

**BOROUGH OF WAYNESBORO  
FRANKLIN COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 1205**

**AN ORDINANCE OF THE BOROUGH OF WAYNESBORO, FRANKLIN COUNTY, PENNSYLVANIA AMENDING CHAPTER 195 OF THE CODE OF THE BOROUGH OF WAYNESBORO TO ESTABLISH A DAILY LICENSE FEE FOR TRANSIENT VENDORS IN THE BOROUGH**

**WHEREAS**, the Borough Code, 8 Pa.C.S.A. § 101, *et seq.*, at Section 1202(20), authorizes the Borough of Waynesboro to provide for the licensing and regulation of business unless prohibited by law, 8 Pa. C.S.A. § 1202 (20)(ii); and

**WHEREAS**, Section 1203 of the Borough Code, 8 Pa. C.S.A. § 1203, authorizes the Borough to make and adopt all ordinances, bylaws, rules and regulations not inconsistent with or restrained by the Constitution of Pennsylvania and laws of the Commonwealth as may be expedient or necessary for the proper management, care and control of the borough and the maintenance of safety and welfare of the borough and its trade and commerce; and

**WHEREAS**, Borough Council of the Borough of Waynesboro enacted Ordinance No. 2021-1191 on October 20, 2021, to amend Chapter 195 of the Code of the Borough of Waynesboro (the “Code”); and

**WHEREAS**, Borough Council now deems it to be in the best interest and the general welfare of the citizens and residents of the Borough to amend Chapter 195 in order to establish a daily license fee for transient retail business in the Borough of Waynesboro.

**NOW THEREFORE BE IT ENACTED AND ORDAINED**, by the Mayor and Borough Council of the Borough of Waynesboro, Franklin County, Pennsylvania, and it is hereby enacted and ordained as follows:

**SECTION 1.** Chapter 195, Section 195-3 (A) of the Code, titled “License required; fee, exemptions” is hereby amended to read as follows:

- A. No person shall engage in any transient retail business within the Borough of Waynesboro without first having obtained from the Borough Manager or his designee either a daily license or a yearly license. The fee for the daily license and yearly license shall be set by Borough Council from time to time by resolution. Each transient vendor shall be required to obtain his own license.

**SECTION 2.** Repealer. All provisions of previous Ordinances of the Borough of Waynesboro which are contrary to this Ordinance are expressly repealed.

**SECTION 3.** Savings Clause. In all other respects, the ordinances of the Borough of Waynesboro shall remain as previously enacted and ordained.

**SECTION 4.** Severability. If any section, paragraph, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 5.** Effective Date. This Ordinance shall take effect immediately.


ENACTED, ORDAINED, AND APPROVED this 20<sup>th</sup> day of December 2023.

ATTEST:

  
\_\_\_\_\_  
Melinda Knott, Secretary

WAYNESBORO BOROUGH COUNCIL

  
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C. Harold Mumma, President

  
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Mayor of the Borough of Waynesboro

