part, or neglecting, failing or refusing to furnish correct and complete reports, or to pay over the license fee specified by this Part at the time required, or who knowingly makes any incomplete, false or fraudulent report or attempts to do anything whatever to avoid the payment of the whole, or any part, of the license fee, shall be liable upon conviction to pay a fine of not less than \$25 nor more than \$600 and costs and, in default of payment of said fine and costs, to be sentenced to a term of imprisonment not to exceed 30 days. [A.O.]

2. Each day that a machine or device to which this Part applies is operated and used in violation of this Part shall constitute a separate and distinct offense under this Part, and shall be subject to separate and distinct penalties.

(Ord. 1011, 6/11/1974, §7; as amended by A.O.)

**§108. Inapplicable To Gambling Devices.**

Nothing in this Part shall in any way be construed to authorize, license or permit any gambling device whatsoever as defined by the Pennsylvania Crimes Code, 18 Pa.C.S.A. §101 et seq.

(Ord. 1011, 6/11/1974, §8)

**§109. Exemptions.**

The Greenville Recreation Center shall be exempt from the requirements of this Part.

(Ord. 1411, 4/14/2003, Art. 2)



**PART 2**

**CIRCUSES, CARNIVALS AND OTHER TRANSIENT AMUSEMENTS**

**§201. Definitions.**

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

AMUSEMENT RIDE — any device that carries or conveys passengers along, around or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills or excitement including, but not limited to, merry-go-rounds, ferris wheels, roller coasters, which may be permanently or temporarily installed or used in the Borough of Greenville.

CARNIVAL OR CIRCUS — an itinerant enterprise consisting principally of temporary amusement structures and/or mechanical rides.

PERSON — any natural person, partnership, firm, or corporation.

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.

(Ord. 1053, 9/13/1977, §§6-2041-6-2044; as revised by A.O.)

**§202. Permit and Fees Required.**

1. It shall be unlawful for any person to hold or conduct any circus or carnival, at any location within the Borough, or to operate any amusement ride therein, without first having obtained a permit therefor from the Manager, for which a fee for the use of the Borough, shall be paid as established pursuant to a resolution of the Borough Council, provided that no separate permit shall be required for any amusement ride that shall be a part of any carnival that shall be authorized under this Part.
2. At the discretion of the Borough Council the permit fee may be remitted in the case of a circus or carnival the proceeds of which are applied to purely charitable uses or in the case the application for such permit shall have been made by and on behalf of any organization connected with the municipal government or with any public school district.

(Ord. 1053, 9/13/1977, §§6-2041-6-2044; as revised by A.O.)

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### **§203. Rejection of Permits; Appeals.**

1. The Manager shall refuse to grant a permit in any case where the owner of such circus or carnival, or the operator of any amusement ride, as the case may be, fails or refuses to present an official inspection affidavit prepared by a qualified inspector in accordance with the Amusement Ride Inspection Act (4 P.S. §407) and the regulations of the Amusement Ride Safety Board (7 Pa. Code §139.1 et seq.) along with a certificate of insurance as required by §414 of that same Act.
2. If any permit shall be denied, an appeal from such denial may be made by the applicant or by the person to whom such permit had been issued, as the case may be, to the Borough Council, within 10 days of rejection, but no portion of a permit fee shall be refunded in case of suspension or revocation. Such hearing shall be conducted within 30 days of the appeal and a decision rendered by the Borough Council.

(Ord. 1053, 9/13/1977, §§6-2041-6-2044; as revised by A.O.)

### **§204. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 1053, 9/13/1977, §§6-2041-6-2044; as revised by A.O.)

**PART 3**

**TRANSIENT RETAIL MERCHANTS**

**§301. Definitions and Exceptions.**

1. Definitions.

PEDDLING — the selling or offering for sale of any goods, wares, services or merchandise for immediate delivery which the person selling or offering for sale carries with him in traveling, or has in his possession or control, upon any of the streets or sidewalks; or from house to house; or by visitation to private residences, or by entering in or upon private property within the Borough.

SOLICITING — the seeking or taking of contracts or orders for any goods, wares, services, or merchandise for future delivery, or for subscriptions or contributions, upon any of the streets or sidewalks, or from house to house, or by visitation to private residences, or by entering in or upon private property, within the Borough, and shall further mean the seeking or taking of contracts or orders for home or other building repairs, improvement and alterations and also orders or contracts for any mechanical, electrical, plumbing or heating device or equipment for house; or other building improvements or repairs, upon places referred to above within the Borough.

