

CHAPTER 13

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Part 1

Junkyards

§101. Short Title.

This Part shall be known and may be cited as the “Conewago Township Junkyard Ordinance.”

(Ord. 1972-3, 9/11/1972, §1)

§102. Definitions.

JUNK — any discarded salvageable or unsalvageable articles or materials including, but not limited to, scrap metal; scrapped, abandoned, junked, damaged or wrecked motor vehicles; machinery; equipment; papers; rags; glass; containers; and junk trailers.

JUNK DEALER — any person who buys, sells, salvages, stores or in any way deals in junk; or owns, leases, operates, or maintains a junkyard with Conewago Township.

JUNKED MOTOR VEHICLE — any discarded or abandoned types of automobiles, trucks, tractors and self-propelled machinery of all kinds.

JUNKYARD —

- (1) Any place where junk, as herein defined, is maintained, stored, kept or a place for buying and selling junk. Any premises having one or more motor vehicles and/or trailers not having a current inspection sticker shall also be deemed to be a junkyard.
- (2) However, repair shops maintaining uninspected motor vehicles or trailers for repair parts shall not be included in this definition of a junkyard solely by reason of maintaining one or more motor vehicles or trailers not having current inspection stickers. Provided, however, that said vehicles shall be screened from public view by a fence, as hereinafter provided, or by a natural barrier.

LICENSE — the permit granted by the Township Board of Supervisors to a person for the purpose of maintaining and operating a junkyard.

PERSON — any individual, firm, trust, partnership, public or private association or corporation.

(Ord. 1972-3, 9/11/1972, §2)

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§103. License Required.

No person shall engage in business as a junk dealer and maintain a junkyard without first obtaining a license from the Conewago Township Board of Supervisors, for which a license fee shall be paid to the Township for the use of the Township to defray the cost of staff work. Such license shall be effective for one calendar year and shall be renewed annually.

(Ord. 1972-3, 9/11/1972, §3)

§104. License Application.

Anyone desiring a license to operate a junkyard shall make written application to the Conewago Township Board of Supervisors on a form provided by said Board. Such application shall state the name, address and telephone number of the applicant, and a statement that the applicant will comply with the regulations as stated herein and any regulations adopted pursuant to this Part, and such other information as the Township Board of Supervisors may require.

(Ord. 1972-3, 9/11/1972, §3)

§105. License Issuance.

Upon receipt of an application by the Township Board of Supervisors, the Board shall, within 40 days, determine to issue or refuse to issue the applicant a license. In reviewing the application, the Board shall take into consideration the suitability of the property proposed for such junkyard, the character of the surrounding properties, and the effect of the proposed use upon the Township, both economic and esthetic. Upon approval of the issuance of a license, the Board may impose upon the license and the applicant such terms and conditions, in addition to the regulations herein contained, as may be deemed necessary to carry out the intent of this Part.

(Ord. 1972-3, 9/11/1972, §3)

§106. License Fee and Period.

The fee for the initial license shall be in an amount as established from time to time by resolution, and the license shall be effective for the balance of that calendar year, terminating on December 31, and is subject to renewal only upon reapplication. Such fee shall be payable to Conewago Township at the time of application.

(Ord. 1972-3, 9/11/1972, §3; as amended by Ord. 1997-1, 1/6/1997)

§107. License Renewal.

All licenses issued under this Part are required to be renewed prior to January 1 of the year in which it is desired to continue operation. The application for renewal shall be in writing on a form provided and shall be accompanied by a renewal fee in an amount as established from time to time by resolution. All renewal applications are subject to complete re-examination and consideration by the Township Board of Supervisors for continued compliance with the terms of this Part.

(Ord. 1972-3, 9/11/1972, §3; as amended by Ord. 1997-1, 1/6/1997)

§108. License Limitation.

No person licensed under this Part shall by virtue of one license maintain more than one junkyard for the purpose of buying, selling and dealing in junk. No person shall engage in business as a junk dealer and maintain a junkyard in any place other than designated upon his license.

