

CHAPTER 13

LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS

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PART 1

Soliciting, Peddling and Canvassing

§101. Definitions.

PEDDLER — anyone engaging in canvassing, soliciting, or peddling on a door-to-door basis without previous appointment, for the taking of orders of books, magazines, pictures, home improvements, or any other items for establishing a means of soliciting such customers on the streets or sidewalks within the Township.

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

(Ord. 25, 12/12/1989, §101)

§102. License Required.

No person shall engage in peddling within the Township of Slippery Rock, Butler County, without first having been granted a license as provided herein, for each individual peddler from the Township Secretary. (Ord. 25, 12/12/1989, §102)

§103. Information Required.

Every person desiring to engage in peddling within the Township of Slippery Rock, Butler County, Pennsylvania, shall first make an application to the Township Secretary. Such application shall state the name of the person applying, his address, the name of the person for whom he works, the type of books, magazines, home improvements, pictures, or other items he wishes to peddle; the length of time for which he desires to be licensed; the type of vehicle he uses, with owner's name and license plate number. No license issued under this Part shall be transferred from one person or organization to another. (Ord. 25, 12/12/1989, §103)

§104. Fees; Issuance of License.

1. No license shall be issued under this Part until the proper fee; in an amount as established, from time to time, by resolution of the Board of Supervisors, shall be paid to the Township Secretary for the use of the general fund of the Township. [Ord. 2/12/2002]
2. Nonprofit organizations with a location within the Township may be exempt from the fees to be collected under this Part. Such exemption from fees does not relieve any individual from compliance with other provisions of this Part.

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3. Upon making application therefore and approval by the Township Secretary and payment of the proper charges for the period of time applied for, the Township shall issue a license to the peddler and/or organization.

(Ord. 25, 12/12/1989, §104; as amended by Ord. 2/12/2002)

§105. Hours and Days of Peddling.

No person licensed as a peddler under this Part shall engage in peddling at any time on Sunday, or any other day of the week before 9:00 a.m. or after 5:00 p.m. (Ord. 25, 12/12/1989, §105)

§106. Keeping of Records.

The Township Secretary shall keep a record of all licenses issued under this Part and the Permits Officer shall supervise the activities of holders of such licenses. (Ord. 25, 12/12/1989, §106)

§107. Refusal of License.

The Township Secretary is hereby authorized to refuse to issue any license and to suspend any license already issued under the provision of this Part when he deems such refusal or suspension to be in the best interest of the public health, safety, and welfare of the citizens of the Township or may suspend license or refuse to issue a license for violation of any of the provisions of this Part or for the giving of false information upon any application for a license hereunder. (Ord. 25, 12/12/1989, §107)

§108. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. (Ord. 25, 12/12/1989, §108; as amended by Ord. 2/12/2002)

PART 2

Junkyards

§201. Short Title.

This Part shall be known and may be cited as the “Slippery Rock Township Junkyard and Refuse Ordinance.” (Ord. 10, 11/9/1982, §1)

§202. Definitions.

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this Part to have the meanings herein indicated:

BOARD — the Board of Supervisors of Slippery Rock Township.

JUNK — any discarded material or article and shall include, but not be limited to, scrap metal, scrapped, abandoned or junked motor vehicles, machinery, equipment, paper, glass, containers, and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal.

JUNK DEALER — any person, as hereinafter defined, who shall engage in the business of selling, buying, salvaging, and dealing in junk and who maintains and operates a junkyard within the Township of Slippery Rock.

JUNKYARD — any place where any junk, as hereinbefore defined, is stored, disposed of, or accumulated.

JUNK VEHICLES — any vehicle not possessing a current, valid inspection sticker or license, except farm tractors.

LICENSE — the permit granted to a person who accumulates, stores, disposes of junk as hereinbefore defined.

PERSON — shall include any individual, partnership, association, firm and corporation. [Ord. 2/12/2002]

TOWNSHIP — Slippery Rock Township, Butler County, Pennsylvania.

(Ord. 10, 11/9/1982, §2; as amended by Ord. 2/12/2002)

§203. Persons Keeping, Owning, Possessing Junk Vehicles.

Except as hereinafter provided, no person shall keep, own, or possess more than one junk vehicle on public or private property except as follows:

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- A. Such junk vehicle or vehicles shall be kept in a garage or building.
- B. Such junk vehicle shall be screened from the view of persons using the streets, roads and highways and from the view of owners, occupiers or users of other residences, businesses or property.

(Ord. 10, 11/9/1982, §3)

§204. License.

No person shall engage in business as a junk dealer, or maintain a junkyard without first having obtained a license from the Board, for which license a fee in accordance with the schedule hereinafter set forth shall be paid to the Township for the use of the Township. The license shall be issued for the twelve-month period beginning January 1 and ending December 31 of each year, and each license must be renewed annually on or before the first day of January of each year. (Ord. 10, 11/9/1982, §4; as amended by Ord. 2/12/2002)

§205. Application for License.

