

CHAPTER 13

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PART 1

ALARM DEVICES

§101. DEFINITIONS.

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

ACCIDENTAL FALSE ALARM - any false alarm which is not an intentional false alarm as defined herein or not when an intrusion, crime, fire or other emergency has actually occurred.

ALARM - a communication to the dispatch center indicating that a crime, fire or other emergency situation warranting immediate action by the Police Department or Fire Department has occurred or is occurring.

ALARM APPEAL BOARD - a board comprising three citizens of the Township of Vernon, none of whom shall be affiliated with any fire department located in the Township of Vernon or with the Vernon Township Police Department, and which board shall be appointed by the Board of Supervisors originally with staggered terms of 1, 2 and 3 years with reappointments being made at the annual reorganizational meeting.

ALARM DEVICE - a mechanical device designed to automatically transmit an alarm by wire, telephone, radio or other means:

- (1) Directly to the dispatch center.
- (2) To a person who is instructed to notify the Police or Fire Department of the alarm.
- (3) To activate a bell or sounding device to be heard outside a building which is intended to alert the police, firemen or others to the existence of a crime, fire or other emergency situation warranting Police or Fire Department action.

CENTRAL DISPATCH CENTER - Crawford County Emergency Control.

CENTRAL RECEIVING STATION - the alarm or control panel installed in the central dispatch center for the purpose of giving visual or audio response to direct alarm devices.

DIRECT ALARM DEVICE - an alarm device other than a telephone dial or alarm device designed to transmit an alarm directly to the dispatch center.

FALSE ALARM - an alarm to which the Police Department or Fire Department responds resulting from the activation of an alarm device when a crime, fire or other

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emergency warranting immediate action by the Police Department or Fire Department has not, in fact, occurred.

FIRE DEPARTMENT - the Vernon Central Hose Company and Vernon Township Volunteer Fire Department.

INDIRECT ALARM - an alarm device designed to transmit an alarm to a person who is instructed to notify the Police Department or Fire Department of the alarm.

PERMIT HOLDER - any person to whom the Police or Fire Department has issued an alarm device permit.

PERSON - an individual, corporation or partnership incorporated as an association or other entity.

POLICE DEPARTMENT - the Vernon Township Police Department.

TELEPHONE DIALER ALARM DEVICE - an alarm device designed to automatically transmit a recorded message over regular telephone lines directly to the dispatch center or to a person who is instructed to notify the dispatch center of the alarm.

2. In this Part the singular shall include the plural; the plural shall include the singular; the masculine shall include the feminine and the neuter.

(Ord. 1991-2, 10/1/1991, §1)

§102. BURGLAR AND FIRE ALARM PERMITS REQUIRED.

1. It shall be unlawful for a property owner, lessee of property or person otherwise occupying premises within the Township of Vernon to install an alarm device into operation on his premises or to cause an alarm device to be put into operation on his premises without first obtaining an alarm device permit from the Township of Vernon for a burglar alarm or for a fire alarm, or both, if relevant. It shall also be unlawful for a property owner or a lessee of property or person otherwise occupying a premises outside the Township of Vernon to put into operation on his premises an alarm device which terminates at the central dispatch center to cause such an alarm device to be put into operation on his premises without first obtaining an alarm device permit from the Police Department or Fire Department or both.
2. In order to apply for an alarm device permit a person must submit an application to the Secretary of the Board of Supervisors of Vernon Township, which application shall contain the following information:
 - A. The applicant's name.
 - B. The applicant's home and business addresses and the telephone number of each.

- C. The geographic location at which the alarm device will be installed and operated; a rural route number is not acceptable.
- D. The name, address, and telephone number of a person to be contacted if the alarm device is activated accidentally and who is authorized to enter the premises and provide to representatives of the Fire Department and/or the Police Department all relevant facts concerning the design and layout of the premises to be protected by the automatic dialing system. The applicant shall inform the Township of Vernon of any change of the designated person as required by this Section as soon as conveniently possible. [Ord. 2000-4]
- E. A general written description of the device other than schematics.

