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PART 1
AMUSEMENT DEVICE REGULATIONS

§101. Short Title. This Part 1 shall be known and may be cited as the “Amusement Device Regulations.”

§102. Definitions. The following words and phrases when used in this Part 1 shall have the meaning hereby ascribed to them, except in those instances where the context clearly indicates a different meaning.

Amusement Device: Any machine which, upon the insertion of a coin, slug, token, plate or disc, may be operated by the public generally for use as a game, entertainment or amusement, whether or not registering a score. It shall include such devices as electronic games, pin-ball machines, skill ball, mechanical grab machines and all games, operations, or transactions, similar thereto under whatever name they may be indicated. The term does not include vending machines in which there are not incorporated gaming or amusement features, nor does the term include any coin-operated musical device or rides.

Applicant: The person, partnership, association, or corporation operating a business establishment at which amusement devices are displayed for public patronage.

Business Establishment: The premises at which a business is located, having direct ingress and egress to the outside and meeting all applicable zoning and building codes regulating such commercial premises.

§103. Licensing of Amusement Devices; Gambling Prohibited.

103.1 No person, partnership, association or corporation shall display an amusement device for public patronage in the Municipality without first having obtained an amusement device establishment permit and an amusement device license from the Municipality pursuant to the provisions of this Part 1 of this Chapter and Part 1 (Fire Prevention) of Chapter IV of the Code. The initial amusement device establishment permit fee shall be twenty-five dollars (\$25) per establishment and twenty-five dollars (\$25) for each subsequent renewal and the amusement device license fee shall be as set forth in §107.

103.2 Nothing in this Part 1 of this Chapter shall in any way be construed to authorize, license or permit any gambling or gambling devices not permitted by state or local law. Any Amusement Device Establishment Permit issued under this Part 1 may be revoked if the operation of such establishment constitutes a public nuisance.

§104. Application for Amusement Device Establishment Permit and Amusement Device License.

104.1 Application for an amusement device establishment permit and amusement device license shall be made to the Municipal Secretary and Manager or his

authorized representative on forms prescribed by him, and shall state the following:

- 104.1.1 The name, address and occupation of the applicant, if an individual, or if a partnership, association, or other entity, the names, addresses and occupations of each member of the partnership, association, or other entity, or if a corporation, its name, its place of incorporation, its principal place of business, the principal type of business in which it is engaged, and the names and addresses of each of its officers and directors.
 - 104.1.2 The name under which the establishment is being operated and the location of the same.
 - 104.1.3 The owner of the business and the owner of the property.
 - 104.1.4 The number and type of machines sought to be licensed.
 - 104.1.5 The owner of the machines sought to be licensed.
 - 104.1.6 A floor plan in a form and detail satisfactory to the Chief Inspector, showing the proposed placement of amusement devices on the applicant's premises in conformance with the criteria governing their placement and operation.
- 104.2 The Municipal Secretary and Manager shall transmit the license and permit applications and the floor plan to the Chief Inspector, the Chief of Police and the Fire Chief for further inspection and investigation of the applicant's fitness to obtain an amusement device license and permit.
- 104.3 "Fitness" of the applicant shall consist of the following:
- 104.3.1 Compliance by applicant with all applicable municipal, county and Commonwealth laws pertaining to operation of applicant's business.
 - 104.3.2 No prior convictions of applicant (including, where applicable, all officers, directors, partners, or other joint business ventures), for any felonies or misdemeanors involving force, violence or moral turpitude.
- §105. Floor Plan; Placement of Devices. In order to be issued an amusement device establishment permit and amusement device license under the provisions of this Part 1 of this Chapter an applicant shall submit a floor plan establishing compliance with Part 1 of Chapter IV of the Code.

§106. Compliance with Zoning Chapter; Location. In order to obtain an amusement device establishment permit under this Part 1 of this Chapter, applicant's amusement device(s) must be an authorized accessory use in a C General Commercial District or C-1 Central Commercial District as defined in Chapter XX, Part 6, or be located in a Municipal Facility, as defined in Chapter XX, Part 1, in any Zoning District. No amusement devices may be operated within three hundred (300) feet of a school as defined in Chapter XX, Part 1.

§107. Issuance of Permit and License; Fee; Display of Permit and License.

107.1 The Municipal Secretary and Manager shall issue an amusement device establishment permit and amusement device license if the applicant has demonstrated compliance with the requirements as set forth in this Part 1 of this Chapter, as well as with all other pertinent municipal, county and Commonwealth codes, and has paid the proper fees.

107.2 The initial fee for the amusement device license shall be Three Hundred Dollars (\$300) per amusement device upon applicant's business premises. The license fee for each subsequent renewal of an applicant's license shall be Three Hundred Dollars (\$300) per amusement device.

107.3 The fee for any license issued less than six (6) months prior to the expiration date of such license shall be One Hundred Fifty Dollars (\$150).

107.4 The permit and license shall contain the signature and seal of the Municipal Secretary and Manager and show the name and address of the licensee, the type of amusement device located on the premises, the number of devices authorized for that location, the amount of fee paid, the date of issuance, the date of expiration, and the license number. The permit and license shall, at all times, be prominently displayed in public view on the premises.

107.5 Schedule of fees. The Commission shall be empowered to re-evaluate the fee schedule from time to time to make necessary alterations to it. Such alterations shall not be considered an amendment to this chapter, and may be adopted at any public meeting by resolution.