2. Exceptions. This Part shall not apply to:

- A. Farmers seeking or taking orders for the immediate sale of their own products.
- B. Persons selling or offering for immediate sale bread and bakery products, meat and meat products or milk and milk products.
- C. Persons tilling or offering for sale goods or services when at the time of that sale or offering for sale the person and his employer hold a valid license from the appropriate agency of the Commonwealth of Pennsylvania to offer the goods or services for sale to the public.
- D. Persons, corporations, partnerships and associations, their agents or employees, who have complied with the provisions of the Solicitation of Funds for Charitable Purposes Act, 10 P.S. §162.1 et seq.
- E. Persons taking orders for merchandise from dealers or merchants, for resale to an ultimate consumer.
- F. All vendors who are selling produce at the farmer's market located on Penn Avenue between Main Street and Clinton Street at the times and dates established by the Borough.

## LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

(Ord. 1429, 5/11/2004, §1)

### **§302. License Required to Engage in Soliciting or Peddling.**

No person shall engage in soliciting or peddling in the Borough without first having taken out a license as provided in this Part.

(Ord. 1429, 5/11/2004, §2)

### **§303. Application for License.**

1. Every person desiring to engage in soliciting or peddling in the Borough shall first make application to the Police Department for a license. The application shall be made on a form provided by the Borough and shall contain the following information:
  - A. Full name of the applicant and local address, if any.
  - B. Permanent address.
  - C. Name of employer or a statement that such applicant is self-employed.
  - D. The nature of the goods, wares, services or merchandise offered for sale and the manner in which it will be offered.
  - E. A statement as to whether or not the applicant has ever been convicted of any crime, and if the answer is in the affirmative, the nature of the offense or offenses and the punishment imposed.
  - F. The type of vehicle to be used, if any.
  - G. Three business references who have known the applicant for three years or more.
2. Where an individual mails application for himself and one or more other individuals, all applicable personal information specified above shall be given for each, individual and verified or affirmed by oath or affirmation by the individual to be licensed. An individual license shall be required for each solicitor or peddler. No license under this Part shall be transferable from one individual to another.
3. No license shall be issued under this Part until 72 hours after application for a license is made to the Borough.

(Ord. 1429, 5/11/2004, §3)

**§304. License Fee.**

The basic license fee shall be in an amount as established from time to time by resolution of Borough Council, payable at the time of application; at the time of issuance of the license, an additional amount, as determined by the Mayor, but not in excess of \$40 based on the cost of the investigation incident to the issuance of the license, may be added to the basic license fee to comprise the full license fee.

(Ord. 1429, 5/11/2004, §4)

**§305. License Valid for One Year.**

Each license granted under this Part shall be valid until the end of the year for which the license was issued. Upon the expiration of any license, if the person holding it desires to continue or renew soliciting or peddling, he shall be required to file a new application for a license and pay a new license fee.

(Ord. 1429, 5/11/2004, §5)

**§306. Information on License; Custody and Display; Conformity to License Provisions.**

The license when issued shall state, among other things, the products to be sold or services to be rendered by the licensee. Every solicitor or peddler shall at all times, when engaged in soliciting or peddling in the Borough, carry the license upon his person and shall exhibit it upon request to all police officers, Borough officials and citizens. No solicitor or peddler shall engage in selling any products or services not mentioned on such license.

(Ord. 1429, 5/11/2004, §6)

**§307. Hours When Soliciting and Peddling Permitted.**

No person licensed as a solicitor or peddler under this Part shall engage in soliciting or peddling at any time on Sunday or on any other day of the week before 9 a.m. or after 5 p.m.

(Ord. 1429, 5/11/2004, §7)

**§308. Record of Licenses; Supervision Over Holders of Licenses.**

The Police Department shall keep a record of all licenses issued under this Part, and the Chief of Police shall supervise the activities of all holders of those licenses.

## LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

(Ord. 1429, 5/11/2004, §8)

### **§309. Suspension or Revocation of License.**

Any license issued under this Part may be suspended or revoked at any time by the Mayor upon proof being furnished to him that the application for the license contained false information or that the applicant or licensee was convicted of a crime involving moral turpitude after the issuance of the license or that the licensee was convicted of disorderly conduct under any law of the Commonwealth or any ordinance of any municipality in Pennsylvania.

