

Chapter 5

Code Enforcement

Part 1

Uniform Construction Code

A. Implementation

- §5-101. Election to Enforce the Pennsylvania Construction Code Act
- §5-102. Adoption of the Building Code
- §5-103. Administration and Enforcement Provisions
- §5-104. Building Code Board of Appeals
- §5-105. Existing Ordinances
- §5-106. Changes to the Code
- §5-107. Fee Schedule
- §5-108. Changes to the Amendable Sections of Title 34, Part XIV, Chapter 403 Administration
- §5-109. Liability
- §5-110. Amendments to Act 45 Referenced Within Act 92
- §5-111. Amendments to Act 92

B. Board of Appeals

- §5-121. General Provisions
- §5-122. Composition of the Appeals Board
- §5-123. Hearings

Part 2

Property Maintenance Code

- §5-201. Adoption of Property Maintenance Code
- §5-202. Additions, Insertions and Changes
- §5-203. Inconsistent Ordinances

Part 3

Contractor Licensing

- §5-301. Short Title
- §5-302. Definitions
- §5-303. Enforcement
- §5-304. Compliance Required
- §5-305. Craft Licenses
- §5-306. Licenses Required, Applications and Renewals
- §5-307. Exceptions and Exemptions
- §5-308. Insurance Required
- §5-309. License Fee
- §5-310. Issuance or Refusal to Issue License; Form of License Application

- §5-311. Changes in Ownership, Management, Address or Trade Name
- §5-312. Standards for Refusal of Issuance or Renewal of License
- §5-313. Revocation of Licenses
- §5-314. Prohibited Acts
- §5-315. Fines and Penalties

Part 1**Uniform Construction Code****A. Implementation****§5-101. Election to Enforce the Pennsylvania Construction Code Act.**

The Borough of Ivyland hereby elects to administer and enforce the provisions of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101 *et seq.*, as amended from time to time, and its regulations.

(*Ord. 2004-3, 6/9/2004, §1*)

§5-102. Adoption of the Building Code.

The Uniform Construction Code, contained within 34 Pa.Code, Chapters 401–405, as amended from time to time, is hereby adopted and incorporated herein by reference as the Ivyland Borough Building Code.

(*Ord. 2004-3, 6/9/2004, §2*)

§5-103. Administration and Enforcement Provisions.

Administration and enforcement of the Code within Ivyland Borough shall be undertaken, as determined by the Borough Council, in accordance with the regulations of the Pennsylvania Construction Code Act, 35 P.S. §7210.101 *et seq.*

(*Ord. 2004-3, 6/9/2004, §3*)

§5-104. Building Code Board of Appeals.

A Building Code Board of Appeals (hereinafter “Appeals Board”), is hereby established by separate resolution in conformity with the requirements of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101 *et seq.*, §501(c) and 34 Pa.Code §403.121. The Appeals Board shall hear and rule on appeals, requests for variances and requests for extensions of time.

(*Ord. 2004-3, 6/9/2004, §4*)

§5-105. Existing Ordinances.

1. All ordinances and/or resolutions or parts thereof which have previously been adopted by Ivyland Borough on or before July 1, 1999, and which are equal to or exceed the requirements of the Code shall remain in full force and effect until such time as the provisions of these ordinances fail to equal or exceed the minimum requirements of the Code, as amended from time to time.

2. All ordinances and/or resolutions or parts thereof which have previously been adopted by Ivyland Borough that are in effect as of the effective date of this Part and whose requirements are less than the minimum requirements of the Code are hereby amended to conform with the comparable provisions of the Code.

3. All other ordinances, resolutions, regulations and policies of Ivyland Borough not governed by the Code shall remain in full force and effect.

(Ord. 2004-3, 6/9/2004, §5)

§5-106. Changes to the Code.

This Code may be changed and/or modified by the Borough Council of Ivyland Borough in accordance with the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101 *et seq.*, §503.

(Ord. 2004-3, 6/9/2004, §6)

§5-107. Fee Schedule.

A fee schedule for the administration and enforcement undertaken pursuant to this Part and the Code shall be established by the Borough Council by resolution from time to time.

(Ord. 2004-3, 6/9/2004, §7)

§5-108. Changes to the Amendable Sections of Title 34, Part XIV, Chapter 403 Administration.