If the device is to be leased or rented from or is to be serviced pursuant to a service agreement by a person other than the person making application for an alarm device permit the name, address and telephone number of that person must be stated in the application. In addition, each person submitting an application for an alarm device shall submit a signed statement in the following form:

"I (we), the undersigned applicant(s) for an alarm device permit, intending to be legally bound hereby, agree with the Township of Vernon, that neither I (we) or anyone claiming by, through or under me (us), shall make any claim against the Township of Vernon, its officials or agents, for any damages caused to the premises at which the alarm device, which is the subject of this application, is or will be located, if such damage is caused by a forced entry of said premises by employees of the Township of Vernon in order to answer an alarm from said alarm device at a time when said premises are or appear to be unattended or when, in the discretion of said employees, circumstances appear to warrant the forced entry."

The Township of Vernon shall furnish forms pertaining to the aforesaid statement to any person wishing to apply for an alarm device permit. Said form shall be signed and submitted with the application.

3. Person Applying for an Alarm Device Permit.

- A. Any person applying for an alarm device permit for a telephone dialer alarm device, local sounding device or an indirect alarm device shall submit the required fee along with the application. The fee shall be established pursuant to a resolution of the Supervisors of Vernon Township.
- B. The Township of Vernon shall, within 10 working days of receipt of an application for an alarm device permit, either grant an alarm device 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.

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4. Denial of Application for an Alarm Device Permit. An application for an alarm device permit may only be denied for the following reasons:
 - A. The application submitted by the applicant does not comply with subsection (2) or subsection (3) of this Part.
 - B. The applicant's alarm device does not conform with the operational standards set forth in §103 of this Part.
5. Notwithstanding the language contained in subsection (1) of this Section, it shall not be unlawful for a person to continue an alarm device on his premises without an alarm device permit for a period of 90 days after the effective date of this Chapter; provided, said alarm device was in operation on the effective date of this Chapter.
6. The Township of Vernon shall have the power to revoke an alarm device permit. An alarm device permit should be revoked by notifying the permit holder in writing that his alarm device permit has been revoked and the reason or reasons why it has been revoked. Said written notice shall be:
 - A. Delivered personally to the permit holder in which case the revocation shall be effective immediately upon delivery.
 - B. Mailed to the permit holder at his last known address by certified mail, postage prepaid, in which case the revocation shall be effective 3 days after mailing.
7. An alarm device permit may be revoked for the following reasons:
 - A. Failure of an alarm device to conform to the operational standards as set forth in §103 of this Part.
 - B. Failure of a permit holder to pay a false alarm charge assessed to him (them) under the provisions of §104 of this Part within 30 days of the mailing to him of an assessment of a false alarm charge.
 - C. The occurrence of more than four false alarms from an alarm device during any calendar year.
 - D. The occurrence of an intentional false alarm caused by the permit holder or by an individual over the age of 16 years who resides on the premises where the alarm device is located.
 - E. Failure of a permit holder with a direct alarm device to pay to the appropriate agencies installation or maintenance fees assessed to him under §105 of this Part within 30 days of the due date thereof.
8. A person who has had his alarm device permit revoked under subsections (7) and (8) of this Section may reapply for an alarm device permit 45 days after such revocation; provided, however, that if a person's alarm device permit was revoked for nonpayment of a false alarm charge or for nonpayment of installation or maintenance fees, or

both, the Township of Vernon shall deny such application unless such charge or fee or both have been paid. Notwithstanding the foregoing a person who has had his alarm device permit twice revoked on the basis of an occurrence of an intentional false alarm may not reapply for an alarm device for 1 year from the effective date of the second revocation.

(Ord. 1991-2, 10/16/1991, §2; as amended by Ord. 2000-4, 9/7/2000)

§103. OPERATIONAL STANDARDS.