(Ord. 1429, 5/11/2004, §9)

### **§310. Prohibited Acts by Holders of Licenses.**

1. No person licensed as a solicitor or peddler under this Part shall hawk or cry his wares or services upon any of the streets or sidewalks in the Borough nor shall he use any loud speaker, bell, whistle or other device for announcing his presence by which the public is annoyed.
2. The practice of going in and upon private residences in the Borough by solicitors and peddlers not having been requested or invited to do so by the owner or occupant of any private residence, for the purpose of soliciting orders for the sale of goods, wares and merchandise and/or disposing of and/or peddling or hawking the same is hereby declared to be a nuisance and a violation of this Part.

(Ord. 1429, 5/11/2004, §10)

### **§311. Penalty for Violation.**

Any person who violates any provision of this Part shall, for every such violation, upon conviction thereof, be sentenced to pay a fine of not less than \$50 nor more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

(Ord. 1429, 5/11/2004, §11)

**PART 4**

**USED PRECIOUS METAL DEALERS**

**§401. Definitions.**

The following words and phrases when used in this Part shall have, unless the context clearly indicates otherwise, the meanings given to them in this Section:

**DEALER** — an individual, partnership, association, corporation or business entity, who or which purchases precious metals for resale or refining or any individual who acts as agent for such individual, partnership, association, corporation or business entity for such purchase or purchases. Excluded from this definition are financial institutions licensed under Federal or State banking laws, the manufacturers of jewelry or of other items composed, in whole or in part, of gold, silver or platinum, the purchaser of precious metals for his, her or its own use or ownership, and jewelers whose volume of purchases of precious metals from individuals does not exceed 10% of their total volume of purchases of precious metals.

**GOLD** — any alloy of the element gold, 10 karat or of greater fineness. A karat is 1/24 part by weight of the alloy of the metallic element of gold.

**PLATINUM** — any alloy of the element platinum, 751/1000 or more parts per thousand, by weight, of pure platinum.

**PRECIOUS METALS** — items containing or being of gold, silver or platinum, including, but not limited to, jewelry and silver services, but excluding coins, ingots, bullion or photographic film or any article containing less than 5% of gold, silver or platinum by weight.

**SILVER** — any alloy of the element silver, 900/1000 or more parts per thousand, by weight, of pure silver.

(Ord. 1118, 12/30/1981, §1)

**§402. License Required.**

No person shall carry on the business of dealer within the Borough of Greenville without first obtaining a dealer's license from the Chief of Police of the Borough of Greenville.

(Ord. 1118, 12/30/1981, §2)

## LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

### **§403. Application For License.**

1. The Chief of Police of the Borough of Greenville shall require satisfactory evidence of good character of an applicant for a dealer's license and of all employees working for said dealer. The Chief of Police shall make a full records check of said dealer and all employees, and additionally, shall make a full records check of any new employees hired following the date of granting of said license.
2. An applicant for a dealer's license shall state the address where such business is to be carried on.

(Ord. 1118, 12/30/1981, §3)

### **§404. License Expiration.**

A dealer's license shall continue in force from the date of issuance until December 31 of the year in which the license is issued, unless sooner revoked for cause.

(Ord. 1118, 12/30/1981, §4)

### **§405. License Fee.**

Each person applying for a dealer's license shall pay to the Chief of Police a license fee as established from time to time by resolution of Borough Council, for which the Chief of Police shall give the applicant an official receipt and issue a license to carry on the trade or business of a dealer within the Borough of Greenville.

(Ord. 1118, 12/30/1981, §5; as amended by A.O.)

### **§406. Place of Business.**

No person licensed as a dealer in the Borough of Greenville shall by virtue of one license keep more than one place of business for receiving, taking or selling goods.

(Ord. 1118, 12/30/1981, §6)

### **§407. Revocation of License.**

Any licensed dealer who violates any provision of this Part or who retains an employee determined not of good character, in addition to the fine prescribed in §415 herein, shall have his license revoked at the discretion of the Chief of Police of the Borough of Greenville.

(Ord. 1118, 12/30/1981, §7)

**§408. Goods Not To Be Moved.**

No dealer shall at any time remove any goods purchased at the licensed premises to any other place than the place for which his license was granted.

(Ord. 1118, 12/30/1981, §8)

**§409. Record Keeping.**

Every person conducting a business of a dealer shall keep a book in which shall be recorded at the time of purchase, an accurate account and description of the goods, articles or things purchased, the amount of money paid therefor, the time of purchasing the same, together with the description of the person selling such goods, articles or things, including color of complexion, color of eyes and hair, stature and general appearance. Records herein described must be maintained by said dealer for a period of at least one year.