§108. Expiration of Permits License; Renewal.

108.1 All Permits and licenses issued under this Part 1 of this Chapter shall expire on the eighth day of February of each year. An application for renewal shall be filed with the Municipal Secretary and Manager or his authorized representative, on forms prescribed by him, at least ten (10) days prior to the expiration date of the Permit or license. In the application the Permit or license holder shall alert the Municipality as to any changes in the information contained in the initial application or floor plan submitted for that establishment or amusement device.

108.2 A Permit or license shall expire prior to the date specified in §108.1 upon the occurrence of any of the following conditions:

108.2.1 Discontinuance of the Permit holder's business;

108.2.2 Removal of licensed amusement devices from the business premises;

108.2.3 Transfer or sale of the business to another individual, partnership, corporation or other entity.

Upon expiration under this Section, a Permit or license may be renewed only after compliance with the procedures established by this Part 1 of this Chapter for the issuance of the original Permit or license.

§109. Transfer of License or Permit. A license or permit shall not be transferable from person to person nor place to place, and shall be useable only at the place and by the person designated on the license or permit.

§110. License and Permit Suspension or Revocation.

110.1 All licenses and permits issued pursuant to the provisions of this Part 1 of this Chapter are subject to suspension or revocation by the Municipal Secretary and Manager upon occurrence of any of the following conditions:

110.1.1 Willful misrepresentation made by the license or permit holder or his agent in applying for the license or permit.

110.1.2 Conviction of the license or permit holder for any felony or misdemeanor involving force, violence, moral turpitude, or involving any violation of this Chapter.

110.1.3 The existence of a nuisance to customers, other businesses or the general public stemming from the operation of amusement devices on the license or permit holder's premises. The definition of "nuisance" for the purpose of this Section shall include the violation of any provision of any municipal, county or Commonwealth codes.

110.1.4 Any violation of the provisions of this Part 1 of this Chapter.

110.2 Prior to any action suspending or revoking any license or permit, the Municipal Secretary and Manager shall give the license or permit holder written notice of such action, affording an opportunity to the license or permit holder to correct any such deficiencies forming the basis for the suspension or revocation.

- §111. Inspection. In determining whether to issue, renew, suspend or revoke an amusement device license or permit, the Municipal Secretary and Manager, the Chief of Police, the Chief Inspector, the Fire Chief, or their authorized representatives may make an investigation of the premises and the applicant during normal business hours to determine the veracity of statements set forth in the application and compliance with the provisions of this Part 1 of this Chapter.
- §112. Appeals. Any license or permit applicant or holder aggrieved by the decision of the Manager in denying, suspending or revoking an amusement device license or permit, or by any other adverse determination of the Manager taken pursuant to the provisions of this Part 1, shall have the right of appeal to the Board of Appeals, pursuant to the procedures set forth in the Administrative Code, Chapter I.
- §113. Violations. Any person who violates any provision of this Part 1 of this Chapter shall, upon conviction thereof, be punished by a fine not to exceed Three Hundred Dollars (\$300). Each day that a violation occurs or is committed shall constitute a separate offense. Each amusement device operating without a license and establishment operating without a permit shall constitute a separate offense.
- §114. Effective Date; Grandfather Clause. This Part 1 shall apply to any amusement device presently or hereafter installed, used, operated or maintained within the Municipality, except:
- 114.1 Any amusement device installed, used, operated, or maintained within the Municipality prior to introduction of Ordinance 2904 shall be exempt from payment of the twenty-five (\$25) permit fee to the extent that a license fee for the current permit year has been paid to the Municipality.
- 114.2 Any amusement device installed, used, operated or maintained within the Municipality as an authorized accessory use in a LS Local Service Zoning District prior to the introduction of Ordinance 2708 shall be exempt from the requirement in §106 that all amusement devices be located only in C General Commercial or C-1 Central Commercial Zoning Districts.
- 114.3 Any amusement device installed, used, operated or maintained within the Municipality within three hundred (300) feet of a school or place of worship prior to the introduction of Ordinance 2708 shall be exempt from the provision in §106 prohibiting the same.

PART 2
PARADES AND PROCESSIONS

§201 Definitions. The following words and phrases when used in this Part 2 shall have the meaning hereby ascribed to them, except in those instances where the context clearly indicates a different meaning:

Parade: any parade, procession or demonstration.

Prevailing Time: either Eastern Standard Time or Eastern Daylight Saving Time, whichever is in effect in the Municipality.

Street: any street, public highway, lane, alley, sidewalk, public square or public right of way.

§202 Parades Prohibited at Certain Times. All Parades upon any Street of the Municipality are prohibited between the hours of 7:00 A.M. and 9:30 A.M. and 4:00 P.M. and 6:30 P.M. on Monday through Friday. All times specified herein are Prevailing Time.

§203 Prior Notice Required. At all other times, all Parades upon any Street of the Municipality are prohibited unless written notice of (a) the character, time and place thereof, including the route of march, if applicable, (b) the names of the officers of the said Parade, and (c) the names of the participating organizations, and the officers of the said organizations, is given to the Chief of Police of the Municipality at least twenty-four (24) hours before the formation or commencement of the Parade. The persons charged with the responsibility for giving the written notice as aforesaid are the chief officer of the Parade, and in the absence of the chief officer, the person or persons organizing and participating in the organization of the Parade.

