

ORDINANCE NO. 586

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF MERCANTILE LICENSES TO PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES UPON THE PAYMENT OF FEES THEREFOR; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE BOROUGH OF MONROEVILLE.

BE IT ORDAINED AND ENACTED by the Mayor and Borough Council of the Borough of Monroeville in regular meeting assembled, and it is hereby ordained and enacted by authority of the same:

SECTION 1. Definitions: The following words and phrases when used in this Ordinance shall have the meanings ascribed in this section unless the context clearly indicates a different meaning:

- (a) "Person" shall mean any individual, partnership, limited partnership, association or corporation.
- (b) "Wholesale dealer" or "Wholesale vendor" shall mean any person who sells to dealers in or vendors of goods, wares and merchandise and to no other person.
- (c) The term "person", "wholesale dealer", "wholesale vendor", "retail dealer" and "retail vendor" shall not include non-profit corporations organized for religious, charitable or educational purposes, any association organized for such purposes, agencies of the Government of the United States or of the Commonwealth of Pennsylvania, or any person vending or disposing of articles of his own growth, production or manufacture for shipment or delivery from the place of growth, production or manufacture thereof.
- (d) "Place of amusement" shall mean any place indoors or outdoors where the general public or a limited or selected number thereof may upon payment of an established price attend or engage in any amusement, entertainment, exhibitions, contest, recreation, including among other places, theatres, opera houses, motion picture houses, amusement parks, stadia arenas, baseball or football parks or fields, skating rinks, circus, fair grounds, bowling alleys, billiard or pool rooms, shuffle board rooms, nine and ten pin alleys, riding academies, golf courses, bathing and swimming places, dance halls, tennis courts, archery, rifle or shot gun ranges and other like places. The term does not include any exhibition, amusement, performance or contest by a non-profit corporation or association organized for religious, charitable or educational purposes.
- (e) "License year" shall mean the twelve (12) month period beginning on the 1st day of January, 1968 and ending on the 31st day of December, 1968 and each calendar year thereafter.

(f) "Tax Collector" shall mean the Borough Manager of the Borough of Monroeville.

(g) "Temporary, seasonal or itinerant business" shall mean any business that is conducted at one location for less than sixty (60) consecutive calendar days.

SECTION 2. Issuance of Licenses - Use of Fees.

For the license year 1968 and annually thereafter the Borough shall issue mercantile licenses in the manner and for the fees hereinafter set forth.

SECTION 3. License Fees. Beginning in the license year 1968 and annually thereafter, every person desiring to continue to engage in the business of wholesale or retail vendor or dealer in goods, wares or merchandise, and any person conducting a restaurant or other place where food, drink or refreshments are sold, or place of amusement in the Borough, whether or not the same be incidental to some other business or occupation, shall on or before the 1st day of January of each license year, or prior to commencing business in any such license year, procure a mercantile license for his place of business, or if more than one, for each of his places of business in the Borough, from the Tax Collector, who shall issue the same upon the payment of a fee of two dollars (\$2.00) for a wholesale or retail license and four dollars (\$4.00) for a wholesale and retail license for his place of business, or if more than one, for each of his places of business in the Borough for each license year. Such license shall be conspicuously posted at the place of business or each of the places of business of every such person at all times.

SECTION 4. Penalties. Whoever being required under the provisions of this Ordinance to procure a mercantile license and who fails or refuses to do so, and whoever fails to keep his license conspicuously posted at the place of business, shall upon conviction before any Justice of the Peace or the Mayor be sentenced to pay a fine of not more than three hundred (\$300.00) dollars and in default of payment of said fine to be imprisoned in the Allegheny County Jail for not more than thirty (30) days. Where the taxpayer is a firm or association, the fine or penalty may be imposed upon any of the partners or members thereof, and in the case of corporations, upon any of the officers thereof.

SECTION 5. The provisions of this Ordinance are severable, and if any of its provisions or exceptions shall be held illegal, invalid or unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of the Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provisions or exceptions had not been included herein.

SECTION 6. Any ordinance or part of an ordinance conflicting with the provisions of this Ordinance be and the same is hereby repealed, insofar as the same affects this Ordinance.

ORDINANCE NO. 586

-3-

SECTION 7. Effective Date. The provisions of this Ordinance shall become effective immediately upon final enactment.

ORDAINED AND ENACTED INTO a law in Council this 14th day of November, 1967.

BOROUGH OF MONROEVILLE

ATTEST:

By S/ Frank A. Witt
President of Council

S/Carrol F. Pickens
Secretary

EXAMINED AND APPROVED by me this 14th day of November, 1967.

S/ John J. Duncan
Mayor