(Ord. 1118, 12/30/1981, §9)

**§410. Police Inspection.**

The records required by §409 shall be subject to inspection and approval of the police officers of the Borough of Greenville, during the business hours of each business day.

(Ord. 1118, 12/30/1981, §10)

**§411. Daily Reports to Police.**

Every dealer shall return to the office of the Chief of Police every day before noon, a sheet, to be furnished by the Chief of Police, showing all business transacted on the previous day, and giving the information required by §409.

(Ord. 1118, 12/30/1981, §11)

**§412. Retention of Articles.**

Each item of precious metal purchased by a dealer shall be retained in unaltered condition for seven full working days after report of purchase has been filed with the Chief of Police of the Borough of Greenville. Such item of precious metal shall be available for inspection during the seven working days, by law enforcement officials of the Borough of Greenville, or any other law enforcement agency. A search warrant shall not be required

## LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

unless the inspection is made during hours other than those when the dealer is open for business.

(Ord. 1118, 12/30/1981, §12)

### **§413. Prohibition Against Dealing With Certain Classes Of Persons.**

No dealer or his clerk or employee shall purchase any article from any person under 21 years of age, anyone intoxicated, any habitual drunkard, or any person known to be a thief, an associate of thieves or receiver of stolen property, or any person he has reason to suspect be such, and must require that a valid identification be presented to the dealer prior to the transaction of any business.

(Ord. 1118, 12/30/1981, §13)

### **§414. Hours of Business.**

No person licensed as a dealer hereunder shall keep his office or place of business open for the purpose of doing business as a dealer on Monday, Tuesday, Wednesday, Thursday or Saturday before 7:30 a.m. and after 6:00 p.m., nor on Friday before 7:30 a.m. and after 9:00 p.m.

(Ord. 1118, 12/30/1981, §14)

### **§415. Penalty.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 1118, 12/30/1981, §15; as amended by A.O.)

## PART 5

### GARAGE SALES

#### §501. Purpose.

Such rules and regulations as set up in this Part are designed and restrict garage sales in order to protect the public health, safety and convenience and welfare and to restrict such sales to casual and/or occasional occurrences only in keeping with the character of the neighborhood where the activity is carried on and with the applicable ordinances, including any zoning ordinances of the Borough of Greenville, Pennsylvania. The intent of this Part is to eliminate perpetual, prolonged and extended garage sales in residential areas. Such sales if carried indefinitely, attend to become retail business in residential areas and zones, creates a nuisance and may violate other ordinances and regulations of the Borough including the zoning regulations of the Borough of Greenville. The provisions of this Part arise from the need to eliminate, regulate, restrict and control garage sales.

(Ord. 1454, 6/13/2006, Art. 1)

#### §502. Definitions.

The following words and phrases when used in this Part shall have, unless the context clearly indicates otherwise, the meanings given them in this Section:

**BOROUGH OF GREENVILLE** – all residential dwellings located with any type of zone, zoned areas, zoning districts, whether or not said areas or zones are residential, business or otherwise, within the geographical boundaries of the Borough of Greenville.

**GARAGE SALE** –

- (1) The sale or offering of sale of five or more new, used, or second hand items of personal property at any one residential premises at any one time;
- (2) Includes all sales in residential areas commonly known as "garage sales," "yards sales," "tag sales," "porch sales," "lawn sales," "attic sales," "basement sales," "rummage sales," "flea market sales," or any other similar casual sale of tangible personal property which is advertised by the public at large is or can be made aware of the sale.

**GOODS** – any goods, warehouse merchandise or other personal property capable of being the object of a sale regulated hereunder.

**PERSON** – includes but is not limited to individuals, partnerships, family groups, voluntary associations and corporations;

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(Ord. 1454, 6/13/2006, Art. 2)

### **§503. Hours of Sale.**

All garages sales held pursuant to this Part shall be conducted between the hours of 8 a.m. and 6 p.m. The number of days of the sale are limited to three consecutive days and the date or dates of such sale. No person as defined by this Part shall have more than two garage sales, as defined by this Part, in any calendar year.

(Ord. 1454, 6/13/2006, Art. 3)

### **§504. Advertisement.**

1. Garage sales may be advertised through the newspaper or the media.
2. A sign no larger than two feet by two feet may be erected and each sign shall only be displayed during the sale and shall be removed within 24 hours after the sale has concluded.
3. No sign or other display advertising the sale shall be placed on the public right of way or on private property other than where the sale is conducted. No lighted or illuminated signs shall be used.