§204 Permit Required. In furtherance of the foregoing requirements, to promote peace and good order in the Municipality, and particularly to prevent interference and obstruction of the lawful use of the Streets of the Municipality, the Chief of Police upon proper application shall issue permits for Parades, and shall have the power to designate, limit and restrict in such permits: (a) the permitted time and place of the Parade, (b) the permitted routes and the extent of the Streets which may be occupied by the Parade, and (c) the permitted times and duration of the Parade provided, however, that in no case shall a permit be issued permitting a Parade during the prohibited hours specified in §202 of this Chapter. In the administration of this Part 2, the Chief of Police shall not refuse to issue a permit for any reason relating solely to the identity of the applicant or the identity of the persons or organizations who are to participate in the Parade; and the Chief of Police shall have no discretion to limit or restrict a permit other than in the respects set forth in this Part 2.

**PART 3
SOLICITATION**

§301 Statement of Purpose. It is the purpose of this Part 3 to regulate Persons who Solicit in the Municipality, whether on behalf of a charitable organization, a commercial enterprise, or otherwise.

§302 Permit Required. It shall be unlawful for any Person to Solicit in the Municipality without first obtaining a permit therefore as provided in this Part 3 (“Municipal Permit”).

§303 Definitions. When used in this Part 3, the following terms shall have the following meanings:

Charitable Solicitation Act: The Solicitation of Funds for Charitable Purposes Act enacted by the Commonwealth of Pennsylvania, 10 P.S. '162.1 et seq., as such act may be amended from time to time.

Commercial Coventurer: Has the meaning set forth in the Charitable Solicitation Act.

Person: Any individual, organization, corporation, association, partnership, trust, foundation or other entity, however styled, including but not limited to charitable organizations, business organizations, Commercial Coventurers, Professional Fundraising Counsel, Professional Solicitors, and volunteer fundraisers and solicitors.

Professional Fundraising Counsel: Has the meaning set forth in the Charitable Solicitation Act.

Professional Solicitor: Has the meaning set forth in the Charitable Solicitation Act.

Solicit: To go from door to door in the Municipality (i) soliciting contributions or pledges for contributions, or (ii) selling or attempting to sell subscriptions, products or services, or taking orders or attempting to take orders for subscriptions, products or services from or to an occupant of a residence.

Solicitation: Acts of individual Solicitors on behalf of a particular Person.

Solicitor: A Person who Solicits.

Soliciting Organization: The Person on whose behalf Solicitors are acting.

State Permit: A permit issued by the Bureau of Charitable Organizations of the Department of State, pursuant to the terms of the Charitable Solicitation Act.

§304 Application for Municipal Permit. Applicants for a Municipal Permit must file with the Police Department of the Municipality, a sworn application in writing on a form to be furnished by the Municipality, which shall give the following information.

- 304.1 The name of the Soliciting Organization, and any other name or names under which Solicitors acting on behalf of the Soliciting Organization will Solicit.
- 304.2 The principal address and telephone number of the Soliciting Organization and the addresses and telephone numbers of any offices of the Soliciting Organization in the Commonwealth of Pennsylvania.
- 304.3 The names and addresses of the officers, directors, trustees, and principal salaried executive officers of the Soliciting Organization.
- 304.4 The names and addresses of any Professional Solicitors, Professional Fundraising Counsel and Commercial Coventurers who have agreed to act on behalf of the Soliciting Organization.
- 304.5 The names and addresses of each individual who will be Soliciting in the Municipality on behalf of the Soliciting Organization.
- 304.6 The purpose of the Solicitation in the Municipality.
- 304.7 The period and times during which the Solicitation is to be conducted.
- 304.8 In the case of goods or subscriptions to be offered for sale, a brief description of the nature of the business of the Soliciting Organization, and the goods or subscriptions to be offered for sale.
- 304.9 The application for a Municipal Permit shall be accompanied by the original of the Soliciting Organization's State Permit as well as the State Permit of any Commercial Coventurer, Professional Fundraising Counsel or Professional Solicitor acting on behalf of the Soliciting Organization, or a sworn, written statement of the applicant indicating that such applicant is (i) exempt from the registration requirements of the Charitable Solicitation Act, or (ii) not subject to the Charitable Solicitation Act.

§305 Issuance of Permit.

- 305.1 Upon receipt of a duly completed application, the fee prescribed in §306, the original of the Soliciting Organization's current and valid State Permit (if applicable), and the current and valid State Permit of any Commercial Coventurer, Professional Fundraising Counsel or Professional Solicitor acting on behalf of the Soliciting Organization, the Chief of Police shall issue Municipal Permits to each of the Soliciting Organization, any Commercial Coventurers, Professional Fundraising Counsel, Professional Solicitors, and each individual Person Soliciting on behalf of the Soliciting Organization, whether as an employee or independent contractor of the Soliciting Organization, Commercial Coventurer, Professional Fundraising Counsel or Professional Solicitor, or as a volunteer. Each Municipal Permit issued to an individual shall contain the name

and address of such individual, along with the name and address of the Soliciting Organization.

The application for a Municipal Permit shall be kept on file by the police and shall be available for public inspection. The Municipal Permits issued pursuant to this §305.1 shall be valid until December 31 of the year when issued.

