

CHAPTER 13

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Part 1

Lawn, Yard and Garage Sales

§101. Definitions.

As used in this Part 1, the following words shall have the meanings indicated:

SALE or GARAGE SALE—a sale, open to the public, new or used or previously owned goods, wares and merchandise, held on vacant property or in the garage, or on the lawn, yard, porch or patio of the residence of the person who obtains a permit for the sale as provided by this ordinance.

PERSON—a natural person or individual, organization, association, business enterprise, corporation, partnership or other entity.

The singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.

(Ord. 576, 9/10/1980, §1)

§102. Permit Required; Application.

1. From and after the effective date of this Part 1, a permit shall be required for any garage sale held within the Borough of Stroudsburg. Any person holding such a garage sale without first obtaining a permit shall be in violation of this Part 1, and subject to the penalty hereinafter prescribed.
2. Application for the permit for a sale shall be made to the Borough Manager by the person at whose residence the sale is to be held, and shall state: The name of the applicant; the location of the proposed sale; and the day or days on which the sale is to be held (as well as the names and resident addresses of all other persons who are to contribute goods, wares, merchandise or service the sale). The Manager or his designee shall issue the permit to the applicant, after the applicant shall have paid to the Borough Manager the permit fee of five dollars (\$5.00), which shall be for the use of the Borough. Provided: in any calendar year, no more than two permits shall be issued under this Part 1 to the same person, and no more than two sales shall be held from any one location in any calendar year.

(Ord. 376, 9/10/1980, §2; as amended by Ord. 599, 12/19/1983)

§103. Issuance of Permit; Conditions.

Every permit shall be issued under the following conditions, and any failure to comply with any condition shall comprise a violation of this Part 1, and shall entitle the Borough Manager to declare the permit revoked, without refund of any part of the permit fee to the

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holder:

1. The sale shall be held at the location stated in the permit.
2. The permit shall be valid for the two (2) consecutive days stated on the permit, except that the permit may specify one or two alternate "rain dates" in case of inclement weather on one or two as the case may be, of the date first specified on the permit.
3. No more than three (3) families or householders may participate in the sale by furnishing goods, wares or merchandise for sale, and/or by engaging in the sale of the goods, wares and merchandise.
4. No sale shall commence before 9:00 a.m. or end after 7:00 p.m. on any day.
5. No refreshments may be served or sold at the sale; no music, games or other entertainment or activities may be conducted at the time, when and place where the sale is held; and there shall be no unnecessary or excessive noise.
6. Since the sale is temporary in nature and permissible in residence districts where commercial activities are not permitted, the sale shall be limited to possessions of the holder of the permit (and the other families and householders referred to in §103(3) above.) It shall be unlawful to engage or employ any individual, organization or other entity to plan, arrange, conduct, promote or supervise the sale.
7. The applicant must exhibit the permit at the time of sale in full view of the public at all times.
8. No notice, advertisement or directional sign pertaining to a sale may be placed or posted:
 - A. on any utility pole or any post or pole used for traffic or parking signs, signals or meters;
 - B. on the surface of any street, curb or sidewalk; or
 - C. without the permission of the owner or occupant of the property, anywhere on private property.

Upon conclusion of the time stated in the permit for the holding of a sale, the holder of the permit shall remove and take away all such notices, advertisements and directional signs.

9. None of the following may be sold or offered for sale:
 - A. food or edible items;
 - B. anything for which a separate license is required by law or by any

federal, state or municipal regulations; or

C. anything of an explosive, poisonous or dangerous nature.

(Ord. 576, 9/10/1980, §3)

§104. Exceptions.

Special sales such as “Sidewalk Sale Days” sponsored or conducted by the merchants of the Borough of Stroudsburg shall be excluded from the provisions of this Part 1.

(Ord. 576, 9/10/1980, §4)

§105. Penalties.

Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00), together with costs of prosecution, or to imprisonment for a term not to exceed thirty (30) days.

(Ord. 576, 9/10/1980, §5; as amended by Ord. 599, 12/19/1983)

Part 2

Transient Retail Merchants

§201. Definitions.