(Ord. 1454, 6/13/2006, Art. 4)

### **§505. Exemptions.**

This Part shall not be applicable to:

- A. Persons selling goods pursuant to an order of process of a court of competent jurisdiction.
- B. Persons acting in accord with their powers and duties as public officials.
- C. Any person selling or advertising for sale an item or items of personal property which are specifically named or described in the advertisement in which separate items do not exceed nine in number. Notwithstanding any provisions of this Part, any person may sell up to five second hand articles without being subject to the provisions of this local law.
- D. Any publisher of a newspaper, magazine or other publication whether communications, medias who publishes or broadcasts anything in good faith without knowledge of its false, deceptive or misleading character or without knowledge that the provisions of this Part have not been complied with;

- E. Any sale conducted by a legitimate business or commercial or industrial establishment, properly zoned under the zoning regulations of the Borough of Greenville and any other sale conducted by a business, commercial or industrial establishment under the direction of the non-conforming new section of the Borough's zoning laws, or by any other vendor, dealer, etc., when the sale is conducted in a properly zoned area and not otherwise prohibited by the laws and ordinance of the Borough of Greenville and the Commonwealth of Pennsylvania or this Part.
  
- F. Sales by a bona fide charitable, eleemosynary, educational, cultural or governmental institution, civic group, service club, religious or fraternal society or other tax exempt organization; provided, however, that the burden of proof of establishing the exemption under this Section shall be on the organization or institution claiming such exemption. The Borough shall be the sole arbiter in determining if any person is exempt and said decision shall be final.

(Ord. 1454, 6/13/2006, Art. 5)

**§506. Enforcement.**

1. This Part shall be enforced by the Code Enforcement Officer of the Borough of Greenville.
2. It shall be the duty of the Code Enforcement Officer to investigate any violation of this Part coming to his attention, whether by complaint arising from his own personal knowledge.
3. If after investigation a violation is found to exist, the Code Enforcement Officer shall prosecute a complaint before the magistrate of the Borough of Greenville, pursuant to the provisions of this Part.
4. Greenville Borough Police Department shall notify the Code Enforcement Officer of any alleged violations which they become aware of during the course of their normal duties.
5. The person conducting the sale, owner, tenant or occupant of the premises for the sale or activities conducted shall be jointly or severally responsible for maintenance of good order and quorum on the premises during the hours of such sale or activity.
6. No such person shall permit any loud or boisterous conduct on the premises or permit vehicles to impede the passage of traffic on any roads or streets in the area of the premises where the sale is being conducted.

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7. All such persons shall obey reasonable orders from any member of the Greenville Police Department or Fire Department or Code Enforcement Officer in order to maintain the public health, safety and welfare of the Borough residents.

(Ord. 1454, 6/13/2006, Art. 6)

### **§507. Penalties for Offenses.**

Any person as defined by this Part conducting any such sale or similar activity who shall violate or fail to comply with any provisions of this Part shall be deemed to be in violation and the violator shall be liable for a fine of not less than \$50 nor more than \$500. Each day that such person is in violation of this Part and continues to be in violation shall be considered and shall constitute a separate violation.

(Ord. 1454, 6/13/2006, Art. 7)

**PART 6**

**AMUSEMENT HALLS AND POOL HALLS**

**§601. Definitions.**

Unless otherwise expressly stated, the following definitions shall apply and bear the meanings indicated as follows:

AMUSEMENT HALLS — any establishment where more than eight mechanical amusement devices, including pool tables, are provided for hire or any establishment which derives over 50% of its gross income from mechanical amusement devices regardless of the number provided for hire. [Ord. 1243]

MECHANICAL AMUSEMENT DEVICE — any device other than a juke box which, upon insertion of a coin or disk, may be operated for use as a game, entertainment or amusement, whether or not registering a score and whether or not a prize is offered.

POOL HALL — any recreational or amusement establishment where more than eight pool tables, alone or in conjunction with any other amusement devices, are provided for hire, either by insertion of a coin or token or in any other manner. [Ord. 1243]

(Ord. 1032, 4/13/1976, §1; as amended by Ord. 1125, 7/13/1982, §1; and by Ord. 1243, 4/9/1991, §1)

**§602. Restrictions on Access of Persons Under 18 To Amusement Halls and Pool Halls.**

It shall be unlawful for any person under 18 years of age to enter any pool hall or amusement hall within the Borough of Greenville, unless accompanied by a parent, and it shall be unlawful for the proprietor, owner or manager of any such pool hall or amusement hall to permit any person under the age of 18 to enter that establishment, unless accompanied by a parent.