305.2 The Chief of Police may deny the application for a Municipal Permit if the application is incomplete, is not accompanied by all required State Permits, is not accompanied by a fee, or if the Soliciting Organization, Commercial Coventurers, Professional Fundraiser or Professional Solicitor has been convicted of or has plead guilty or nolo contendere to (i) violating the provisions of this Part 3 within a period of one (1) year prior to the date of the application, or (ii) any burglary, violent crime, or any felony or misdemeanor involving fraud or misrepresentation. In addition, a Municipal Permit may be denied to any individual listed on the application who has been convicted of or has plead guilty or nolo contendere to, (i) violating the provisions of this Part 3 within a period of one (1) year prior to the date of the application, or (ii) any burglary, violent crime, or any felony or misdemeanor involving fraud or misrepresentation.

305.3 An application for a Municipal Permit shall be approved or rejected within a period of five (5) days from the date it is submitted. If an application for a Municipal Permit is rejected, the Chief of Police shall set forth the reasons therefore in writing.

305.4 The police clerk shall keep a permanent record of all Municipal Permits issued and all Municipal Permit applications rejected, and shall issue a monthly report thereon to the Commission.

§306 Fees. The fee for each Municipal Permit shall be fifty dollars (\$50) which will reimburse the Municipality for its costs in conducting a criminal records check on the Person seeking the Municipal Permit, and for the costs of preparing the Municipal Permit provided, however, that the fee shall be waived for Persons conducting Solicitation only one (1) time within any calendar year.

§307 Conduct of Solicitations. In the course of a Solicitation each Solicitor shall comply with the following:

307.1 No Solicitor shall Solicit without a current, valid Municipal permit, and if required to register under the Charitable Solicitation Act, without a current, valid State Permit.

307.2 No Solicitor shall Solicit at any residence which has a “No Solicitation” sign posted on the residence. No Solicitor shall Solicit before 9:00 A.M. or after 5:00

P.M. at any residence which has a “No Evening Solicitation” sign posted on the residence.

307.3 The Solicitor shall,

307.3.1 if requested by a resident of the Municipality, provide to the resident, the name and address or telephone number of a representative of the Soliciting Organization to whom inquiries can be addressed; and

307.3.2 provide to each resident a full and fair description of the purpose for which the Solicitation is being made; and

307.3.3 in the case of a charitable organization only, provide if requested by a resident of the Municipality, the source from which a financial statement may be obtained.

307.4 The Solicitor shall comply with all applicable laws, statutes, regulations, rules or ordinances of the United States of America, the Commonwealth of Pennsylvania, and the Municipality.

307.5 No Solicitor shall make any untrue statement or misrepresentation in the course of Soliciting, or omit to state any material fact necessary to prevent any statement made from being misleading. No Solicitor shall utilize any unfair or deceptive acts or practices in the course of Soliciting. In determining whether or not a practice is unfair or deceptive under this §307.5, definitions, standards or interpretations relating thereto under the Pennsylvania Unfair Trade Practices and Consumer Protection Law, as amended from time to time, shall apply.

307.6 If no signs pursuant to §307.2 are posted at a residence, no Solicitor shall Solicit before 9:00 A.M. or after 9:00 P.M.

307.7 Every person Soliciting in the Municipality shall have his or her Municipal Permit in such Person’s possession at all times in the course of Soliciting. Any Solicitor requested to so do by a resident or the police, shall display to such resident or the police his or her Municipal Permit containing such Person’s name and address, and a copy of such Person’s driver’s license containing a picture of such Person.

§308 Transfer of Permit. No Municipal Permit shall be used at any time by any Person other than the Person to whom it is issued.

§309 Records. The Chief of Police shall report to the Manager of the Municipality all convictions for violations of this Part 3, and the police clerk shall maintain a record for each Municipal Permit issued and record the reports of violation therein.

§310 Violations. Any Person who violates any provision of this Part 3 shall, upon conviction thereof, be subject to a fine not to exceed three hundred dollars (\$300). Each day that a violation occurs or is committed shall constitute a separate offense. Violations may also result in the revocation of the violator's Municipal Permit, as specified in §311.

§311 Revocation of Permit.

311.1 Municipal Permits may be revoked by any Magistrate having jurisdiction with respect to Soliciting in the Municipality, after notice and hearing, for any of the following causes:

311.1.1 Fraud, misrepresentation, or false statement contained in, or material fact omitted from, the application for a Municipal Permit or State Permit;

311.1.2 Fraud, misrepresentation, false statement or material omission made in the course of Soliciting;

311.1.3 Failure to observe a "No Solicitation" or "No Evening Solicitation" sign posted by a resident;

311.1.4 Soliciting in the Municipality without a current and valid State Permit;

311.1.5 Any other violation of this Part 3;

311.1.6 Conviction, whether before issuance of the Municipal Permit or during the term of the Municipal Permit, of any burglary, violent crime or any felony or misdemeanor involving fraud or misrepresentation;

311.2 Notice of the hearing for revocation of a Municipal Permit shall be given in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be transmitted by certified mail, postage prepaid, to the permittee at his last known address at least seven (7) days prior to the date set for hearing.

§312 Appeals. Any Person aggrieved by the action of the Chief of Police or the police clerk in the denial of a Municipal Permit as provided in §305 of this Part 3, shall have the right of appeal to the Commission of the Municipality. Such appeal shall be taken by filing with the Commission, within fourteen (14) days after notice of the denial has been mailed to such Person's last known address, a written statement setting forth fully the grounds for the appeal. The Commission shall set a time and place for a hearing on such appeal and notice of such hearing shall be given to the appellant in the same manner as provided in §311 of this Part 3 for notice of hearing on revocation.

