

OFFICIAL

TOWNSHIP OF NORTH HUNTINGDON

ORDINANCE NO. ____

**AN ORDINANCE OF THE TOWNSHIP OF NORTH HUNTINGDON
ESTABLISHING RULES AND REGULATIONS FOR BUSINESS
LICENSES, PERMITS AND GENERAL BUSINESS REGULATIONS.**

WHEREAS, the Board of Commissioners desire to establish rules and regulations for business licenses, permits and general business regulations in an effort to support the health, safety and welfare of the general public and to expand language upon Ordinance **NO. 1085, Gross Receipts Tax.**

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED by the Board of Commissioners of the Township of North Huntingdon, County of Westmoreland, Commonwealth of Pennsylvania, pursuant to the above-mentioned statutory authority. as follows:

1. Definitions.

APPLICANT - A person filing an application for a license or permit.

DESIGNATED OFFICER - The officer, employee or agent of the Township charged by the ordinance perform the duty or function described. If the ordinance does not so charge an officer, employee or agent of the Township, then "designated officer" shall be deemed to mean the Township Manager or the Township Manager's designee.

ORDINANCE - The applicable ordinance which requires a license, permit or approval for the activity.

PERSON - Any natural individual, partnership, joint venture, limited partnership, company, limited liability company, association, corporation, professional corporation or limited liability corporation.

TOWNSHIP – North Huntingdon Township, Westmoreland County, Pennsylvania.

2. Unlawful activity by person required to have a business license, permit or approval.

Whenever in any ordinance of the Township a business license, permit or approval is required for any activity of any kind or nature whatever, it shall be unlawful for any

person to conduct, engage in or carry on any such activity within the Township, personally or through an agent or employee, directly or indirectly, without having first having obtained the business license, permit or approval.

3. Compliance with Applicable Ordinances, Laws, Rules and Regulations. No business license, permit or approval shall be issued for any activity unless the activity is to be conducted in full compliance with all applicable ordinances, laws, rules and regulations, including, without limitation, any ordinances, laws, rules or regulations governing the location, premises or building to be used for the activity.
4. Revocation of a Business License, Permit or Approval. Unless otherwise provided by the ordinance, rules, or regulations promulgated by ordinance, business licenses, permits, or approvals issued under any ordinance may be revoked by the designated officer, in writing, for any of the following causes:
 - a. **Illegal activity upon conviction of business owner and/or employee;**
 - b. **Three (3) code violations within a six (6) month period that result in citations and/or fines from the magistrate.**
5. No Operation Pending the Appeal. Revocation of a license may be appealed in the same manner as set forth below for an appeal of a denial of a business license, permit or approval. The licensee/permittee/applicant may not operate the business or enterprise licensed during the pendency of said appeal.
6. Appeal. If an ordinance, rules, or regulations promulgated by the Township do not provide a method of appeal, then any person aggrieved by the action of the designated officer in the denial of a license shall have the right to appeal to the Township Board of Commissioners or its designees. Such appeal shall be taken by filing with the Township Board of Commissioners or its designee, within thirty (30) days after notice of the action complained of has been mailed to such person's last known address, a written statement setting forth fully the grounds for the appeal. The Township Board of Commissioners or its designee shall set a time and place for hearing on such appeal, and notice of such hearing shall be given to the applicant. The decision of the Township

Board of Commissioners or its designee on such appeal shall be final and conclusive.

7. Enforcement. The proper enforcement of the provisions of this Ordinance shall be within the jurisdiction the designated officer.
8. Recovery of Debts and Collection Costs.
 - a. All fees, fines and penalties imposed by this Ordinance shall be recoverable by the Township as other debts are recoverable.
 - b. If, for any reason, the fee is not paid when due, in addition to any interest and penalties applicable thereto, the person or persons liable therefor shall also be liable for all the costs of collection, including but not limited to attorney's fees, collection fees, whether a flat fee, percentage fee or hourly fee, administrative costs of collection and billing and all other fees and costs charged to or incurred by the Township.
9. Violations and Penalties. Any person who is required to have a business license or permit and who shall violate any provision of this Ordinance shall, upon conviction in a summary proceeding under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Township in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the county correctional facility for a period not exceeding 30 days. Each day that such violation exists shall constitute a separate offense, and each section of this Ordinance that is violated shall also constitute a separate offense. In addition to or in lieu of enforcement under this section, the Township may enforce this Ordinance in equity in the Court of Common Pleas of Westmoreland County.
10. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses,

sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included herein.

11. General Repealer. All ordinances, resolutions, or parts thereof not in accordance with this Ordinance are hereby repealed to the extent they are in conflict with the provisions of this Ordinance.

ORDAINED AND ENACTED at a regular meeting of the Board of Commissioners of the Township of North Huntingdon, County of Westmoreland, Commonwealth of Pennsylvania, a full quorum being present, this ____ day of _____, 2025.

TOWNSHIP OF NORTH HUNTINGDON
BOARD OF COMMISSIONERS

By: _____
Zachary J. Haigis, President

ATTEST:

Harry R. Faulk, Township Manager

SEAL

SOLICITOR: Chelsea Dice, Esquire