The license provided for in this Part shall be issued by the Board after written application shall have been made therefore by the person desiring to be licensed. Such license shall state the name of the person to whom such license is issued and the premises on which such business is to be conducted, or such junkyard is to be maintained. Such license shall be posted conspicuously upon the premises licensed thereunder. The written application for license, hereinabove mentioned, shall be accompanied by a form, every question of which must be answered, which form will be supplied by the Board. Applicant shall also submit therewith a plot of the premises used or to be used in connection with such license. (Ord. 10, 11/9/1982, §5)

§206. Issuance of License.

Upon receipt of an application by the Board, the Board shall issue a license or shall refuse to issue a license to the person applying therefore after an examination of the application and taking into consideration the suitability of the property proposed to be used for the purposes of the license, the character of the properties located nearby, and the effect of the proposed use upon the Township, both economic and aesthetic. In the event the Board shall issue a license, it may impose upon the license and the person applying therefore such terms and conditions, in addition to the regulations herein contained and adopted pursuant to this Part, as may be deemed necessary to carry out the spirit and intent of this Part. (Ord. 10, 11/9/1982, §6)

§207. License Fee.

1. The license fee shall be paid immediately upon the issuance or renewal of a license. The amount of the initial license fee shall be established, from time to time, by resolution of the Board of Supervisors of Slippery Rock Township, as determined by the actual land to be used by the person to whom the license is issued, excluding all setback areas. [A.O.]
2. No license shall be issued for the use of a tract of land in excess of five acres, excluding setback areas.

(Ord. 10, 11/9/1982, §7; as amended by Ord. 2/12/2002)

§208. License Limitation.

No person licensed under this Part shall, by virtue of one license, keep more than one place of business within the Township or maintain more than one junkyard, for the purpose of buying, selling and dealing in junk. No person shall engage in business as a junk dealer in any place other than the place designated upon his license, or maintain a junkyard in any place other than the place designated upon his license. (Ord. 10, 11/9/1982, §8)

§209. Transfer of License.

No license issued by the Board shall be transferable by the licensee to any other person unless such a transfer is authorized by the Board. Any person desiring to transfer his license shall notify the Board, in writing, which notification shall be accompanied by an application for a license, as described in §205 of this Part, by the transferee. (Ord. 10, 11/9/1982, §9)

§210. Transfer Fee.

In the event the Board shall approve the transfer of a license, the transferee shall immediately pay to the Township a transfer fee in an amount as established, from time to time, by resolution of the Board of Supervisors. (Ord. 10, 11/9/1982, §10; as amended by Ord. 2/12/2002)

§211. Regulations.

Every person licensed under this Part shall constantly maintain the licensed premises in accordance with any special provisions imposed by the Board and in the manner prescribed by this Section and any subsequent regulations adopted by the Board:

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- A. Such premises shall at all times be maintained so as not to constitute a nuisance or a menace to the health of the community or of residents nearby or a place for the breeding of rodents and vermin.
- B. No garbage or other organic waste shall be stored in such premises.
- C. Whenever any motor vehicle shall be received in such premises as junk, all gasoline and oil shall be drained and removed therefrom. Gasoline in an amount not exceeding 10 gallons may be stored above ground in said junkyards, provided the same be placed in containers approved by the Board. All other gasoline which is kept in the premises shall be stored underground, which underground storage must be approved by the Board.
- D. The manner of storage and arrangement of junk and the drainage facilities of the premises shall be such as to prevent the accumulation of stagnant water upon the premises, and to facilitate access for firefighting purposes.
- E. All junk kept, stored, or arranged on the licensed premises shall at all times be kept, stored and arranged within the junkyard as described in the application for license hereunder, and as limited under subsection (D) above.
- F. A person licensed under this Part shall not burn more than three motor vehicles or their equivalent at any one time. No burning shall be permitted on Sundays or Mondays and no burning shall be permitted between the hours of 5:00 p.m. through 8:00 a.m. No oil, grease, tires or other similar material that might be dangerous or tend to produce obnoxious smoke or odors shall be burned within a junkyard at any time. Burning of vehicles must be attended and controlled at all times.
- G. The premises to be licensed shall be set back a minimum distance of 25 feet from the right-of-way lines on all streets or roads and a minimum distance of 25 feet from all other property lines. The area between the setback line and the right-of-way line and all streets and roads and all other property lines shall be, at all times, kept clear and vacant.
- H. When the Board shall deem it necessary and desirable, the premises to be licensed shall, at the setback lines, be enclosed by a fence of type and style to be determined by the Board or by evergreen screen plantings, or both. The Board may set forth the fence and planting requirements at the time of the issuance of a license or at the time of renewal or transfer of a license.

(Ord. 10, 11/9/1982, §11)

§212. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for

the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. (Ord. 10, 11/9/1982, §12; as amended by Ord. 2/12/2002)

§213. Abatement of Nuisances.

In addition to the remedies provided in this Part, any continued violation of this Part, which shall constitute a nuisance in fact or which shall, in the opinion of the Board, constitute a nuisance, may be abated by proceedings against the violator in a court of equity for relief. (Ord. 10, 11/9/1982, §13)