

## CHAPTER 12

### LICENSES, PERMITS, AND GENERAL BUSINESS REGULATIONS

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## Part 1

### Junk Dealers

#### §1. Definitions and Interpretations.

In this ordinance,<sup>1</sup> the following words shall have the meaning hereby ascribed thereto, unless the context clearly indicates otherwise:

(a) "Junk" shall mean any discarded material or article such is not ordinarily disposed of as rubbish, or refuse other than tires, and including but not limited to scrap metal and scrapped and/or abandoned motor vehicles, but which shall not include any garbage or organic waste or any paper, rubbish, rags or other flammable article or material except tires.

(b) "Abandoned motor vehicle" shall mean an inoperative motor vehicle which remains inoperative for a period in excess of ninety (90) calendar days.

(c) "Junk dealer" shall mean any person, as hereinafter defined, who shall engage in the business of selling, buying and dealing in junk.

(d) "Person" shall mean any natural person, partnerships, firm or corporation. In this ordinance, the singular shall include the plural, and the masculine shall include the feminine and the neuter. (Ord. 122, 7/8/1975, §1)

#### §2. Annual License Required for Junk Dealer; Fee.

No person shall engage in business as a junk dealer in the Borough of Bloomfield without first having obtained a license from the Permit Officer, for which said license there will be a fee as established each year by Resolution of Borough Council. Such license shall be renewed annually, before the month and day when such license was first issued. In addition, any transfer of said license shall pay a transfer fee also as established by Borough Council annually by Resolution. (Ord. 122, July 8, 1975, §2; as amended by Ord. 274, 5/5/2009; §4)

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<sup>1</sup> Sections 1 to 9 of this chapter.

**§3. Application for License; Posting of License.**

The license provided for in Section 2 of this ordinance<sup>2</sup> shall be issued by the Permit Officer after 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 from which such business is to be conducted. Such license shall be posted conspicuously upon the premises licensed thereunder. The name of the licensed junk dealer and the number of the license under which he operates shall be placed in a conspicuous place on the outside of every vehicle used for business purposes by such dealer. (Ord. 122, July 8, 1975, §3; as amended by Ord. 278, July 7, 2009, §1)

**§4. Only One Place of Business Per License.**

No person licensed under this ordinance<sup>3</sup> shall, by virtue of one license, keep more than one place of business within the Borough of Bloomfield for the purpose of buying, selling and dealing in junk. Nor shall any such person engage in business as a junk dealer in any place other than the place designated upon his license. (Ord. 122, July 8, 1975, §4)

**§5. Transfer of License; Fee.**

No license issued under this ordinance<sup>4</sup> shall be transferable from one person to another except when the ownership of a licensed premises shall change. In any case, the new owner shall apply for a transfer of such license to him, and shall pay a transfer fee of ten dollars (\$10.00). (Ord. 122, July 8, 1975, §5)

**§6. Recording of Junk Acquisition Required; Access to Records.**

Every junk dealer shall provide and shall constantly keep a book, in which shall be clearly written down in the English language at the time of the purchase of any junk, a description of every article or material purchased or received by him, the date and hour of such purchase or receipt, and the person from whom such article or material was purchased or received. Such book and all junk purchased, received or handled by any junk dealer shall at all times be subject to the inspection of the Chief of Police and any other official of the Borough of Bloomfield. (Ord. 122, July 8, 1975, §6)

**§7. Junk to be Retained as Received for 48 Hours.**

Every junk dealer, licensed under this ordinance<sup>5</sup> shall keep and retain upon the licensed premises, for a period of forty-eight (48) hours after the purchase or receipt thereof, all junk received or purchased by him, and he shall not disturb or reduce the same or alter the original form, shape or condition until such period of forty-eight (48) hours shall have elapsed. (Ord. 122, July 8, 1975, §7)

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<sup>2</sup> Section 2 of this chapter.

<sup>3</sup> Sections 1 to 9 of this chapter.

<sup>4</sup> Sections 1 to 9 of this chapter.

<sup>5</sup> Sections 1 to 9 of this chapter.

**§8. Maintenance of Premises; Days and Hours Business Restricted.**

Every junk dealer licensed under this ordinance<sup>6</sup> shall constantly maintain the licensed premises in the manner prescribed by this section, as follows:

(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, and no paper, rubbish, rags or other flammable articles or materials 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, and none shall be permitted to remain upon the premises.