- §313 Expiration of Permit. All permits issued under the provisions of this Part 3 shall expire on December 31 in the year when issued.
- §314 Failure to Comply. In addition to the penalties provided above for violation of this Part 3, all contracts made by any Solicitor who has failed to procure a Municipal Permit as required by this Part 3, shall be voidable at the option of the resident who entered into the contract.
- §315 Posting of Signs. A property owner or his authorized agent may post a sign on his residence reading “No Solicitation” or “No Evening Solicitation.” Such signs shall be displayed as close as possible to the front door of the residence. For purposes of this §315, “No Evening Solicitation” shall mean no Solicitation before 9:00 A.M. or after 5:00 P.M.

PART 4
UTILITY FACILITIES

- §401 Inspection of Utility Poles, Wires, and Pipelines. For the safekeeping of the highways of the Municipality, it shall be the duty of the Director of Public Works, at least once in every year, to inspect or cause the inspection of all poles of the companies hereinafter mentioned, and all other poles and the wires strung thereon, and all pipelines in all the highways of the Municipality, and to report any defects therein to the Commission at the regular meetings thereof, or in case such defect is of such nature as to require immediate attention, he shall report the same to the Manager, who shall require the said companies owning said poles or lines to repair the same within such time as may be designated by him, or if he shall deem it necessary, the Manager may have such repairs made as in his opinion the safety of the public may require. In case he shall cause such repairs to be made, the Manager shall report the expense thereof to the Commission, which shall proceed to collect the same, and an addition twenty percent (20%) thereof, from the owners of such poles, wires or pipelines, as the case may be.
- §402 Records Required; Issuance of License. It shall be the duty of the Manager to keep a complete list of the number of poles and the number of miles of pipeline maintained by each company, and upon payment of the license fee provided in §403 and §404 of this Chapter, to issue to the said company so paying, a license to maintain such poles or pipelines in the Municipality.
- §403 Annual License Fee for Poles. Each telegraph, telephone, electric light, and electric railway company using poles with wires strung thereon within the limits of the Municipality, shall pay an annual license fee of twenty-five cents (\$.25) for each pole or stub used by any of the said companies in any street, alley, or highway in the Municipality.
- §404 Annual License Fee for Pipelines. Each gas, oil or water company laying and maintaining pipelines or conduits within the limits of the Municipality shall pay an annual license fee of ten dollars (\$10) for each mile of pipeline laid and maintained by it in or under any street, alley or highway in the Municipality.
- §405 Payment of Annual Fees. The annual fees prescribed in §403 and §404 of this Chapter shall be payable on or before the first day of April each year, and the check for the payment of same shall be accompanied by a statement, sworn to by the proper officers of said companies, having knowledge thereof, specifying the number of poles or number of miles of pipeline maintained in the Municipality, as the case may be.
- §406 Collection of Delinquent Fees. If any of the license fees or part thereof, provided in §403 and §404 of this Chapter, shall remain unpaid for more than thirty (30) days after the date provided for the payment thereof in §405 of this Chapter, it shall be the duty of the Manager of the Municipality to collect the same and if necessary to bring an action at law in the name of the Municipality for the collection of the same, together with an additional ten percent (10%) thereof as a penalty for the nonpayment as herein specified.

PART 5
ALARM DEVICES

§501 Definitions. For purposes of this Part 5, the following terms are defined as follows:

Adverse Condition: Any condition occurring in a communications or transmission channel that interferes with the proper transmission and/or interpretation of status change signals at the supervising station.

Alarm Detector/Initiating Device: A device suitable for connection to a circuit that has a sensor that responds to a physical stimulus such as heat, smoke, motion or sound.

Alarm Signal: A communication to the Mt. Lebanon Emergency Services indicating that an Alarm System has activated warranting immediate action by the Mt. Lebanon Police and/or Fire Departments, or by Medical Rescue Team South Authority.

Alarm System: A system or portion of a combination system that consists of components and circuits arranged to monitor and annunciate the status of alarm initiating devices or supervisory signal initiating devices and to initiate the appropriate response to those signals.

Alarm System Operational Permit: An annual operational permit required for both Required and Non-Required Alarm Systems.

Authority Having Jurisdiction (AHJ): The Municipality of Mt. Lebanon and its public safety agencies who are responsible for enforcing the requirements of a code or standard, or for approving equipment, systems, materials, an installation and/or a procedure.

Digital Alarm Communicator Transmitter (DACT): A system component at the Protected Premises to which initiating devices or groups of devices are connected. The DACT seizes the connected telephone line, dials a pre-selected number to connect to a Private Alarm Supervising Station, and transmits signals indicating a status change of initiating devices.

Emergency Medical: Medical Rescue Team South Authority (MTRSA).

False Alarm: An Alarm Signal, to which the MLPD, MLFD, and/or MRTSA respond resulting from the activation of an Alarm Detector/Initiating Device when a crime, fire or other emergency warranting immediate action has not, in fact, occurred.

Fire Department: The Mt. Lebanon Fire Department (MLFD).

Intentional/Malicious Alarm: A signal transmission resulting from the intentional activation of an Alarm Detector/Initiating Device by an individual under circumstances where the individual has no reasonable basis to believe that a crime, fire or other emergency warranting immediate action by the MLPD, MLFD or MRTSA has occurred or is occurring.