(Ord. 1032, 4/13/1976, §2; as amended by Ord. 1125, 7/13/1982, §2)

**§603. Hours When Amusement Halls And Pool Halls Open For Business.**

It shall be unlawful to maintain any pool hall or amusement hall open for business at any time other than the times 12:00 noon to 11:00 p.m., Monday through Thursday; 12:00 noon to 2:30 a.m. on Friday and Saturday, and 2:00 p.m. to 10:00 p.m. on Sunday.

(Ord. 1032, 4/13/1976, §3)

**§604. Hours When Persons Under 18 Not Permitted in Amusement Hall or Pool Hall.**

It shall be unlawful for anyone under 18 years of age to be present in a pool hall or amusement hall after 10:00 p.m. on weekdays, or after 11:00 p.m. on Friday and Saturday, and it shall be unlawful for the proprietor, owner or manager of any pool hall to permit any person under 18 years of age to be present as aforementioned.

(Ord. 1032, 4/13/1976, §4)

**§605. Maintenance of Amusement Halls and Pool Halls.**

The proprietor, owner or manager of a pool hall shall keep that establishment in a clean and sanitary condition, and shall maintain the front windows of the establishment in such a manner as to permit an unobstructed view of the interior.

(Ord. 1032, 4/13/1976, §5)

**§606. Penalty for Violation.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100 nor more than \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 1032, 4/13/1976, §6; as amended by A.O.)

**PART 7**

**UTILITY POLES**

**§701. License Required.**

It shall be unlawful for any person, business, corporation, partnership or entity to erect any utility pole including but not limited to any telegraph pole, telephone pole, street railway pole and cable pole and/or electric light pole, or underground cable, conduit or pipeline within the Borough of Greenville without first obtaining from the Borough Manager a license for the same.

(Ord. 1420, 11/11/2003, §1)

**§702. Request in Writing.**

The request to erect any utility pole, telegraph pole, telephone pole, street railway pole, cable pole or electric light pole or underground cable, conduit or pipeline shall be made in writing to the Borough Manager specifying the location of where said pole is to be erected and maintained.

(Ord. 1420, 11/11/2003, §2)

**§703. Duty of Owner.**

It shall also be the duty of every owner, person, business, partnership or other entity of any existing utility pole, telegraph pole, telephone pole, street railway pole, cable pole or electric light pole or underground cable, conduit or pipeline to obtain a license from the Borough for each existing pole.

(Ord. 1420, 11/11/2003, §3)

**§704. Fee.**

The fee for each utility pole, telegraph pole, telephone pole, street railway pole, cable pole or electric light pole currently erected or upon application for a license for the erection of a new pole shall be \$0.50 per pole on overhead utilities. Upon the election of the owner of an above ground pole or alternatively, for all underground utility lines, the fee shall be \$50 per one mile of cable, conduit or pipeline.

(Ord. 1420, 11/11/2003, §4)

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### **§705. License Renewal Required**

It shall be the duty of the owner, corporation, business, entity or partnership to apply annually on or before March 1 of each and every year for a new license and each license issued shall be valid for a period of one year thereafter. In the case of application being made for the erection of a new pole after March 1, said license shall only be valid for the period of time commencing from the date of issuance until the last day of February in the following year.

(Ord. 1420, 11/11/2003, §5)

### **§706. Violation and Penalty.**

In the event that an owner, corporation, partnership, business or other entity does not comply with this Part, the same shall be sentenced for a fine of not more than \$600 plus costs, and, in default of payment of said fine and cost, for a term of imprisonment of not to exceed 30 days. Each day on which a violation shall continue shall be deemed a separate offense.

(Ord. 1420, 11/11/2003, §6)

## PART 8

### FIRE ALARMS

#### **§801. Purpose.**

The purpose of this Part is to establish regulations for fire alarm systems and for the requirement of an alarm permit; to establish fees and penalties for fire department responses to unnecessary fire alarm system activations caused by system malfunction, negligence or false intent and to adopt a permit fee for the installation, alteration or removal of a fire alarm system.