In accordance with §403.102(1) of Title 34, Part XIV, Chapter 403 the following are amended:

- A. §403.43(g); Delete the words “5 years” and replace with the words “1 year.”
- B. §403.62(c)(1)(xvii) is deleted in its entirety.
- C. §403.64(d): Delete numbers 1 through 4 and replace with the following:
 - (1) Foundation Inspection.
 - (2) Wall Form Inspection.
 - (3) Backfill Inspection.
 - (4) Slab Inspection.
 - (5) Plumbing, Mechanical and Electrical System Inspection.
 - (6) Frame and Masonry Inspection.
 - (7) Wallboard Inspection.
 - (8) Insulation Inspection.

(Ord. 2004-3, 6/9/2004, §8)

§5-109. Liability.

The Building Code Official, Construction Code Official, members of the Building Code Board of Appeals, employees and/or appointed individuals, agents or firms charged with the enforcement of the Code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by the Code or other pertinent law or ordinance, shall not thereby be rendered liable personally and are hereby relieved from personal liability for any damage accruing to persons or property as a result of any act, or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer, agent or employee because of an act performed by that officer, agent or employee in the lawful discharge of duties under the provisions of the Code shall be defended by the legal representative of Ivyland Borough until the final termination of the proceedings. The Building Code Official, Construction

Code Official, members of the Building Code Board of Appeals, employees and/or appointed individuals, agents or firms charged with the enforcement of the Code shall not be liable for the cost in any action, suit or proceeding that is instituted in pursuance of the provisions of the Code.

(*Ord. 2004-3, 6/9/2004, §9*)

§5-110. Amendments to Act 45 Referenced Within Act 92.

1. The Commonwealth of Pennsylvania has recently adopted Act 92. Act 92 makes the following amendments to Act 45:

A. Excludes from Act 45 alterations to residential buildings which do not make structural changes or changes to a means of egress, except those required by ordinances in effect pursuant to §303 and retained by the municipality under this Part.

B. Excludes from Act 45 repairs to residential buildings.

C. Revises the definition of a “utility and miscellaneous use structures” (found in §103 of Act 45 of 1999) which are exempt from Act 45 to include accessory structures such as garages, greenhouses and sheds accessory to a detached single-family dwelling which are less than 1,000 square feet in area.

2. Act 92 permits the Borough to require compliance with the Building Code for all repairs and alterations to residential buildings and construction of utility and miscellaneous use structures if the Borough regulated such alterations and utility and miscellaneous use structures in its Building Code prior to July 1 of 1999. The Building Code of Ivyland Borough, as of July 1, 1999, required compliance and the issuance of a building permit for repairs and alterations to residential buildings and construction, alteration, enlargement, replacement, repair, removal and demolition of utility and miscellaneous use structures.

(*Ord. 2004-3, 6/9/2004; as added by Ord. 2006-3, 5/10/2006, §2*)

§5-111. Amendments to Act 92.

1. In accordance with §503(c) of Act 92 Ivyland Borough may propose and enact an ordinance that exceeds the minimum requirements of Act 45, adopt additional code requirements for alterations associated with residential buildings or adopt stricter code requirements for the regulation of utility and miscellaneous use structures.

2. In accordance with this Section, Ivyland Borough shall keep in full force and effect the following requirements in its Building Code, which provisions were in effect as of July 1, 1999, and were previously retained within this Part.

A. All repairs and alterations to residential buildings and all repairs and alterations that increase habitable area shall comply with the Building Code of Ivyland Borough adopted on June 9, 2004, and any successor code adopted by the Borough pursuant to Act 45 of 1999.

B. Construction, alteration, enlargement, replacement, repair, removal and demolition of utility and miscellaneous use structures which are greater than 144 square feet in area shall comply with the Ivyland Borough Building Code adopted on June 9, 2004, and any successor code adopted by the Borough pursuant to Act 45 of 1999.

(*Ord. 2004-3, 6/9/2004; as added by Ord. 2006-3, 5/10/2006, §3*)

B. Board of Appeals

§5-121. General Provisions.