(Ord. 1972-3, 9/11/1972, §3)

§109. License Transfer.

No license issued by the Township Board of Supervisors shall be transferable by the licensor to any other person unless such a transfer is authorized by the Board. Any person desiring to transfer his license shall be accompanied by an application for a license, by the transferee, as described herein. Upon approval of the transfer of a license, the transferee shall pay to the Township a transfer fee in an amount as established from time to time by resolution.

(Ord. 1972-3, 9/11/1972, §3; as amended by Ord. 1997-1, 1/6/1997)

§110. Junkyard Records.

Every person licensed under this Part shall keep a book in which shall be written down the time of the purchase of any junk, description of every article or material purchased or received, the date of such purchase or receipt and the person from whom such article or material was purchased or received. Such records shall be subject to the inspection of any member of the Township Board of Supervisors, or his duly authorized representative.

(Ord. 1972-3, 9/11/1972, §4)

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§111. Delay in Disposal.

Every junk dealer shall keep and retain upon the licensed premises for a period of 48 hours after the purchase or receipt thereof, all junk received or purchased and shall not disturb or reduce the same or alter the original form, shape or condition until such period of 48 hours shall have elapsed.

(Ord. 1972-3, 9/11/1972, §5)

§112. Operation Requirements.

Every junk dealer shall maintain the licensed junkyard and conduct business in accordance with any special provisions imposed by the Township Board of Supervisors and in the manner prescribed herein.

- A. Fence.
 - (1) The entire perimeter of such premises shall be enclosed by a fence, excepting a solid building or structure may be used as part of such enclosure. Such enclosures shall be set back a minimum of 50 feet from the right-of-way of the public road and shall be set back a minimum of 25 feet from all other property lines.
 - (2) Such fence shall be a solid covered fence of material such as masonry, corrugated metal or wood, and shall be of sufficient height to screen said junk from public view. The gate shall be locked when said premises are not open for business. Such fence and gate must be maintained in such a manner as not to become unsightly and there shall be no advertising of any form placed on the fence.
- B. All gasoline and oil shall be drained from any junked motor vehicle into containers within 12 hours from the arrival of such junked motor vehicle. Gasoline or oil shall be stored at only one location on the licensed premises and no more than 20 gallons in aggregate of gasoline and oil shall be stored above ground.
- C. All junk shall be stored and arranged so as to permit access by firefighting equipment and to prevent accumulation of stagnant water. Junked automobiles shall be spaced in rows with a minimum of 20 feet between each double row to permit movement of fire equipment. Junk shall not be piled to a height of more than eight feet from the ground.
- D. Rags, paper, plastic materials and rubbish shall not be stored outside and shall not be accumulated or remain on any junkyard premises for more than one month.

- E. All weeds an any junkyard shall be kept removed and shall not be permitted to go to seed. The area between the setback line and the right-of-way line and the property line and the fence line shall, at all times, be clear, vacant and well maintained.
- F. No garbage or organic waste shall be permitted to be stored or any junkyard premises.
- G. No person owning or operating a licensed junkyard shall burn any motor vehicles or their equivalent at any time. No oil, grease, tires, gasoline or other similar material that might be dangerous or tend to produce noxious smoke or odors shall be burned within a licensed junkyard at any time.
- H. Junkyards shall at all times be maintained and operated in such manner as to cause no public or private nuisance, including noise, nor to cause any menace to health to health or safety of any persons off the premises nor to cause the breeding, harboring or infesting of rats, rodents or vermin nor to cause a violation of any health or sanitary law, ordinance or regulation of any governmental body.

(Ord. 1972-3, 9/11/1972, §6)

§113. Existing Junkyards.

Junkyards existing in the Township of Conewago on the effective date of this Part shall be required to comply with the provisions of and obtain a license under this Part within six months from the effective date. The Township Board of Supervisors may grant an extension of time for complying with the terms of this Part; however, such extension shall be for a period not to exceed six months.