Non-Required Alarm Systems: Alarm Systems not required by the Municipality of Mt. Lebanon but installed by the property owner and monitored by a Private Alarm Supervising Station.

Nuisance Alarm: Any alarm caused by mechanical failure, malfunction, improper installation, lack of proper maintenance, or any alarm activated by a cause that cannot be determined.

Permit Holder: A person, property owner, or business to which the AHJ has issued a construction/installation and/or Private Alarm System Operational Permit.

Police Department: The Mt. Lebanon Police Department (MLPD).

Private Alarm Systems: Alarm Systems not required by the Municipality of Mt. Lebanon but installed by the property owner and monitored by a Private Alarm Supervising Station.

Private Alarm Supervising Station: A facility NOT owned by the Municipality of Mt. Lebanon that receives Alarm Signals.

Protected Premises: The physical location protected by a fire, intrusion, emergency medical Alarm System or any combination of systems.

Required Alarm Systems: Alarm Systems required by the Mt. Lebanon Code and International Building Code for occupancies in Use groups A-1, A-2, A-3, A-4, E, I-1, I-2, I-3, R-1 and R-2.

§502 Permits.

502.1 It shall be unlawful for a property owner, lessee of property or a person otherwise occupying a premises within the Municipality of Mt. Lebanon to install a Required Alarm System on the premises without first obtaining the applicable construction and installation permits from the AHJ. In order to obtain the applicable Construction and Installation Permit, plans for the alarm system, an application for a permit and a fee must be submitted to the Mt. Lebanon Fire Department in accordance with the requirements of the AHJ.

502.2 It shall be unlawful for a property owner, lessee of property, or a person otherwise occupying a premises within the Municipality of Mt. Lebanon to install and/or operate a Required or Non-Required Alarm System without obtaining an Alarm System Operational Permit. In order to obtain an Alarm System Operational Permit an application for a permit and fee must be submitted to the Mt. Lebanon Fire Department in accordance with the requirements of the AHJ.

502.2.1 In addition, each person submitting an application for an Alarm System Operational Permit shall submit a signed release in following form:

“I (We) the undersigned applicant(s) for an alarm system operational permit, intending to be legally bound hereby, state that neither I (we), nor anyone claiming by, through or under me (us), shall make any claim against Mt. Lebanon, Pennsylvania for any damage caused to the protected premises at which the Alarm System, which is the subject of this application, is or will be located, if such damage is caused by a forced entry to said premises by employees of Mt. Lebanon, Pennsylvania in order to answer an Alarm Signal from said Alarm System at a time when said protected premises are or appear to be unattended or when in the discretion of said employees, circumstances appear to warrant a forced entry.

Furthermore, for Required Alarm Systems, I (we) hereby agree that, periodically and upon five (5) days written notice, representatives of the Police or Fire Departments of Mt. Lebanon, Pennsylvania shall be allowed to enter my (our) premises between the hours of 10 A.M. and 5 P.M. on weekdays for the purpose of inspecting my (our) Alarm System installation in order to determine whether or not it is in accordance with the operational standards set forth in §503 of Chapter VIII of the Mt. Lebanon Code.”

- 502.3 It shall be unlawful for a property owner, lessee of property, or a person otherwise occupying a premises within the Municipality of Mt. Lebanon to operate a Required Alarm System without obtaining an Alarm System Operational Permit. In order to obtain an Alarm System Operational Permit an application for a permit and fee must be submitted to the Fire Department in accordance with the requirements of the AHJ.
- 502.4 The AHJ shall, within ten (10) business days from receipt of an application for a construction, installation and/or Alarm System Operational Permit, either grant a Permit to the applicant or notify the applicant in writing that his application has been denied and the reason or reasons why it has been denied.
- 502.5 An application for a construction, installation and/or Alarm System Operational Permit may only be denied for any one of the following reasons:
- 502.5.1 The applicant’s Alarm System does not conform with the operational standards set forth in §503, or
- 502.5.2 The fire alarm system plans submitted for review does not meet the requirements of the AHJ.
- 502.6 The AHJ shall have the power to revoke a construction, installation and/or Alarm System Operational Permit. An Alarm System permit shall be revoked by notifying the Permit Holder in writing that his Permit has been revoked and the reason or reasons why it has been revoked. Said written notice shall be:

- 502.6.1 Delivered personally to the Permit Holder, in which case the revocation shall be effective immediately upon delivery, or
 - 502.6.2 Mailed to the Permit Holder at his last known address by certified mail, postage prepaid, in which case the revocation shall be effective three (3) days after mailing.
- 502.7 A construction, installation and/or Alarm System Operational Permit may be revoked for any one of the following reasons:
- 502.7.1 Failure of an Alarm System to conform with the operational standards set forth in §503, or
 - 502.7.2 Failure of a Permit Holder to pay a False Alarm charge assessed to him by the AHJ under the provisions of §505 within thirty (30) days of the mailing to him of a notice of assessment of a False Alarm charge, or
 - 502.7.3 The occurrence of more than twenty-five (25) False Alarms from an Alarm System during any calendar year, or
 - 502.7.4 The occurrence of an Intentional/Malicious False Alarm caused by the Permit Holder or by any individual over the age of fifteen (15) who resides on the premises where the Alarm System is located.
 - 502.7.5 Failure of a Permit Holder with an Alarm System to pay to the AHJ the Alarm System Operational Permit fees assessed to him under §502 within thirty (30) days of the due date thereof.
- 502.8 A person who has had his Alarm System Operational Permit revoked under §502.6 and §502.7 may re-apply for an Alarm System Operational permit forty-five (45) days after the effective date of such revocation; provided, however, that if a person's Alarm System Operational Permit was revoked for nonpayment of a False Alarm charge, the AHJ shall deny said application unless such charge has been paid. Notwithstanding the foregoing, a person who has had his Alarm System Operational Permit twice revoked on the basis of an Intentional/Malicious False Alarm may not re-apply for an Alarm System Operational Permit for one (1) year from the effective date of the second revocation. Exceptions are Required Alarm Systems which are required by the AHJ and Municipal ordinance.
- 502.9 Required Fire Alarm Systems shall be maintained according to the requirements of §502 & §503.