1. A Building Code Board of Appeals (hereinafter “Appeals Board”) is hereby established in conformity with the requirements of the Pennsylvania Construction Code Act, Act 45 of 1999, 35 P.S. §7210.101 *et seq.*, §501(c) and 34 Pa.Code §403.121. The Appeals Board shall hear and rule on appeals, requests for variances and requests for extensions of time.

2. An application for appeal shall be based on a claim that: (A) the true intent of Act 45, the Uniform Construction Code has been incorrectly interpreted, (B) the provisions of Act 45, the Uniform Construction Code do not fully apply or, (C) an equivalent form of construction is to be utilized.

3. The Appeals Board may not act upon appeals, requests for variances and requests for extensions of time relating to Chapter 11 (Accessibility) of the Uniform Construction Code and any other accessibility requirements contained in or referenced by the Uniform Construction Code for individual projects under §301(a)(3) of Act 45. (*Res. 2004-4, 6/9/2004, §1*)

§5-122. Composition of the Appeals Board.

1. The membership of Appeals Board shall consist of three residents of Ivyland Borough appointed by the Borough Council. Members of the Appeals Board shall hold office at the pleasure of the Borough Council and shall hold no other office in the Borough. Members of the Appeals Board shall not be compensated for their service on the board.

2. The Borough Council may appoint at least one but no more than three residents of the Borough to serve as alternate members of the board. Alternate members of the Board of Appeals hold office at the pleasure of the Borough Council and shall hold no other office in the Borough. Alternate members of the Appeals Board shall not be compensated for their service on the Board.

3. Members and alternate members of the Appeals Board shall be qualified, as determined by the Borough Council, by training and experience to pass on matters pertaining to building construction. Training and experience may consist of licensure as an architect or engineer, experience in the construction industry and/or training or experience as an inspector or plan reviewer.

4. No member of the Borough Council nor any code inspector employed by the Borough may serve on the Appeals Board. If the Borough Council is unable to find a sufficient number of qualified individuals who reside within the Borough, it may appoint a qualified person who resides outside of the Borough to fill a position.

5. An Appeals Board member may not cast a vote, or participate in any hearing, in which the member has a personal, professional or financial interest.

6. The Appeals Board shall elect officers from its own membership. For the conduct of any hearing and the taking of action, a quorum shall not be less than a majority of all members of the board.

7. The Borough Council is hereby authorized to enter into an intergovernmental cooperation agreement with one or more municipalities to create an Appeals Board.

(Res. 2004-4, 6/9/2004, §2)

§5-123. Hearings.

1. In accordance with 34 Pa.Code, Part XIV, §403.212(d) the Appeals Board shall decide an appeal, variance request or request for extension by reviewing documents and written brief or argument unless the owner or owner's agent requests a hearing. Hearings before the Appeals Board shall be held as needed.

2. The Board of Appeals shall schedule hearings and provide public notice of hearings in accordance with Pennsylvania law and regulations of the Pennsylvania Department of Labor and Industry.

3. The Borough Council may prescribe reasonable fees for hearings before the Appeals Board. Fees may include compensation for a secretary, notice and advertising costs and necessary administrative overhead connected with the hearing.

(Res. 2004-4, 6/9/2004, §3)

Part 2**Property Maintenance Code****§5-201. Adoption of Property Maintenance Code.**

A certain document, copies of which are on file in the offices of the Borough of Ivyland, being marked and designated as the “International Property Maintenance Code, 2006,” be and is hereby adopted as the Housing Standards Code of the Borough of Ivyland, in the State of Pennsylvania; for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code are hereby referred to, adopted and made a part hereof, as if fully set out in this Part with the additions, insertions, deletions and changes, if any, prescribed in §5-202 of this Part.

(*Ord. 2007-2, 2/14/2007, §1*)

§5-202. Additions, Insertions and Changes.

1. The following sections of the International Property Maintenance Code are hereby revised as follows:

A. §101.1 Insert: Ivyland Borough.

B. §103.5 Substitute: The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as set forth in the official fee schedule for Ivyland Borough as established by resolution of the Borough Council and as revised and amended from time to time.