(Ord. 1972-3, 9/11/1972, §7)

§114. Inspection.

Any member of the Township Board of Supervisors or his duly authorized agent, may at any time enter upon and inspect any premises for which there is a pending application for a junkyard license or which holds a current junkyard license.

(Ord. 1972-3, 9/11/1972, §8)

§115. Enforcement and Remedies.

- 1. Enforcement Notice.

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- A. If it appears to the Township that a violation of this Part has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided in this Section.
 - B. The enforcement notice shall be sent to the violator and, if applicable, the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.
 - C. An enforcement notice shall state at least the following:
 - (1) The name of the violator and, if applicable, the owner of record and any other person against whom the Township intends to take action.
 - (2) The location of the violation and, if applicable, the property in violation.
 - (3) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this Part.
 - (4) The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
 - (5) That the recipient of the notice has the right to appeal to the Board of Supervisors within a period of 10 days.
 - (6) That failure to comply with the notice within the time specified, unless extended by appeal to the Board of Supervisors, constitutes a violation, with possible sanctions clearly described.
2. Enforcement Remedies.
- A. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Part shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than \$1,000 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating this Part to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the

fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation.

- B. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment.
- C. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.
- D. District justices shall have initial jurisdiction over proceedings brought under this Section.

(Ord. 1972-3, 9/11/1972, §9; as amended by Ord. 1997-1, 1/6/1997)

§116. Variances and Exceptions.

The Conewago Township Board of Supervisors shall have the authority hereunder to grant variances or exceptions to this Part where strict enforcement hereof would work an undue hardship on the applicant and/or special circumstances exist warranting the granting of an exception or variance.

(Ord. 1972-3, 9/11/1972, §10)

Part 2

Licensing of Sexually Oriented Businesses

§201. Title.

This Part shall be known as the "Conewago Township Sexually Oriented Business Licensing Ordinance."

(Ord. 2004-4, 11/10/2004, §I)

§202. Purpose.

It is the purpose of this Part to regulate sexually oriented businesses and adult bookstores in order to protect the health, safety, morals and general welfare of the citizens of Conewago Township, Dauphin County, and to establish reasonable and uniform regulations to prevent the deleterious location and concentration of sexually oriented businesses within the Township. The provisions of this Part have neither the purpose nor effect of imposing a limitation or restriction on the content of any materials, including sexually oriented materials. Similarly, it is not the intent or effect of this Part to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors.

(Ord. 2004-4, 11/10/2004, §II)

§203. Definitions.

The following words and phrases, when used in this Part, shall have the meanings ascribed to them as set forth hereinafter.

EMPLOYEE — a person who works or performs in and/or for a sexually oriented business, regardless of whether or not said person is paid a salary, wage or other compensation by the operator of said business.

ESCORT — a person who, for any form of consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESTABLISHMENT — includes the following:

- A. The opening or commencement of any sexually oriented business as a new business;
- B. The conversion of an existing business, whether or not a sexually oriented business, to any of the sexually oriented businesses defined in this Part;

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- C. The addition of any of the sexually oriented businesses defined in this Part to any other existing sexually oriented business.

MASSAGE PARLOR — any place where, for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment manipulation of the human body which occurs as a part of or in connection with "specified sexual activities," or where any person providing such treatment, manipulation, or service related thereto, exposes his or her "specified anatomical areas." The definition of sexually oriented businesses shall not include the practice of massage in any licensed hospital, nor by a licensed hospital, nor by a licensed physician, surgeon, chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath, nor by trainers for any amateur, semiprofessional or professional athlete or athletic team or school athletic program.

NUDE MODEL STUDIO — any place where a person, who appears in a state of nudity or displays "specified anatomical areas" is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons.

NUDITY or STATE OF NUDITY —

- A. The appearance of human bare buttocks, anus, male genitals, female genitals, or the areola or nipple of the female breast; or
- B. A state of dress which fails to opaquely and fully cover human buttocks, anus, male or female genitals, pubic region or areola or nipple of the female breast; or
- C. The showing of the covered male genital in a discernible turgid state.