EXEMPTIONS—no license shall be required or fee charged to any of the following:

- A. To farmers selling their own produce;
- B. For the sale of goods, wares and merchandise donated by owners thereof, the total net proceeds whereof are to be applied to any charitable or philanthropic purpose; or
- C. To any manufacturer or producer in the sale of bread and bakery products, meat and meat products or milk or milk products, but the ordinance [this Part 2] may require any person, partnership, firm or corporation in any or all of these excepted categories to register with the borough, and be subject to all other provisions of the ordinance except those pertaining to the payment of license fees: Provided, the term “milk or milk products” shall not include or apply to ice cream or other frozen deserts: And provided further, that any transient retail business dealing on one or more of the excepted categories and selling other goods, wares and merchandise not excepted shall be subject to the license fee fixed by the ordinance for its activities in connection with the sale of goods, wares and merchandise not in any of the excepted categories.

PEDDLER—a peddler is any person, whether a resident of the Borough of Stroudsburg, Commonwealth of Pennsylvania, or not, traveling by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street, carrying, conveying or transporting goods, wares, merchandise, meat, fish, vegetables, fruits, truck garden or farm products or provisions, offering and exposing them for sale, or making sales and delivering articles to purchasers, or who, without traveling from place to place, sells or offers the same for sale from a wagon, automotive vehicle, railroad car or other vehicle or conveyance. The word “peddler” shall include the words “hawker” and “huckster”

SOLICITOR—a solicitor is any person, whether a resident of the Borough of Stroudsburg, Commonwealth of Pennsylvania, or not, traveling either by foot, wagon, automobile, motor truck or any type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take orders for sale of goods, wares and merchandise, personal property of any nature whatsoever, for future delivery, or for services, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale, or whether he is collecting advance payment of such sales or not.

(Ord. 603, 8/8/1984, §1)

§202. Application.

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Applications for licenses by solicitors and peddlers shall be made to the Chief of Police, shall be sworn and in writing and shall contain the following information:

1. Name and physical description of applicant;
2. Address;
3. A brief description of the nature of the business to be conducted and the goods to be sold, and, if the goods are farm or orchard products, a statement whether they are produced or grown by the applicant;
4. If applicant is employed, the name and address of the employer, together with credentials establishing exact relationship;
5. The length of time for which the right to do business is desired;
6. If a vehicle is to be used, a description of the same, together with Pennsylvania State Vehicle License number or other means of identification;
7. A statement as to whether or not the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, and if so, the nature of the offense, and the punishment or penalty assessed therefor;
8. Such other information as the Chief of Police may deem necessary for the proper police protection of the borough.

An applicant for a solicitor's or peddler's permit shall be fingerprinted and shall supply the Chief of Police with 2 photographs of the applicant within five (5) days prior to the date of the filing of the application, which photographs shall be 1¼" by 1¼" showing the head and shoulders of the applicant in a clear and distinguishing manner.

(Ord. 603, 8/8/1984, §2)

§203. License Fees for Solicitors and Peddlers.

The fee for solicitors and peddlers shall be:

1. Twenty-five dollars (\$25.00) per day, seventy-five dollars (\$75.00) per quarter, for all peddlers and solicitors having an established place of business within the Borough.
2. Seventy-five dollars (\$75.00) per day, two hundred and fifty dollars (\$250.00) per quarter, for all other peddlers and solicitors.
3. Additional licenses may be issued to employees of a license holder on the payment of twenty-five dollars (\$25.00) per day for each employee after approval and investigation by the Chief of Police.

(Ord. 603, 8/8/1984, §3)

§204. Regulations.

A peddler or solicitor, or any person on his behalf, shall not:

1. Shout, make an outcry, blow a horn, ring a bell or use any sound device or musical instrument, including any loud speaking radio or sound amplifying system, on any of the streets, alleys, parks or other public places of the borough or on any private premises in the borough where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard on the streets, avenues, alleys, parks or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such license proposes to sell;
2. Have any exclusive right to any location in the public streets, shall not be permitted a stationary location and shall not be permitted to operate in any congested area where his operations might impede or inconvenience the public. For the purpose of this ordinance [this Part 2], the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced;
3. Sell or offer for sale goods, wares or merchandise from vehicles on any of the public streets of the borough, provided, however, that the prohibition herein contained shall not include the peddling from door to door or from vehicles, of fresh food products of farm and garden, nor bona fide deliveries of goods, wares, merchandise or food made on a regular route to regular customers;
4. Solicit or peddle from 6:00 p.m. to 10:00 a.m., or at any time when a sign has been posted on a building stating "No solicitors or peddlers", or words to that affect, except that a licensed solicitor or peddler may call upon the occupant of a residence at other times when he has received express prior permission from such occupant to do so;
5. Solicit within the borough for a contribution of funds for a charitable, religious, educational community, recreational or similar nonprofit purpose by means of calling upon places of residence or by means of direct personal contact in public places or upon public property without obtaining a permit as provided by this ordinance. Any peddling or soliciting as defined in this ordinance by means of representation that all or a portion of the proceeds thereof are to be used for a charitable, or similar non-profit purpose, or are to be transmitted to any person, firm or corporation for any such purpose, is unlawful unless a permit is first obtained as provided by this ordinance;
6. Cast, throw, distribute, deposit, scatter, pass out, give away, circulate or deliver any commercial or business handbill, dodger, circular or other advertising material or device to any residence or business, or leave the same on any porch, doorstep or vestibule thereof, or in any yard or public hallway

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thereof, or on any vacant lot or other private property in the borough, without first having obtained the express consent or without the express request of an adult resident or occupant thereof;

7. Cast, throw, deposit, leave upon, distribute, scatter, pass out, give away, circulate or deliver to any premises any commercial advertising sample or device or other merchandise of any kind, except into the hands of an adult person who resides upon or occupies such premises.

(Ord. 603, 8/8/1984, §4)

§205. Penalties.

Any person, firm or corporation who shall violate any provision of this ordinance [this Part 2] shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00), together with costs of prosecution, or to imprisonment for a term not to exceed thirty (30) days. Every day that a violation of any part of this ordinance continues shall constitute a separate offense.

(Ord. 603, 8/8/1984, §5)

Part 3

Public Exhibitions, Amusements and Entertainment

§301. Permit Required.

It shall be unlawful for any person or persons, firm or firms to be engaged or concerned in the business of theatrical exhibitions, amusements, dances, or any other form of public exhibition or amusement within the limits of the Borough of Stroudsburg without first having taken out a permit. Permits will only be issued in conjunction with special events specifically authorized by Borough Council.

(Ord. 599, 12/19/1983; as amended by Ord. 925, 7/7/2010)

§302. Permit Application.

Any person or persons, firm or firms who have been approved by Borough Council to operate or conduct theatrical exhibitions, amusements, dances or any other kind of entertainment, shall file application in writing with the Manager, and pay the required fee of one hundred dollars (\$100.00), whereupon the Manager shall issue a permit permitting the exhibition, amusement, or dance. Nonprofit organizations are exempted from said fee but must still apply for a permit.

(Ord. 599, 12/19/1983; as amended by Ord. 925, 7/7/2010)

§303. Zoning Classification Not Affected by Permit.

Where an application is made for the conducting of an amusement, temporary or seasonal in its nature, and the said permit is granted by the Manager, the said granting shall not be construed in any way to change the zoning classification of the property involved, which shall still remain and be of the same classification as it was prior to the issuing of the permit.

(Ord. 599, 12/19/1983)

§304. Authority of the Borough Council.

The Borough Council shall have the right to prohibit entirely, or regulate by resolution, the character and kind of amusement that shall be permitted in the Borough or any part thereof, the time of opening and closing of the amusement, and shall in all respects have complete control of the said operation, and shall prohibit the same if they deem such amusement, dance or public exhibition to be detrimental to the interests of the Borough.

(Ord. 599, 12/19/1983; as amended by Ord. 925, 7/7/2010)

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§305. Expiration or Revocation of Permit.

Permits may be issued for a specifically determined period of time. Any permit may be revoked by the Manager at any time upon failure of the permittee to follow the regulations set forth by the Borough Council.

(Ord. 599, 12/19/1983; as amended by Ord. 925, 7/7/2010)

§306. Penalties.

Any person, firm or corporation who shall violate any provision of this Part 3 shall, upon conviction thereof, be sentenced to pay a fine of not more than one thousand dollars (\$1,000.00) together with costs of prosecution, or to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part 3 continues shall constitute a separate offense.