§503 Operational Standards.

- 503.1 An Intrusion Alarm System shall be designed so that a thirty (30) second delay occurs between the time the Alarm Detector/Initiating Device receives a triggering stimulus and the time the DACT transmits an Alarm Signal.
- 503.2 If an Alarm System is designed to cause a bell, siren or sound-making device to be activated outside the protected premises, said Alarm System shall be designed to deactivate the bell, siren or other sound-making device after five (5) minutes of operation.
- 503.3 All Alarm Systems shall meet the applicable standards of the Underwriters Laboratories and/or the National Fire Protection Association Standard 72, and/or other recognized industry standards. The applicant for a permit may be required to submit evidence of the reliability and suitability of the Alarm System.
- 503.4 The Alarm Detector/Initiating Device used in connection with an Alarm System must be adjusted to suppress false indications of fire or intrusion, so that the Alarm System will not be activated by impulses due to transient pressure change in water pipes, short flashes of light, power surges, wind noises such as the rattling or vibrating of doors or windows, vehicular noises adjacent to the premises, or other forces unrelated to genuine alarm situations.
- 503.5 An Alarm System must be maintained by the Permit Holder in good repair to assure reliability of operation.
- 503.5.1 Required Alarm Systems shall be tested annually. Records of such testing shall be submitted annually with the Alarm System Operational Permit and shall be kept in accordance with the requirements of AHJ and the Mt. Lebanon Code.
- 503.6 Representatives of the Police or Fire Department shall, periodically and upon five (5) days' written notice, have the authority to enter the premises at which a Required Alarm System is located between the hours of 10 A.M. and 5 P.M. on weekdays for the purpose of inspecting the Alarm System installation in order to determine whether or not it is in accordance with the operational standards set forth in this Section. Said representatives may require the repairs be made whenever they have determined that such are necessary to assure proper operation.

§504 False Alarm. It shall be unlawful to cause an Intentional/Malicious False Alarm.

§505 False Alarm Charge.

- 505.1 A Permit Holder shall pay to the Municipality a charge for False Alarms transmitted from his Alarm System during any calendar year, according to a fee

schedule set by the Commission. The Commission may alter the fee schedule from time to time by resolution adopted at any public meeting of the Commission.

505.1.1 When a False Alarm occurs, the AHJ, within ten (10) days from the date of each False Alarm, shall notify the Permit Holder of the Alarm System from which the False Alarm transmitted that a False Alarm charge is due and the amount thereof, if any. Such notice shall be in writing and mailed to the Permit Holder at his last known address by regular mail, postage prepaid. Failure of the AHJ to mail notice of assessment of a False Alarm charge within ten (10) days from the occurrence of a False Alarm shall preclude the AHJ from assessing a False Alarm charge for said False Alarm.

505.2 A False Alarm charge shall be due and payable at the Fire Department or the Police Department thirty (30) days from the date of the mailing of the notice of assessment of the False Alarm charge.

505.3 Failure of a Permit Holder to pay a False Alarm charge on or before the due date shall subject Permit Holder to revocation of his Alarm System Operational permit under §502.5, §502.6 and §502.8.

§506 Liability of the Municipality. The issuance of an Alarm System permit shall not constitute acceptance by the Municipality of any liability to maintain any equipment, to answer Alarm Signals or for anything in connection therewith.

§507 Appeals. Any applicant or Alarm System Operational Permit Holder aggrieved by the action of the AHJ in denying or revoking any permit related to the construction, installation, operation or maintenance of any Alarm System, or by any other adverse determination of the AHJ taken pursuant to the provisions of this Part 5, shall have the right of appeal to the Board of Appeals pursuant to the procedures set forth in the Administrative Code, Chapter I, §128, the Building Code, Chapter II and the Fire Prevention Code, Chapter IV.

**PART 6
HEALTH CLUBS**

§601 Definitions. For the purposes of this Part 6, the following terms are defined as follows:

Body Massage: the application to the human body by the hands, feet, or mechanical apparatus, any touching, stroking, friction, kneading, vibration, percussion, oil, alcohol rubs, mechanotherapy, hot or cold packs, heat, cold, salt glows, cabinet, tub shower, sitz, sauna, vapor, steam, or any other special type of bath.

Health Club: any establishment which offers service in the form of Body Massage, baths, exercises, or similar services in combination to club members or to the public for a charge, fee or donation; but shall exclude hospitals, nursing homes, medical clinics and the office or quarters of physicians, chiropractors and other licensed health profession practitioners.