OPERATOR — includes the owner, license holder, custodian, manager, operator or person in charge of any permitted or licensed premises.

PERMITTED OR LICENSED PREMISES — any premises that requires a license and/or permit and that is classified as a sexually oriented business.

PERMITTEE and/or LICENSEE — a person in whose name a permit and/or license to operate a sexually oriented business has been issued, as well as the individual listed as an applicant on the application for a permit and/or license.

PERSON — an individual, proprietorship, partnership, corporation, association or other legal entity.

PUBLIC BUILDING — any building owned, leased or held by the United States, the State, the County, the Township, any special district, school district, or any other agency or political subdivision of the state or the United States, which building is used for governmental purposes.

PUBLIC PARK or RECREATION AREA — public land which has been designated for park or recreational activities, including but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, open space, wilderness areas, or similar public land within the Township which is under the control, operation, or management of the Township park and recreation authorities.

RELIGIOUS INSTITUTION — any church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities.

SCHOOL — any public or private educational facility, including but not limited to child day care facilities, nursery schools, preschools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities.

SEMI-NUDE — a state of dress in which clothing covers no more than the genitals, pubic region, and areolae and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

SEXUAL ENCOUNTER ESTABLISHMENT — a business or commercial establishment, that as one of its business purposes, offers for any form of consideration, a place where two or more persons may congregate, associate, or consort for the purpose of "specified sexual activities" or the exposure of "specified anatomical areas" or activities when one or more of the persons is in a state of nudity or seminude. The definition of sexually oriented businesses shall not include an establishment where a medical practitioner, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy.

SEXUALLY ORIENTED BUSINESS — an adult arcade, adult bookstore, adult novelty shop, adult video store, adult cabaret, adult motel, adult motion-picture theatre, adult theatre, massage parlor, sexual encounter establishment, escorts, escort agency or nude model studio.

SEXUALLY ORIENTED BUSINESSES — those businesses defined as follows:

- A. **ADULT ARCADE** – an establishment where, for any form of consideration, one or more still or motion-picture projectors, slide projectors, or similar machines, or other image-producing machines, for viewing by five or fewer persons each, are used to show films, motion-pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
- B. **ADULT BOOKSTORE, ADULT NOVELTY STORE, or ADULT VIDEO STORE** – a commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

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- (1) Books, magazines, periodicals or other printed matter, or photographs, films, motion-pictures, video cassettes, slides, or other visual representations which are characterized by and emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."
 - (2) Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.
 - (3) An establishment may have other principal business purposes that do not involve the offering for sale, rental or viewing of materials depicting or describing "specified sexual activities" or "specified anatomical areas," and still be categorized by and emphasis on as an adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized by and emphasis on as an adult bookstore, adult novelty store or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, the specified materials characterized by and emphasis on depicting or description which depict or describe "specified sexual activities" or "specified anatomical areas."
- C. ADULT CABARET – a nightclub, bar, restaurant "bottle club," or similar commercial establishment, whether or not alcoholic beverages are served, which features: (1) Persons who appear nude or in a state of nudity or semi-nude; (2) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or (3) Films, motion-pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
- D. ADULT MOTEL – a motel, hotel, or similar commercial establishment which (1) Offers public accommodations, for any form of consideration, which provides patrons with closed-circuit television transmissions, films, motion-pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas," and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising, including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or (2) Offers a sleeping room for rent for a period of time less than 10 hours; or (3) Allows a tenant or occupant to sub-rent the sleeping room for a period of time of less than 10 hours.
- E. ADULT MOTION-PICTURE THEATER – a commercial establishment where films, motion-pictures, video cassettes, slides or similar photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" are shown for any form of consideration.

- F. ADULT THEATRE – a theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, features persons who appear in a state of nudity or live performances which are characterized by and emphasis on exposure of "specified anatomical areas" or by "specified sexual activities."