C. §106.4 Substitute: Any person who shall violate a provision of the International Property Maintenance Code, 2006, upon conviction thereof, shall be sentenced to a fine of not less than \$100 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. [*Ord. 2011-3*]

D. §302.4 Insert: 8 inches.

E. §304.14 Insert: May 30 to September 1. §602.3 Insert: October 15 to May 15. §602.4 Insert: October 15 to May 15.

F. §704.5 New section. Insert: All multi-family dwellings and rooming houses and boarding houses shall be equipped with extinguishers as follows:

(1) One 2-pound ABC-type extinguisher in the kitchen of each unit, and one 10-pound ABC-type extinguisher in the corridor or other central area of every floor, including the basement.

(2) All multi-story or multi-family structures having hose cabinets and wall-mounted extinguishers in the corridors of a building shall be exempt from the requirements of subparagraph (1) hereof.

2. No building or structure, except those exempt from this provisions, shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building officials have issued a

certificate of occupancy.

3. All devices required by this Section and all replacements thereof shall be of the type, if any, approved by the Pennsylvania Department of Labor and Industry or its successor in function.

(Ord. 2007-2, 2/14/2007, §2; as amended by Ord. 2011-3, 11/9/2011)

§5-203. Inconsistent Ordinances.

In the event that any provision of this Part or provision of the 2006 Property Maintenance Code is inconsistent with any other ordinance of Ivyland Borough, then the more stringent provision shall be applicable.

(Ord. 2007-2, 2/14/2007, §3)

Part 3**Contractor Licensing****§5-301. Short Title.**

This Part shall be known and may be cited as “Ivyland Borough Contractor Licensing Ordinance.”

(*Ord. 2000-3, 4/5/2000, §1*)

§5-302. Definitions.

The following words and phrases as used in this Part shall have the meanings ascribed to them in this Section, unless the context clearly indicates a different meaning. The masculine includes the feminine, the singular includes the plural, and the plural includes the singular:

Borough—the Borough of Ivyland.

Code Enforcement Officer—the individual person or entity charged with the responsibility of enforcement of the provisions of this Part. In the event of a vacancy in this position, the Borough Secretary shall have the authority and duties of the Code Enforcement Officer, provided that, with approval of the Borough Council, the Secretary may designate a person or other entity to act as Code Enforcement Officer for purposes of this Part.

Contract—an agreement, for payment other than reimbursement of costs, whether oral or written, and whether contained in one or more documents, between a contractor and an owner or another contractor for the performance of work, including all labor, services, and materials to be furnished and performed thereunder.

Contractor—any person, other than the owner or a bonafide employee of the owner, who undertakes or offers to perform, in any case where a permit is required under the Uniform Construction Code [Part 1A] or any amendment or similar ordinance establishing such a code or codes, construction, repair, re-roofing, remodeling, rehabilitation, alterations, installation, repairs, or demolition, including but not limited to paving, concrete work, signs, alarm systems, plumbing, electrical work, and any other residential or nonresidential construction, repair, alteration, or demolition in the Borough, whether as a general contractor, specialty contractor, or home improvement contractor with respect to the owner. [*Ord. 2011-3*]

License year—the 12-month period beginning January 1 and ending the following December 31. [*Ord. 2002-6*]

Owner—any property owner, tenant, or other person who orders, contracts for, or purchases the services of a contractor, or any person entitled to the work of a contractor pursuant to a contract, gift, or otherwise.

Person—any individual, partnership, limited partnership, association, corporation, trust or other legally recognizable entity.

(*Ord. 2000-3, 4/5/2000, §2; as amended by Ord. 2002-6, 9/18/2002, §§1, 2; and by Ord.*

2011-3, 11/9/2011)

§5-303. Enforcement.

The Code Enforcement Officer or his authorized representatives shall administer and enforce the provisions of this Part.

(Ord. 2000-3, 4/5/2000, §3)

§5-304. Compliance Required.

No person shall act as a contractor in the Borough except in compliance with the provisions of this Part. Any person, including an owner, who willfully aids a contractor in violating any provisions of this Part is in violation of this Part. The provisions of this Part may not be waived by agreement.

(Ord. 2000-3, 4/5/2000, §4)

§5-305. Craft Licenses.

A license issued pursuant to this Part shall not be construed to authorize the licensees to perform any particular type of work or type of business which is reserved to qualified licensees under other provisions of State or local law.

(Ord. 2000-3, 4/5/2000, §5)

§5-306. Licenses Required, Applications and Renewals.