(Ord. 599, 12/19/1983; as amended by Ord. 925, 7/7/2010)

Part 4

Off-Premises Sign License

§401. Definitions.

BUSINESS SIGN—a sign that directs attention to a business, profession, activity, commodity, service, product price, or entertainment conducted, sold, or offered upon the premises where such sign is located or within the building to which such sign is affixed.

CONSTRUCTION SIGN—a sign identifying individuals or companies involved in design, construction, wrecking, financing, or development when placed upon the premises where work is under construction but only for the duration of construction or wrecking.

DIRECTORY SIGN—a sign which indicates the name and/or address of the occupant, the address of the premises, and/or identification of any legal business or occupation which may exist at the premises.

GROSS SURFACE AREA—the entire area within a single continuous perimeter composed of a single face enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures, together with a material or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. Structural supports bearing no sign copy shall not be included in gross surface area; however, if any portion of the required structural supports become enclosed for decorative or architectural purposes, that portion will be included in the total gross surface area of the sign.

LOT—a designated parcel, tract, or area of land established by plot, subdivision, or otherwise permitted by law to be used, developed, or built upon as a single unit under single ownership or control.

OFF-PREMISES SIGNS—a sign visible from a public way that directs attention to a business, commodity, service, entertainment, attraction, or subject sold, offered, or existing elsewhere that upon the same lot where such sign is displayed. The term off-premises sign shall include an outdoor advertising sign (billboard) on which space is leased or rented by the owner thereof to others for the purpose of conveying a commercial or noncommercial message.

REAL ESTATE SIGN—a sign which is used to offer for sale, lease, or rent that premises upon which such sign is placed.

(Ord. 706, 8/7/1991, §1)

§402. License Required.

The owner of every lot upon which an off-premises sign is located within the Borough of Stroudsburg shall be responsible to obtain an annual off-premises sign license for every off-

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premises sign located thereon. The term for the off-premises sign license shall be October 1 to September 30. Every owner shall be responsible to obtain the necessary license(s) by October 1 of every year.

(Ord. 706, 8/7/1991, §1)

§403. License Application.

Application for an off-premises sign license shall be made upon a form provided by the Borough of Stroudsburg. The application form shall require the following information: (1) the name and address of the owner of the lot upon which the off-premise sign is located; (2) when there is more than one (1) sign on a lot, a description of the off-premises sign; (3) the gross surface area of the sign; (4) the name and address of the sign operator if any; (5) the address of or description of the location of the lot where the off-premises sign is located. The Borough of Stroudsburg shall make the application form available to lot owners, but responsibility for acquiring the application form and obtaining an off-premises sign license by October 1 remains with the lot owner. A separate application form must be submitted for every off-premises sign.

(Ord. 706, 8/7/1991, §1)

§404. Payment of Tax.

With the annual application for an off-premises sign license, the owner shall pay the full amount of the off-premises sign tax, which shall be calculated by multiplying by two (\$2.00) dollars the gross surface area, measured in square feet, of the off-premises sign. The term of the annual license shall commence on October 1 and end on September 30 of the following year. If a new off-premises sign is erected between October 1 and February 28, inclusive, the full amount of the tax for the year shall be paid. If a new off-premises sign is erected between March 1 and September 30, inclusive, one half (½) of the tax shall be paid.

(Ord. 706, 8/7/1991, §1)

§405. Exemptions.

Business signs, construction signs, directory signs, real estate signs, and political signs, as defined in Part 8 of the Stroudsburg Zoning Ordinance, are exempt from the provisions of this Part 4.

(Ord. 706, 8/7/1991, §1)

§406. Enforcement, Notification, and Penalties.

The Codes Officer of the Borough of Stroudsburg shall enforce the provisions of this

ordinance (Part 4). When an owner fails to properly submit an application by October 1 or within fourteen (14) days of erecting a new off-premises sign, the Codes Officer shall notify the owner by certified mail that the license application must be submitted within thirty (30) days. If the application is not submitted within (30) days, a summary citation shall be filed with the district justice. Upon conviction thereof, the owner shall be sentenced to pay a fine of not more than six hundred (\$600.00) dollars, together with costs of prosecution. Every off-premises sign for which a proper application has not been submitted shall be considered a separate offense.