SPECIFIED ANATOMICAL AREAS — as used in this Part, the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

SPECIFIED SEXUAL ACTIVITIES — as used in this Part, includes any of the following:

- A. The fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts;
- B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- C. Masturbation, actual or simulated;
- D. Human genitals in a state of sexual stimulation, arousal or tumescence;
- E. Excretory functions as part of or in connection with any of the activities set forth in Subsection A through D of this definition.

SUBSTANTIAL ENLARGEMENT OF A SEXUALLY ORIENTED BUSINESS — an increase in the floor areas occupied by the business by more than 15%, as the floor areas exist on the effective date of this Part.

TRANSFER OF OWNERSHIP OR CONTROL OF A SEXUALLY ORIENTED BUSINESS — includes any of the following:

- A. The sale, lease or sublease of the business.
- B. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means.
- C. The establishment of a trust, gift or other similar legal devise which transfers ownership or control of the business except for transfer by bequest or other operation of law upon the death of a person possessing ownership or control.

(Ord. 2004-4, 11/10/2004, §III)

§204. Location of Sexually Oriented Businesses.

This Part hereby requires that sexually oriented businesses shall be permitted only after an application for a license has been filed with the Township and a license issued according to the provisions and procedures set forth hereinafter:

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- A. No person shall operate a sexually oriented business without a license, including sexually oriented businesses currently in operation.
- B. No person shall operate or cause to be operated a sexually oriented business without complying with the provisions of the Conewago Township Zoning Ordinance and being issued a zoning permit.¹

(Ord. 2004-4, 11/10/2004, §IV)

§205. License Required.

1. No sexually oriented business shall be permitted to operate without a valid sexually oriented business license issued by the Township for the particular type of business. It shall be unlawful and a person commits a violation of this Part if he/she operates or causes to be operated a sexually oriented business without a license.
2. The Board of Supervisors is responsible for granting, denying, revoking, renewing, suspending, and canceling sexually oriented business licenses, based on repeated violations of these regulations, "repeated" being defined as more than three violations in any twenty-four-month time period. A notice of denial, revocation, suspension, or cancellation shall be sent by certified mail to or personally served on the licensee, who shall have the right to request a hearing before the Board of Supervisors within 10 days of service thereof, solely to determine whether three violations occurred within a twenty-four-month time period. The Board shall render a decision within 30 days of receipt of written notice of appeal. Failure to file an appeal within 10 days of receipt of the notice by the licensee shall terminate any right of appeal by the licensee.
3. An application shall contain the following information:
 - A. If the applicant is an individual, the applicant's name, and any aliases, plus a satisfactory submission of proof that the applicant is at least 18 years of age.
 - B. If a partnership, it shall state its complete name, and the names of all partners, whether the partnership is general or limited, and a copy of the partnership agreement, if any.
 - C. If it is a corporation, the corporation shall state its complete name, the date of its incorporation, evidence that it is in good standing under the laws of the state of incorporation, the names of all directors, and persons in charge of the day to day operations of the sexually oriented business.

¹ Editor's Note: See Ch. 27, Zoning, §27-1001.25 et al.

- D. The applicant, partners, officers, and shareholders holding 10% or more of the stock of a corporate applicant shall include a set of fingerprints in their application for a sexually oriented business license.
- E. All fees associated with the processing and issuance of a sexually oriented business license shall be set by resolution by the Conewago Township Board of Supervisors.²
- F. The location of the proposed sexually oriented business, including a legal description of the property, street address, and telephone number(s).
- G. The applicant's mailing addresses and residential address.
- H. A recent photograph of the applicant(s), plus the social security number of the applicant.
- I. A certification that the sexually oriented business complies with all other provisions of this Part and any other local, state, or federal laws that regulate sexually oriented businesses.

(Ord. 2004-4, 11/10/2004, §V)

§206. Issuance of Licenses.