(Ord. 1417, 7/8/2003, Art. 1)

#### **§802. Definitions.**

**ACCIDENTAL ALARM** — the unintentional activation of a fire alarm system without malicious intent.

**CENTRAL STATION FIRE ALARM SYSTEM** — a fire alarm system in which the operation of circuits and devices are transmitted automatically to a supervising station that has competent and experienced personnel who, upon receipt of a signal, notifies the emergency service provider when necessary.

**FALSE ALARM/MALICIOUS INTENT** — the intentional activation of a fire alarm by a person under circumstances where that person has no reasonable basis to believe that an emergency situation has occurred or is occurring.

**FIRE ALARM SYSTEM** — any mechanical or electrical device which is designed for the detection of smoke, heat, flame or activation of a fire suppression system in a building, structure or facility; and which transmits a signal or message when activated. Alarm systems include, but are not limited to, direct dial telephone alarm systems, audible alarm systems, proprietary alarm systems, central station alarm systems and remote station alarm systems.

**LOCAL FIRE ALARM SYSTEM** — a fire alarm system that employs a locally complete arrangement of parts, initiating devices and annunciating devices which generates an audible or visual signal inside the premises only and does not make any notification to a supervising station. Alarm activation requires the occupant to take action to contact and request response by emergency service providers.

**MALFUNCTION ALARM** — any alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, or any alarm activated by a cause that cannot be determined.

**NOTICE** — notice given by personal service upon the addressee, or given by the United States Postal Service to last known address. Service, postage prepaid, addressed to the

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person to be notified at his or her last known address of such notice shall be effective upon completion of personal service, or upon placing of the same in the custody of the United States Postal Service.

**NOTIFICATION APPLIANCE** — a fire alarm system component such as a bell, horn, light, speaker, siren or text display that provides audible, tactile or visible outputs or any combination thereof.

**PERSON** — an individual, individuals, corporation, partnership, incorporated association, unincorporated association or other like or similar entity.

**PROPRIETARY ALARM SYSTEM** — a fire alarm system installed on a premises that is monitored by a supervising station occupying that premises at which trained, competent personnel are in constant attendance.

**SUBSCRIBER** — the recipient of a contractual supervising station signal service(s) of a fire alarm system or for the servicing or maintenance of a fire alarm system from an alarm business.

**SUPERVISING STATION** — a facility that receives fire alarm signals and at which personnel are in attendance at all times to take action when such signals are received.

(Ord. 1417, 7/8/2003, Art. 2)

### **§803. Standards and Regulations Prescribed.**

All fire alarm systems shall meet the applicable standards of the underwriters laboratories and/or the National Fire Protection Association, and/or recognized industry standards, and shall be permitted under this Part if in conformity thereto. A fire alarm system which does not meet any of the above standards or for which there is no recognized industry standard shall require applicant for a permit to submit such evidence of the reliability of suitability of the fire alarm system. Any permit issued for such a fire alarm system which does not conform to recognized industry standards shall be conditionally subject to satisfactory performance of said fire alarm system after installation. The applicant for a permit may be required to submit to the fire chief subsequent evidence of the reliability and suitability of the fire alarm system.

(Ord. 1417, 7/8/2003, Art. 3)

### **§804. Permit Required; Fee; Conditions of Issuance.**

1. **Alarm System Permit.** No persons shall possess or use a fire alarm system without first applying for and receiving a fire alarm system permit therefore in accordance with the provisions of this Part. Said fee shall be paid in full and accompany the completed alarm permit application. The alarm permit application shall

be available and provided to any person requesting the same with the fire chief of the Greenville Fire Department.

2. **System Permit Fee.** The fee for a fire alarm system permit shall be \$10 or as may be established from time to time by the Council of the Borough of Greenville. The fee shall not be prorated regardless of the time frame in which said permit is applied for. Said permit is valid until such time as the system is removed, altered or replaced. At such time as the system is removed, altered or replaced, a new permit shall be required.
3. **Fire Alarm System Permit Requirements.** This permit is to be displayed on the premises where the alarm system is located. The permit shall be displayed so as to be available to any investigation officer. Each permit shall be assigned a number for identification purposes. Every person maintaining or operating a fire alarm system shall keep on file at the office of the fire chief the current names and telephone numbers of the persons to be notified to render repairs or service, or secure the premises during any hour of the day or night that the fire alarm system is actuated. The installation of an emergency access key box on the exterior of any building, facility or structure shall be required at the discretion of the fire chief.