(Ord. 706, 8/7/1991, §1)

§407. Effective Date.

This ordinance shall be effective thirty (30) days after adoption.

(Ord. 706, 8/7/1991, §1)

Part 5

Alarm Systems

§501. Definitions.

ALARM SYSTEMS—any device designed or used for detection of intrusion into a building, structure, or facility or for alerting persons in the attempt or commission of a crime or any emergency situation involving potential death or serious injury and which is directly connected to an audible, panic and supervision alarm, or the transmission of a related signal or message which is used to evoke an emergency response to any address or separate component of any system.

ALARM TIMING MECHANISMS—on the effective date of this Part, all audible alarms shall have a timing mechanism that will disengage the alarm after a maximum of fifteen (15) minutes when installed.

DIRECT KEYING OF AUTOMATIC DIALING DEVICES—on or after the effective date of this Part, all automatic dialing devices that transmit recorded messages directly to the Borough Manager's Office or Fire Department shall be keyed to the Monroe County Control Center. Owners of automatic dialing devices should be informed of the above when a call is placed and a report should be filed. Should a second call be made, the owner will be subject to a fine. [Ord. 795]

FALSE ALARM—an alarm activated in the absence of an emergency, whether willfully or by inadvertence, negligence, or unintentional act, including the malfunction of the alarm system, to which the Borough Manager's Office or Fire Department responds. The definition excludes alarms caused by malfunctions of the Monroe County Control Center receiving equipment if such alarm is directly connected to the alarm board; testing or repairing of telephone or electrical lines or equipment outside the premises; acts of God, such as earthquakes, flood, windstorm, thunderstorm, or lightning; an attempted illegal entry, of which there is visible evidence; a crime in progress; or, in the case of an emergency medical alarm, an actual medical emergency requiring police, fire and/or medical personnel. If doubt exists as to the cause of the false alarm, the Chief of Police or his designee shall investigate the full circumstances of the activation and if negligent, file a full report with the district justice. [Ord. 795]

(Ord. 720, 9/9/1992, §1; as amended by Ord. 795, 1/17/2001)

§502. Applications.

Every property owner wishing to install an alarm on premises they own situated in the Borough of Stroudsburg shall file with the Borough Manager's Office, on forms provided by the Borough: [Ord. 795]

- A. A written application stating the name, address and telephone number of the property owner/applicant;

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- B. Address and telephone number of at least two (2) persons who can be contacted other than the property owner/applicant;
- C. A description of the property or properties where the proposed alarm system shall be installed;
- D. The location and street address of the property; a description of the type or types of alarm systems to be used, including the alarm model number and name of the manufacturer;
- E. The name of the person or company who will install the alarm system at the location; and,
- F. The name, address and telephone number of any person or company who will be available to be contacted in the event of an alarm activation.

In the case of more than one (1) building site in which the alarm systems shall be installed, the applicant must provide the Borough with information concerning how the alarm for each building shall be distinguishable from the other alarms in said buildings. In the event the name, mailing address, or telephone number of the person to be contacted changes, the applicant shall supply corrected information to the Borough Manager's Office within five (5) days of the change. The property owner or his designee, upon the request of the Borough Manager's Office, shall be required to be present at the alarm location within a reasonable length of time after being advised that the police or other emergency departments have received any signal or message of an alarm activation. [Ord. 795]

(Ord. 720, 9/9/1992, §2; as amended by Ord. 95, 1/17/2001)

§503. Transfers of Permits.

1. Alarm permits shall not be transferrable from one (1) individual to another, or from one (1) location to another, without the express written authorization from the Borough Manager's Office. In the event that the premises in which the alarm system has been installed is to be conveyed or transferred to another individual, it shall be the responsibility of the permittee to notify the Borough Manager's Office of the name and telephone number of the other person to be contacted in the case of the alarm activation.
2. Any individual who obtains title to premises in which an alarm system has been installed and a permit issued by the Borough Manager's Office shall notify the Borough Manager's Office and make application for registration specifying all information necessary for the Borough Manager's Office or other emergency departments to respond to the alarm activation.

(Ord. 720, 9/9/1992, §3; as amended by Ord. 795, 1/17/2001)

§504. Alarm Permit Fees.