1. If an alarm device is designed to transmit a recorded message directly to the dispatch center the duration of such recorded message shall not exceed 60 seconds. The contents of the recorded message shall be intelligible and in a format approved by the Police Department and/or Fire Department.
2. An alarm device need not contain a delay service which causes a delay to occur between the time the alarm device receives a triggering stimulus and the time the alarm device transmits an alarm.
3. A direct alarm device may be designed to dial only specific telephone numbers designated by the dispatch center and to allow the permit holder to abort the alarm signals.
4. A direct alarm device should be designed so that it interfaces with the central receiving station maintained by the central dispatch center.
5. If an alarm device is designed to cause a bell, siren or other sound making device to be activated on or near the premises on which the alarm device is installed at the time it gives an alarm, said alarm device shall be designed to deactivate the bell, siren or other sound making device after 30 minutes of operation. Pre-existing units must be modified for a 30 minute device unless said unit cannot be modified without replacement.
6. All alarm devices shall meet the applicable standards of the Underwriter's Laboratories or the National Fire Protection Association and/or other recognized industry standards and shall be permitted only under this Part in conformance thereto. An alarm device which does not meet any of the above standards and for which there is no recognized industry standard will require the applicant for the permit to submit evidence of the reliability or suitability of the alarm device. Any permit issued for such an alarm device which does not conform to the recognized standard shall be conditionally subject to satisfactory performance of said alarm device after installation. The applicant for a permit may be required to submit subsequent evidence of the reliability and suitability of the alarm device.
7. The sensory mechanism used in connection with any alarm device must be adjusted to suppress false indications of fire or intrusion so that the alarm device shall not be activated by impulses due to transient pressure change in water pipes, short flashes

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of light, wind noises such as the rattling or vibrating of doors or windows, vehicular noise adjacent to the premises or other forces unrelated to genuine alarm situations.

8. The alarm device must be maintained by the permit holder in good repair to assure reliability of operation.

(Ord. 1991-2, 10/16/1991, §3)

§104. FALSE ALARMS.

1. Intentional False Alarms. No permit holder or person shall create an intentional false alarm.
2. Accidental False Alarms. Any person or permit holder causing accidental false alarms for any reason shall pay to the Township of Vernon a charge for each and every false alarm after four per calendar year to which the Police and/or Fire Department responds in each calendar year pursuant to a schedule of charges established by the Board of Supervisors of Vernon Township. This charge shall be in addition to the penalties imposed pursuant to §111 of this Part.
3. By the 10th of each month the Secretary of the Township of Vernon shall notify the township of Vernon, in writing, of any chargeable false alarms occurring in the previous month and the amount due for the false alarm charge. Within 10 days thereafter the Township Secretary shall notify the permit holder of said violation.
4. A false alarm charge shall be due and payable at the office of the Township of Vernon within 30 days from the date of the mailing of the notice of assessment of the charge.
5. Failure of a permit holder to pay a false alarm charge on or before the date due shall subject such permit holder to revocation of his alarm device permit under §102(8) of this Part.
6. Failure of a person causing a false alarm, other than a permit holder, to pay a false alarm charge on or before the date due shall constitute a violation of this Part and shall subject such person to the penalties as set forth in §111 hereof.

(Ord. 1991-2, 10/16/1991, §4)

§105. CHANGE OF LOCATION OF THE DISPATCH CENTER.

If the location of the central dispatch center should change at any time the Township of Vernon shall not be responsible for an costs incurred by permit holders or other persons because of said change in location.

(Ord. 1991-2, 10/16/1991, §5)

§106. TESTING.

No person shall conduct or test any alarm device without first obtaining permission from the dispatch center. Where the equipment is keyed through an intermediary, no such permission is necessary unless the alarm or signal is to be relayed to the central receiving station.

(Ord. 1991-2, 10/16/1991, §6)

§107. LIABILITY OF TOWNSHIP.

The issuance of any permit shall not constitute acceptance for the Township of Vernon of any liability to maintain any equipment, to answer alarms or otherwise render the Township of Vernon liable to any person for any loss or damage relating to the alarm system procedure.

(Ord. 1991-2, 10/16/1991, §7)

§108. ADMINISTRATION AND ENFORCEMENT.