Every person desiring to continue to engage in or hereafter to begin to engage in the business of acting as a contractor in the Borough shall, on or before the first day of each license year, or prior to commencing business during a license year, make application for license to act as a contractor in the Borough. Such application shall be made by the completion of an application furnished by the Code Enforcement Officer and the payment of a license fee as hereinafter set forth in this Part. Each application must contain information as set forth hereafter in this Part. Each application for a license shall be signed by the applicant, if a natural person, and in the case of an association or partnership, by a member of partner thereof, and in the case of a corporation, by an officer thereof. Each successful applicant shall be issued a license, which license shall be in the form of a wallet size card and in the form of a vehicle sticker. Additional vehicle stickers shall be available at a minimal cost set by the Code Enforcement Officer. Every licensed contractor, which actually acting as a contractor in the Borough, shall carry on his person the said license card and shall display it to the Code Enforcement Officer, or his representative, upon demand. Every licensed contractor shall at all times display the vehicle sticker license(s) on the rear of the vehicle(s) used primarily for the activities as a contractor. All contractors licenses shall expire at midnight on the day immediately preceding the beginning of each license year, unless the license is revoked or suspended prior thereto under the terms of this Part. A person with an unexpired license and which has not been revoked or suspended during the current year who makes application for a license for the following license year need not complete an application form, but shall only submit the required license fee, and shall advise of any changes to the information required and set forth on the original application. Any person carrying on the business of a contractor in the Borough shall secure a license under the terms of this Part in each license year during which the

business is conducted in the Borough.

(*Ord. 2000-3, 4/5/2000, §6*)

§5-307. Exceptions and Exemptions.

The provisions of this Part shall not apply to the official transactions of any authorized representative of:

A. The Government of the United States, any State or Commonwealth of the United States, any political subdivision of any State or Commonwealth, or any agency or instrumentality of the foregoing governments.

B. No contractor's license shall be required of any person when acting in a particular capacity or particular type of transaction as follows:

(1) A person who performs labor or services for a contractor for wages or salary.

(2) A person who is required by State law to attain standards of competency or experience, and who must obtain licensing under such State law, as a prerequisite to engage in a craft or profession, and who is acting exclusively within the scope of such craft or profession for which he is currently licensed pursuant to such law.

C. The provisions of this Part shall not apply to the owner or tenant of a property who performs work on the owned or leased property.

D. Except for §5-308, concerning minimum insurance requirements, the provisions of this Part shall not apply to any person who has registered with the Commonwealth pursuant to the registration requirements of the Pennsylvania Home Improvement Consumer Protection Act, 73 P.S. §517.1 *et seq.* The Borough's minimum insurance requirements set forth in §5-308 shall continue to apply to any person who wishes to operate as a "contractor" as that term is defined in §5-302. [*Ord. 2011-3*]

(*Ord. 2000-3, 4/5/2000, §7; as amended by Ord. 2011-3, 11/9/2011*)

§5-308. Insurance Required.

No contractor's license shall be issued unless the applicant files a certificate of insurance with the Code Enforcement Officer at the time of license application. The certificate of insurance shall contain a provision that coverages afforded under the policy shall not be cancelled until at least 15 days prior written notice of such cancellation has been given to the Borough. The certificate of insurance must evidence policies of insurance, maintained at the expense of the applicant, for public liability, bodily injury, property damage, products liability, and completed operations each of which must have a single occurrence limit of at least \$300,000. Blasting and demolition insurance shall also be required if blasting and demolition shall be performed, and the reasonable limits of such insurance shall be determined by the Code Enforcement Officer at the time of application, based on the nature and extent of the applicant's proposed operation. All types and limits of insurance for which certificates are presented at the time of application shall be maintained throughout the license year.

(*Ord. 2000-3, 4/5/2000, §8; as amended by Ord. 2002-6, 9/18/2002, §3*)

§5-309. License Fees.

1. At the time of application for a new license or for the renewal of a current license, except as provided in subsection .3 of this Section, the applicant shall deliver to the Code Enforcement Officer a license fee, payable to the Borough, in an amount as established from time to time by resolution by Borough Council. [*Ord. 2011-3*]

2. The fee imposed shall be payable per license year or any portion thereof during which any application for license is received. There shall not be a prorated reduction license fee.