(Ord. 1417, 7/8/2003, Art. 4)

**§805. Application for and Issuance of Permit.**

1. Application for all permits required hereunder shall be filed with the fire chief of the Greenville Fire Department and shall be accompanied by the requisite fee. No fee is established to cover the administration of the permit issuance process. The fire chief shall prescribe the form of the application and request such information as is necessary to evaluate and act upon the permit application. The application for fire alarm system shall require the name, address and telephone number of the person who will render service or repair during any hour of the day or night.
2. The issuing and approving of all fire alarm system permits shall be by the fire chief of the Greenville Fire Department.

(Ord. 1417, 7/8/2003, Art. 5)

**§806. Repeated Unnecessary Fire Alarm Activations.**

1. If any system in service on any premises or in any business or facility within the Borough continually and repeatedly malfunctions or is activated by negligence so as to cause invalid fire alarm activations, then the fire chief is empowered to charge a fee for any invalid fire alarm activation which is received after the issuance of an official notification. Such notification will be made by the Greenville Fire Department in writing to the owner of the premises or facility using the malfunctioning fire alarm system or failure of the owner or his agent to prevent a neg-

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ligent or accidental activation of a fire alarm system. The fee schedule for a negligent or accidental or unnecessary fire alarm activation after three occurrences in a 12 month period shall be as follows:

- A. First Occurrence (Fourth Activation) – \$50.
  - B. Second Occurrence (Fifth Activation) – \$100.
  - C. Third Occurrence (Sixth Activation) – \$300.
  - D. Fourth Occurrence (Seventh Activation) — Disconnection of system shall be required until repairs are made and an inspection done by the Borough of Greenville Fire Department.
2. A person causing an intentional false activation of the fire alarm system knowing there is no fire or emergency or knowing there are not circumstances where the person has no reason or basis to believe that an emergency situation has occurred or is occurring shall be prosecuted as is permitted by law with a restitution being paid to the Borough of Greenville Fire Department in an amount not less than \$300.

(Ord. 1417, 7/8/2003, Art. 6)

### **§807. Reconnection of a Disconnected Fire Alarm System.**

If it is necessary for any reason to disconnect a fire alarm system, then, prior to the reconnection, the system shall be inspected by the fire chief, the owner/operator of the property and the alarm company representative. After the inspection has been conducted and the malfunctions have been corrected, reconnection will be allowed. Any and all charges which result from the disconnection and reconnection will be the responsibility of the owner/operator of the property.

(Ord. 1417, 7/8/2003, Art. 7)

### **§808. Fire Department Notification of System Test or Fire Drill.**

Any and all tests or inspections of a fire alarm system or fire drill that requires the activation of a fire alarm system shall be conducted with the prior knowledge of the Greenville Fire Department.

(Ord. 1417, 7/8/2003, Art. 8)

**§809. Confidentiality.**

The information furnished and secured by pursuant to this Part shall be kept confidential in character and shall not be subject to public inspection and shall be kept so that the content thereof shall not be known except to persons charged with the administration of this Part or as an employee of the Borough responding to an activation in a business, facility or structure set forth in this Part.

(Ord. 1417, 7/8/2003, Art 9)

**§810. Administration and Enforcement.**

Administration and enforcement of this Part shall be functions of the Borough of Greenville and shall include the following:

- A. Authority to accept or reject a permit application or revoke a permit because of a misrepresentation or false statement contained in the application for a permit, or failure to correct any deficiencies in equipment or operation of a fire alarm system after receiving due notice from the Borough, or not meeting other conditions and specifications of this Ordinance.
- B. Authority to order the disconnection of a fire alarm system until such system is made to comply with operational standards set forth herein, but only when evidence when failure to comply with said standards imposes a burden upon the Borough as a result of unnecessary fire alarms.
- C. Authority, at reasonable times to enter any premises in the Borough to inspect the installation and operation of a fire alarm system.

(Ord. 1417, 7/8/2003, Art. 10)

**§811. Liability.**

The issuance of a permit shall not constitute acceptance by the Borough of any liability to maintain any equipment, to answer alarms, or to otherwise render the Borough liable to any person or persons for any loss or damage relating to the fire alarm system or procedures.

(Ord. 1417, 7/8/2003, Art. 11)

**§812. Penalties for Violation.**

Any person, firm, corporation or association who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$50 nor more than \$600 plus costs and, in default of the payment of said fine and costs, for a term of

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imprisonment not to exceed 90 days. Each day that the violation of this Part continues shall constitute a separate offense.

(Ord. 1417, 7/8/2003, Art. 12)