Administration and enforcement of this Part shall be the function of the Township of Vernon and will 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 any application or permit, failure to correct any deficiencies in equipment or operation of an alarm device after receipt of due notice from the Township of Vernon or not meeting other conditions or specifications as set forth in this Part.
- B. Authority to order the disconnection of an alarm device until such device is made to comply with operational standards set forth herein but only when evidence of failure to comply with such standards imposes a burden upon the Township as a result of false alarms.
- C. Authority at reasonable times and upon written notice to enter upon any premises within the Township Vernon to inspect the installation and operation of an alarm device.

(Ord. 1991-2, 10/16/1991, §8)

§109. CREATION OF APPEAL BOARD.

There is hereby created an appeal board of three citizens of Vernon Township and which members shall not be affiliated with any fire department located in the Township of Vernon or with the Vernon Township Police Department and which Board shall be appointed by the Board of Supervisors originally with staggered terms of 1, 2 and 3 years with reappointments being made at the annual reorganizational meeting.

(Ord. 1991-2, 10/16/1991, §9)

§110. RIGHT TO APPEAL.

Whenever, under the provisions of this Part, the Fire Department or Police Department is empowered to make a decision with respect to the installation, operation or maintenance of any alarm device or with respect to the denial or revocation of any permit relating thereto, any applicant or permit holder aggrieved by such decision may, within 10 days following the decision, file a written appeal therefrom to the alarm appeal board whereby the alarm appeal board shall promptly conduct the hearing within 30 days of the appeal petition and affirm, modify or reverse the decision appealed from. The decision of the alarm appeal board of Vernon Township shall be final.

(Ord. 1991-2, 10/16/1991, §10)

§111. PENALTIES.

1. Any person or corporation violating §104(1) of this Part by creating an intentional false alarm shall upon conviction thereof in an action brought before a district magistrate in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure may 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 in excess of 90 days.
2. Any person, firm or corporation who shall violate the provisions of §104(2) of this Part, upon conviction thereof in an action brought before a district magistrate 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 \$300 plus costs and in default of payment of said fine and costs to a term of imprisonment not to exceed 90 days.

(Ord. 1991-2, 10/16/1991, §11; as amended by Ord. 1997-2, 3/6/1997; by Ord. 1998-2, 3/5/1998; and by Ord. 2000-4, 9/7/2000)

PART 2

SOLICITING AND PEDDLING

§201. DEFINITIONS; EXCEPTIONS.

1. Definitions.

PEDDLER - any person who shall engage in peddling as herein defined.

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, from house to house, by visitation to private residences or by entering in or upon private property within the Township.

PERSON - any natural person, association, partnership, firm, organization or corporation.

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, from house to house, by visitation to private residences or by entering in or upon private property within the Township.

SOLICITOR - any person who shall engage in soliciting as herein defined.

2. Exceptions. The words "soliciting" and "peddling" shall not apply to:

- A. Farmers seeking or taking orders for the sale of their own products.
- B. The seeking or taking of orders by any manufacturer or producer for the sale of bread and bakery products, meat and meat products or milk and milk products.
- C. The seeking or taking of orders by insurance agents or brokers licensed under the insurance laws of the Commonwealth of Pennsylvania for insurance.
- 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.*, governing solicitations for charitable, benevolent, patriotic or other purposes. [Ord. 1997-2]
- E. Any person taking orders for merchandise from dealers or merchants for resale to an ultimate consumer.

3. In this Part the singular shall include the plural and the masculine shall include the feminine and the neuter.

(Ord. 1974-3, 12/18/1974, §1; as amended by Ord. 1997-2, 3/6/1997)

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§202. LICENSE REQUIRED.

No person shall engage in soliciting or peddling in the Township without first having taken out a license as herein provided.

(Ord. 1974-3, 12/18/1974, §2)

§203. LICENSE APPLICATION.

1. Every person desiring to engage in soliciting or peddling in the Township shall first make application to the Secretary of the Board of Supervisors for a license. If such person shall also be required to obtain a license from any County officer he shall, on making such application, exhibit a valid County license. The application shall be upon a blank provided by the Township Secretary and shall contain at least the following information verified by oath or affirmation:
 - 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 or the type of solicitation to be made.
 - 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 or punishments imposed thereon.
 - F. The type and license number of vehicles to be used, if any.
 - G. Upon request, the applicant shall furnish a photograph.
2. Where a person makes application for himself and one or more helpers all applicable personal information specified above shall be given for each helper and verified or affirmed by oath or affirmation by him and an individual license shall be required for each helper. No license under this Part shall be transferable from one person to another.