The Conewago Township Board of Supervisors shall grant or deny an application for a license within 60 days from the date of its filing.

(Ord. 2004-4, 11/10/2004, §VI)

§207. Renewal Licenses.

A license issued pursuant to this Part is valid for a period of one year. Any renewal of said license shall occur after an application is filed setting forth the information required for the initial license, confirming and certifying that the sexually oriented business has otherwise complied with all other provisions of this Part, and all other ordinances in the Township of Conewago, Dauphin County.

(Ord. 2004-4, 11/10/2004, §VII)

§208. Denial of a License.

The Township Supervisors shall deny the application or any renewal thereof for any of the following reasons:

² Editor's Note: The Fee Schedule is included in the front of this Code.

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- A. The applicant is under 18 years of age.
- B. The applicant has overdue payments to the Township for taxes, fines, or penalties assessed against the applicant in relation to the sexually oriented business.
- C. An applicant has failed to provide information required by this Part.
- D. The premises to be used for the sexually oriented business has not been approved as being in compliance with health, fire and building codes by state, federal or local agencies.
- E. The application or renewal fee has not been paid, which said fee shall be set annually by resolution of the Township.
- F. The granting of the application would violate a statute, ordinance or court order.
- G. The applicant has a license under this Part which has been suspended or revoked.
- H. The applicant has been convicted of a misdemeanor or a felony offense within the last five years.

(Ord. 2004-4, 11/10/2004, §VIII)

§209. Transfer of License.

A license may not be transferred to any other person, partnership, corporation or entity and must, at all times, remain in the name of the party to whom it is granted.

(Ord. 2004-4, 11/10/2004, §IX)

§210. Sexually Oriented Business Employee License.

- 1. Each individual to be employed in a sexually oriented business shall pay a license fee as determined by resolution of the Board of Supervisors of Conewago Township, said fee to cover the costs of the licensing application process.
- 2. Before any applicant may be issued a sexually oriented business employee license, the applicant shall submit a form to be provided to the Township Supervisors with the following information:
 - A. The applicant's name or any other names (including "stage" names) or aliases used by the individual.

- B. Age, date, and place of birth.
- C. Height, weight, hair and eye color.
- D. Present residence address and telephone number.
- E. Present business address and telephone number.
- F. State driver's license or identification number.
- G. Social security number.
- H. Acceptable written proof that the individual is at least 18 years of age, such as a birth certificate or driver's license.
- I. Attached to the application form as provided above, a color photograph of the applicant, clearly showing the applicant's face, and the applicant's fingerprints on a form provided by the Township and/or State Police Department.
- J. A statement detailing the license or permit history of the applicant for the five years immediately preceding the date of the filing of the application, including whether such applicant previously operating or seeking to operate, in this or any other municipality, county, state or country has ever had a license, permit, or authorization to do business denied, revoked, or suspended, or had any professional or vocational license or permit denied, revoked, or suspended. In the event of any such denial, revocation, or suspension, state the date, the name of the denying jurisdiction, and describe in full the reasons for the denial, revocation, or suspension. A copy of any order of denial, revocation, or suspension shall be attached to the application.
- K. Whether the applicant has been convicted of a misdemeanor or felony offense. The employee shall include a recent certified copy of his or her criminal history.

(Ord. 2004-4, 11/10/2004, §X)

§211. Hours of Operation.

A sexually oriented business shall not operate between the hours of 11:30 p.m. and 9:30 a.m.

(Ord. 2004-4, 11/10/2004, §XI)

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§212. Penalties.

In addition to any other penalties under the Crimes Code, if any person fails or refuses to obey, comply with or violates any of the provisions of this Part, such person, upon being found liable for a violation, shall pay a civil fine not to exceed \$1,000. Each day that a violation continues after conviction shall constitute a separate offense and shall incur a daily fine in an amount not to exceed \$1,000. Upon default of payment of such fine(s), such person may undergo imprisonment for a period not to exceed 30 days.

(Ord. 2004-4, 11/10/2004, §XI)