

Bk 13-815

ORDINANCE 1 - 1986

AN ORDINANCE OF THE BOROUGH OF WEST WYOMING,
LUZERNE COUNTY, PENNSYLVANIA. ENACTING
LICENSED OCCUPATIONS

LICENSED OCCUPATIONS

86-1. Storage of Junk.

Every person owning, leasing, renting or occupying premises in West Wyoming where rags, bones, rubble, scrap iron, wastepaper or junk of any kind is stored shall pay an annual license fee of three hundred dollars (\$300.00).

86-2. Collection of Junk.

Every person engaged in the collection of rags, bones, rubble, scrap iron, wastepaper or junk of any kind in West Wyoming shall pay an annual license fee of ten dollars (\$10.00), provided that this section shall not apply where said collection is for charitable purposes.

86-3. Unnecessary Noise.

It shall be unlawful for any person, directly or indirectly, to maintain or operate in the borough any radio, mechanical instrument, loudspeaker or other devices of any kind whatsoever whereby the sound therefrom is cast upon the highways, or to ring any handbell, beat or strike any pan or pail, sound any gong, blow any whistle or horn or mechanically amplify the human voice by loudspeaker or megaphones to promote the sale of goods, wares or merchandise; provided, however, that this section shall not apply to the electrical amplification of clock chimes.

86-4. Maintenance of Flea Markets.

A. Any person, firm or corporation desiring to operate

the business commonly known as a "flea market" shall first obtain from the Borough Administrator a license for such business and shall pay therefor a fee for each and every business and shall pay therefor a fee for each and every month during which said business is operated as follows:

(1) One thousand (\$1,000.00) dollars to be paid to Borough Administrator for a license to operate a "flea market."

(2) Five hundred (\$500.00) dollars per month for each and every month of each calendar year that the "flea market" is operated.

B. The fee established herein for obtaining a license to operate a "flea market" shall be paid only once by the operator of each "flea market." Said license shall not be transferred sold, inherited, nor assigned.

C. The fee established herein for operating a "flea market" shall be paid for each and every calendar month which the flea market is operated, regardless of the number of days that said flea market is operated during said calendar month.

86-5. Duration of License: Transfer.

A. No license issued hereunder shall be issued for a period no longer than one (1) year, and all licenses for trades and occupations shall terminate on the

first day of July next succeeding their date.

- B. No license hereunder shall be transferred to a different person or place except by special resolution passed by the Council of the borough.

86-6. Revocation of License.

The Administrator may at any time revoke any license issued under this chapter for any breach of the terms thereof, upon giving notice to the licensee of such revocation and making a record thereof; and from the time of such notice given, any act done under color of such license or licenses shall subject the person doing it or suffering it to be done to the same penalty as if he had done such act without such license, unless the revocation of such license is disapproved as hereinafter provided.

86-7. Appeals

Anyone who shall feel aggrieved by the neglect or refusal of the Administrator to issue any license or by the terms or by any revocation of any such license aforesaid may, upon giving notice to Administrator within one (1) week thereafter, appeal to the Borough Council: until the terms, conditions or revocation are disapproved by the Council, they shall be binding upon the applicant, and the Council may order modification as it may deem proper, not, however, inconsistent with borough ordinances.

86-8. Collection of Unpaid Fees.

Upon the failure of anyone to pay a license fee within ten (10) days after the same shall become due, the Administrator

is directed to place the matter in the hands of the Mayor, Borough Solicitor or a District Magistrate for collection.

86-9. Violations and Penalties.

Any person violating any of the provisions of this chapter shall, upon conviction thereof, be punishable by a fine of not more than three hundred (\$300.00) dollars and costs of prosecution, and upon default in payment of the fine and costs, by imprisonment in the county jail for a term of not more than thirty (30) days, and each day that a violation continues shall be deemed to constitute a separate offense.

Duly Enacted and Ordained this 10th day of March, 1986.

William Schalles
President

ATTEST: Anthony Berkant
Secretary

Approved By: Alfred Hynny
Mayor

This is to certify that the foregoing Resolution was duly approved by the Board of Directors of West Wyoming Borough, County of Luzerne, and Commonwealth of Pennsylvania, at this meeting on March 10th, 1986.

Anthony Berkant
Secretary