Massage Technician: any masseur (male) and masseuse (female) who administers Body Massage to any other person for a charge, fee or donation; but shall exclude persons licensed by the Commonwealth of Pennsylvania to practice medicine, chiropractic, osteopathy, podiatry, nursing and physical therapy; and barbers, beauticians and manicurists insofar as they deal with the head, hands and feet.

§602 License Required. No Health Club or Massage Technician may operate or practice within the Municipality without a license to operate or practice upon proper application to the Manager and the fulfillment of the requirements set forth herein and payment of a fee of one hundred dollars (\$100) per annum for a Health Club and fifty dollars (\$50) per annum for a Massage Technician. Licenses granted under this Part 6 shall be renewed yearly and may be revoked for any failure to comply with this Part 6.

§603 Licensing Requirements for a Health Club. No Health Club shall be granted a license to operate until the fulfillment of the following:

603.1 Compliance with all zoning, building, fire, electrical, plumbing and health codes applicable to the Municipality.

603.2 An application for a license shall include the names of all owners, stockholders and managing personnel, their addresses, occupations and satisfactory proof that they have not been convicted of any violation of laws proscribing prostitution, obscenity, indecency or pornography.

603.3 Plans and specifications of the quarters proposed to be occupied shall be submitted to the Manager, which shall include details of entrances, partitions, windows, openings, ventilation, plumbing fixtures, water supply, waste and vent connections. Such quarters must be equipped with separate toilet and lavatory facilities for patrons and personnel and a service sink for custodial services. No part of the quarters may be used for or connected with any bedroom or sleeping quarters.

- 603.4 All tables, tubs, shower stalls and floors, with the exception of reception and administrative areas, shall be of nonporous materials which may be readily disinfected.
- 603.5 Closed containers must be provided for wet towels and waste material.
- 603.6 All equipment, shower stalls, toilets, lavatories, tubs, cabinets and other accouterments of the establishment shall be regularly treated with disinfectants and shall be maintained in a clean and sanitary condition at all times.
- 603.7 As a condition of receiving a license, the owners and operators of the Health Club expressly must grant access to health, plumbing, fire, police and authorized inspectors to any part of the quarters of the Health Club for the purposes of inspection at all reasonable times.
- 603.8 The Health Club must require and retain on file certificates of good health issued by a licensed physician for all employees practicing any services of the Health Club. Such certificates shall be renewed every six (6) months.
- 603.9 No Health Club shall serve any patrons infected with any fungus or skin infection.
- 603.10 All personnel shall wash his or her hands in hot, running water, using proper soap or disinfectants, before giving any service or treatment to each separate patron.
- 603.11 All towels and tissues, all sheets or other coverings shall be used singularly for each patron and discarded for laundry or disposal immediately after use.
- 603.12 Non-disposable tools or equipment shall be disinfected after use upon one patron.
- 603.13 The applicant must have a valid lease or title to the quarters which meet the requirements of this Part 6.
- 603.14 No Body Massage shall be provided to the genitals of the patron.

§604 Licensing Requirements for a Massage Technician. No person shall be granted a license to practice as a Massage Technician without satisfactory proof that:

- 604.1 The applicant is at least eighteen (18) years of age.
- 604.2 The applicant has never been convicted of prostitution, obscenity, indecency, or related crimes.
- 604.3 The applicant has a diploma from a recognized school of massage having a curriculum approved by the Pennsylvania Department of Education, certifying that he or she has completed four hundred (400) hours of study in the basic subjects of

anatomy, physiology, hygiene, hydrotherapy, technique of massage, clinical internship, contra-indications of massage, physical and mechanical exercise.

604.4 The license shall contain a photograph of the Massage Technician and shall be carried on the person of the Massage Technician or conspicuously displayed in the Health Club wherein the Massage Technician is employed.

604.5 The application for a license shall contain the name, address, Social Security number, photograph and fingerprints of the applicant and shall be kept on file in the Municipal Office. (Photographing and fingerprinting shall be done by the Municipal Police Department.)

§605 Revocation of License. The Manager may revoke the license of a Health Club or Massage Technician upon satisfactory proof of any of the following:

605.1 That the licensee does not meet the licensing requirements of this Part 6.

605.2 That the licensee has been convicted of prostitution, obscenity, indecency, promoting prostitution, keeping or maintaining a disorderly house, or related crimes and offenses.

605.3 That the licensee has diagnosed or treated classified diseases, practiced spinal adjustments, or prescribed medicines.

605.4 That the licensee is guilty of fraud or willful negligence in the practice of Body Massage.

605.5 That the licensee is a habitual use of narcotics or other drugs.

605.6 That the licensee has allowed or permitted an unlicensed person to perform Body Massage.

605.7 That the licensee has violated any of the provisions of this Part 6 or other applicable provisions of the Mt. Lebanon Code, or any ordinances of the County of Allegheny, or any laws of the Commonwealth of Pennsylvania, or any laws of the United States of America. Any violations by an employee of a Health Club or by a Massage Technician shall be considered a violation by the Health Club.

§606 Liability of the Municipality. The issuance of any license shall not constitute acceptance by the Municipality of any liability for anything in connection therewith.

§607 Administration. This Part 6 shall be administered by the Manager of licensing officer appointed by him.

§608 Right to Appeal. Any license applicant or holder aggrieved by the action of the Manager in denying or revoking a license, or by any other adverse determination of the Manager taken pursuant to the provisions of this Part 6, shall have the right of appeal to the Commission pursuant to the procedures set forth in the Administrative Code, Chapter I, §128.