3. Any contractor who, at the time of application or renewal, provides evidence of current contractor licensing by either Warminster Township or Upper Southampton Township, shall not be required to pay the licensing fee. The waiver of the licensing fee does not excuse the licensing requirement under this Part.

(*Ord. 2000-3, 4/5/2000, §9; as amended by Ord. 2011-3, 11/9/2011*)

§5-310. Issuance or Refusal to Issue License; Form of License Application.

1. When an application has been filed with the Code Enforcement Officer in proper form, the Code Enforcement Officer shall, within a period of 30 days from the date following the date the application is received, issue or refuse to issue the appropriate contractors license to the applicant. If issuance of a license is denied, the Code Enforcement Officer shall mail to the applicant, by regular mail, postage prepaid, addressed to the applicant at the address set forth on the application, a written statement setting forth the reasons for the denial within the aforesaid 30-day period.

2. The application for a license shall be a printed form, provided to the applicant by the Code Enforcement Officer, and the application shall require a written answer to all questions contained thereon. Failure to answer all questions on the application form shall mean that the applicant is not entitled to consideration of his application until he has answered all questions. The application form shall be signed by the applicant under oath. The questions and information requested on the application for shall include, but shall not be limited to, the following:

A. The names of owners, partners, directors, and officers of the applicant, the business address, and trade name of the applicant.

B. A statement as to whether or not any municipality has refused to issue or has revoked any similar contractor's license to the applicant within 2 years previous to the date of the application. In the event there has been such a denial or revocation, the applicant must explain in writing the reasons for such denial or revocation.

(*Ord. 2000-3, 4/5/2000, §10*)

§5-311. Changes in Ownership, Management, Address or Trade Name.

Every contractor licensee shall, within 10 days after a change in ownership, directors, officers, management, address, or trade name, notify the Code Enforcement Officer of such change.

(*Ord. 2000-3, 4/5/2000, §11*)

§5-312. Standards for Refusal of Issuance or Renewal of License.

No license shall be issued or renewed under the following circumstances.

A. If the applicant falsely answered any question or questions contained on the application form.

B. If the applicant has been refused a contractor's license or has had a contractor's license revoked or suspended by this or any another municipality within 2 years prior to the date of application for issuance or renewal, and if the refusal, revocation, or suspension by this or any other municipality was due to a willful failure to comply with the municipality's building, plumbing, electrical, mechanical, fire, zoning, or housing code, or any other code pertaining to construction, alteration, or repair of a building or structure.

(Ord. 2000-3, 4/5/2000, §12)

§5-313. Revocation of Licenses.

The Code Enforcement Officer shall revoke any license issued under the provisions of this Part under the following circumstances:

A. If the licensee falsely answered any question or questions contained on the application for licensing or renewal of licensing previously submitted to the Code Enforcement Officer.

B. If the licensee fails to maintain, during the license year, the policies of insurance required under the provisions of this Part.

C. If the licensee willfully violates any of the terms or provisions of any Ivyland Borough building, plumbing, electrical, mechanical, fire, zoning, or housing code or any other code pertaining to construction, alteration, and repair of structures or buildings, or any laws or provisions of this Part.

D. If the licensee willfully violates any condition or requirement of any permit issued by the Borough, including building, sewer construction, or highway permits.

E. If the licensee conducts a contractor's business in the Borough under any name other than that under which is licensed.

F. If the licensee fails to comply with an order, demand, or requirement lawfully made by the Code Enforcement Officer under the authority of this Part or any other Borough ordinance, law, or regulation.

(Ord. 2000-3, 4/5/2000, §12)

§5-314. Prohibited Acts.

In addition to all other acts prohibited by the terms of this Part, those acts warranting revocation of a license under this Part shall also be prohibited acts under this Part.

(Ord. 2000-3, 4/5/2000, §14)

§5-315. Fines and Penalties.

In addition to refusal or revocation of a license as provided under this Part, any person, as defined in this Part, shall, upon conviction thereof, shall be sentenced to a fine or penalty of not less than \$300 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each

day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 2000-3, 4/5/2000, §15; as amended by Ord. 2011-3, 11/9/2011*)