1. Every person applying for an alarm permit under the provisions of this Part shall pay a fee of twenty-five dollars (\$25.00) to obtain an alarm permit prior to the installation of the new alarm system on the premises.
2. Any individual who presently owns or obtains title to premises in which an alarm system has already been installed shall pay a fee of ten dollars (\$10.00) to register their name, address, telephone number, and individual to be contacted in case of the activation of the alarm system. A resident retiree shall pay a five dollar (\$5.00) fee.
3. An alarm user shall obtain a five dollar (\$5.00) user permit fee each calendar year.
4. All fees shall be made payable to the Borough of Stroudsburg.

(Ord. 720, 9/9/1992, §4)

§505. Notification of Impending Violation.

1. Upon receipt by the Borough of the third nuisance alarm, which had occurred on the premises within ninety (90) days, the permittee shall have thirty (30) days to give proof that the alarm system has been properly repaired so that the cause or causes of the previous nuisance alarms have been eliminated.
2. During the period commencing at the receiving [of] notification by the permittee and finishing thirty (30) days after the notice of repair has been provided, the permittee will be subject to penalties listed in §506(1), for any future nuisance alarms.

(Ord. 720, 9/9/1992, §5)

§506. Penalties.

1. Any person who, after receiving written notice from the Borough Manager's Office that an emergency department has responded to three (3) nuisance alarms as defined in this Part during the term of ninety (90) days, upon conviction by a district magistrate, shall pay a fine of up to one hundred dollars (\$100.00) per nuisance alarm thereafter, together with costs of prosecution. [Ord. 795]
2. Any person who shall violate or fail to meet any of the provisions of this Part, after proper notification and upon conviction before a district magistrate, will be sentenced to pay a fine of up to three hundred dollars (\$300.00) together with the cost of prosecution.

(Ord. 720, 9/9/1992, §6; as amended by Ord. 795, 1/17/2001)

§507. Confidentiality.

The information furnished and secured pursuant to this Part shall be confidential in

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character and shall be so kept in order that the contents thereof shall not be known except to persons charged with the administration of this Part.

(Ord. 720, 9/9/1992, §7)

Part 6

Community Antenna Television Franchise Fee

§601. Short Title.

This Part shall be known and may be cited as the “Borough of Stroudsburg Community Antenna Television Franchise Fee Ordinance.”

(Ord. 724, 5/19/1993, §1)

§602. Definitions.

BOROUGH—the Borough of Stroudsburg, Monroe County, Pennsylvania.

BOROUGH COUNCIL—the governing body of the Borough of Stroudsburg, Monroe County, Pennsylvania.

COMMUNITY ANTENNA TELEVISION (CATV)—an arrangement or combination of apparatus whereby television signals broadcast over the air are received at one (1) or more towers, antennas, satellites or other devices from television stations licensed by the Federal Communications Commission and other information sources and which, for a consideration, are transmitted by means of a coaxial cable, fiber optic cable or other suitable device to television receiving sets or subscribers to such service.

COMPANY—the governing body of the Borough of Stroudsburg, Monroe County, Pennsylvania.

(Ord. 724, 5/19/1993, §2)

§603. Levy of the Fee.

It is hereby levied and imposed upon the cable company a franchise fee of five (5) percent of the cable company gross revenues derived from connections within the Borough of Stroudsburg.

(Ord. 724, 5/19/1993, §3)

§604. Payment to the Borough.

The company shall annually pay a fee to the Borough during the life of this Part. Said fee to be five (5) percent of the gross annual receipts of the company arising within the Borough from monthly subscriber service charges; said fee being for the regulation and privilege of using the streets and alleys of the Borough for the operation of its system. The franchise fee shall be due and payable on the first day of each and every year thereafter.

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(Ord. 724, 5/19/1993, §4)

§605. First Year Operations.

First year of enactment, 1993, Blue Ridge Cable Television shall pay a fee equal to one half ($\frac{1}{2}$) of collected revenues prior to December 31, 1993. In April of 1994, the company shall pay the remainder of that collected. For each and every year thereafter the company shall pay one hundred (100) percent of the collected revenues by April of the following year.

(Ord. 724, 5/19/1993, §5)