(Ord. 1974-3, 12/18/1974, §3)

§204. LICENSE FEE.

No license shall be issued under this Part until a sum in an amount as established, from time to time, by resolution of the Board of Supervisors shall be paid unto the Township Secretary and it shall be for the use of the Township. A separate application shall be filed and a

separate permit fee shall be paid by each person who shall actually conduct the soliciting or peddling and shall apply where any employer desires to secure licenses for his employees, agents or servants.

(Ord. 1974-3, 12/18/1974, §4; as amended by Ord. 1997-2, 3/6/1997)

§205. LICENSE TERM; NEW LICENSE.

The license granted pursuant to this Part shall be valid for 30 days after the date of such license and, upon the expiration of any license, if the person holding the same shall desire to continue or renew soliciting or peddling, he shall be required to file a new application for a permit and pay a new license fee. Such licenses may be issued, in advance, for consecutive 30 day periods not exceeding twelve in number, upon payment in advance of a fee in an amount as established, from time to time, by resolution of the Board of Supervisors for each 30 day period provided in §204.

(Ord. 1974-3, 12/18/1974, §5; as amended by Ord. 1997-2, 3/6/1997)

§206. LICENSE EXHIBITION.

Such license, when issued, shall contain the information required to be given upon the application therefore. Every solicitor or peddler shall at all times, when engaged in soliciting or peddling in the Township, carry such license upon his person and shall exhibit it upon request to all police officers, Township officials and citizens. No solicitor or peddler shall engage in selling any product or service or solicitation not mentioned on such license.

(Ord. 1974-3, 12/18/1974, §6)

§207. HOURS.

No person licensed as a solicitor or peddler under this Part shall engage in soliciting or peddling on any day of the week before 9 a.m. or after 6 p.m., prevailing time, nor shall any peddling or soliciting be done anytime on Sunday.

(Ord. 1974-3, 12/18/1974, §7)

§208. FIXED LOCATION PROHIBITED.

No person licensed as a solicitor or peddler under this Part shall occupy any fixed location upon any of the sidewalks or the streets, highways, alleys or sidewalks of the Township for the purpose of soliciting or peddling with or without any stand or counter.

(Ord. 1974-3, 12.18.1974, §8)

§209. CRYING WARES, USING NOISEMAKERS PROHIBITED.

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 of the Township nor shall he use any loud speaker, bell, whistle or other device for announcing his presence by which the public is annoyed.

(Ord. 1974-3, 12/18/1974, §9)

§210. RECORD OF LICENSES.

The Secretary shall keep a record of all licenses issued under this Part and the Superintendent of Police shall apply daily for a list of licenses issued hereunder since the previous day. The Police Department shall supervise the activities of all holders of such licenses and make a report thereof each month to the Board of Supervisors.

(Ord. 1974-3, 12/18/1974, §10; as amended by Ord. 1997-2, 3/6/1997)

§211. LICENSE SUSPENSION; APPEALS THEREFROM.

Any license issued under this Part may be suspended at any time by the Secretary of the Township for violation of any of the provisions of this Part or for giving false information on any application for a license hereunder or for the applicant or licensee of such license having been convicted of a crime involving moral turpitude after issuance of such license or for the licensee having been convicted of disorderly conduct under any law of the Commonwealth of Pennsylvania or any ordinance of the Township. Appeals from any suspension may be made to the Board of Supervisors at any time within 10 days after such suspension. No part of a license fee shall be refunded to any person whose license shall have been suspended.

(Ord. 1974-3, 12/18/1974, §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. 1974-3, 12/18/1974, §12; as amended by Ord. 1980-4, 10/2/1980, §1; by Ord. 1997-2, 3/6/1997; and by Ord. 1998-2, 3/5/1998)