(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 facilities access for fire-fighting purposes.

(e) Such premises shall not be open for business nor shall any work be done therein in connection with the storage, processing and transporting or removal of junk at any time on Sunday, or on any other day of the week before 7:00 A. M. or after 6:00 P.M.

(h) Junk shall be stored at least fifteen (15) feet from any property line, and no less than ten (30) feet from the right of way of any highway.  
(Ord. 122, July 8, 1975, §8)

**§9. Penalty for Violation.**

Any person who shall violate any provision of this ordinance<sup>7</sup> shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300, 00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than thirty (30) days. (Ord. 122, July 8, 1975, §9)

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<sup>6</sup> Sections 1 to 9 of this chapter.

<sup>7</sup> Sections 1 to 9 of this chapter.

**Part 2**  
**Storage of Motor Vehicles**

**§11. Definitions.**

As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context;

**MOTOR VEHICLES** - any type of mechanical device, propelled by a motor, in which, persons or property may be transported upon public streets or highways, which had been at one time licensed for such use, but which is not presently so licensed or which does not presently have a current inspection sticker as required by the laws of the Commonwealth of Pennsylvania, including trailers, semi-trailers and recreational vehicles pulled thereby.

**OWNER** - the actual owner, agent, lessee or custodian of the property on which motor vehicles are stored, whether individual or partnership, association or corporation,

**PERSON** - a natural person, firm, partnership, association or corporation.

**PRIVATE PROPERTY** - any property not owned or leased by the government of the United States the Commonwealth of Pennsylvania, or any political subdivision thereof. (Ord. 187, August 6, 1991, §1)

**§12. Storage of Motor Vehicles Prohibited.**

It shall be unlawful for any person or owner to maintain on private property in the Borough a motor vehicle for a period in excess of thirty (30) days unless it is enclosed in a garage so as to prevent it from public view, or unless a temporary permit has been granted as hereinafter provided. (Ord. 187, August 6, 1991, §2)

**§13. Temporary Permit.**

1. Any person desiring to maintain a motor vehicle on private property in the Borough in excess of thirty (30) days shall apply in writing to the Permit Officer or Chief of Police for a permit to do so.
2. Such application shall set forth the location, description and ownership of the land on which such motor vehicle or vehicles are to be kept, the number and nature thereof, the titled owner thereof, the make, model, year and serial number thereof, and the purpose of maintaining the motor vehicle or vehicles, and shall be signed by the person or persons in whose name the land is titled and the person or persons in whose name the motor vehicle is titled.
3. The application shall be accompanied by an application fee of twenty-five dollars (\$25.00).

4. Upon receipt of the application, the Permit Officer or Chief of Police may issue a temporary permit to allow the keeping of the motor vehicle or vehicles on private property for no longer than sixty (60) additional days.
5. A temporary permit may be renewed for an additional thirty (30) day period if the owner of the land and the motor vehicle or vehicles makes application for renewal prior to the expiration of such temporary permit and pays a renewal fee of fifty dollars (\$50.00).
6. No more than one (1) temporary permit and one (1) renewal thereof may be issued for any one (1) motor vehicle.
7. Upon the issuance of a temporary permit or renewal thereof as herein before provided, said temporary permit shall be prominently displayed on said motor vehicle or vehicles.

(Ord. 187, August 6, 1991, §3; as amended by Ord. 278, July 7, 2009, §1)

#### **§14. Enforcement.**

The Council of the Borough, the Mayor, Police Chief or any aggrieved person may take appropriate action, criminal or civil, at law or in equity, to enforce the provisions of this Part and nothing contained herein shall be deemed or construed to restrict, exclude, limit, modify or otherwise affect any available remedies now or hereafter provided by law. (Ord. 187, August 6, 1991, §3)

#### **§15. Penalties.**

Any person who violates any provision hereof shall be liable, upon conviction in a summary proceedings before a District Justice, to a fine not exceeding three hundred dollars (\$300.00), plus the costs of prosecution, or in default of the payment thereof, to undergo imprisonment in the Perry County Prison for a period not exceeding thirty (30) days; each day that a violation exists being considered a separate offense. (Ord. 187, August 6, 1991, §4)