

**PART ELEVEN
PUBLIC HEALTH CODE**

**TITLE NINE
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**ARTICLE 1161
REGULATING THE KEEPING OF DOMESTIC BEES**

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(12863 8/17/1988)
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1161.01 DEFINITIONS

As used in this ordinance certain terms are defined as follows:

- A. **Apiary** means any place where one or more colonies of bees are kept.
- B. **Colony** means the aggregate of worker bees, drones, queen and developing young living together as a family unit in a hive or other dwelling.
- C. **Hive** means frame hive, box hive, box, barrel, log, gum, skep or any part thereof, which may be used or employed as a domicile for bees.
- D. **Domestic Bees** means any stage of the common hive or honey bee (*Apis mellifera*) or other species of the genus *Apis* kept and managed in artificial domiciles furnished by man specifically to serve as hives.
- E. **Feral Bees** means any stage of the common hive or honey bee (*Apis mellifera*) or other species of the genus *Apis* living in natural domiciles.

1161.02 REGISTRATION CERTIFICATE REQUIRED; COMPLIANCE WITH PROVISIONS

No person, firm, corporation, association, society or partnership shall engage, for profit or otherwise, in the propagation, keeping or sale of domestic bees unless he/she has first obtained a registration certificate for that purpose, and every person so engaged shall comply with all of the provisions of this ordinance.

1161.03 APPLICATION FOR REGISTRATION CERTIFICATE

Application for the registration certificate under this section shall be made in writing to the Bureau of Health of the City of Allentown and shall state the name of the applicant, description of the premises to be used by the registrant for beekeeping, the name of the owner of the premises, and such other information as shall be determined to be necessary by the Bureau of Health for the purpose of enforcing the provisions of the ordinance.

1161.04 ISSUANCE OF REGISTRATION CERTIFICATE

The Bureau of Health shall issue a no-fee registration certificate upon application made pursuant to applicable sections of this ordinance. Said registration certificate shall bear the date of issuance, the name of the person so registered, description of the premises covered by the registration, number of hives to be permitted on the premises and shall be prominently displayed in and about the area of the said place where the bees are kept and maintained. Every registration certificate shall be non-transferable and shall cover only the premises and the named registrant.

1161.05 EXPIRATION AND RENEWAL OF REGISTRATION CERTIFICATE

All registration certificates under this ordinance shall automatically expire on the 31st day of December in the year in which they are issued. Thereafter, upon the application for the renewal of a registration certificate, the applicant shall meet the terms and conditions of this ordinance. In the event that any other governmental entity has jurisdiction over the keeping and maintenance of bees, then and in that event each registrant shall be required to demonstrate and provide to the Bureau of Health evidence and compliance with all regulations and requirements of said governmental agency.

1161.06 REGISTRATION CERTIFICATE TERMS AND CONDITIONS

A registration certificate shall be issued annually and shall remain valid only upon the following terms and conditions:

- A. Only the keeping of domestic honey bees shall be permitted.
- B. The density of colonies on any lot may not exceed one (1) colony of domestic bees for each two thousand five hundred (2,500) square feet of lot area. No lot shall have more than five (5) colonies located thereon.
- C. Hives shall not be located within twenty-five (25) feet of any property line, public street, sidewalk, or alley except:
 - 1. When situated behind a solid fence or hedge at least six (6') feet in height, parallel to the property line, and extending at least fifteen (15') feet beyond the hive in both directions; or
 - 2. When located at least eight (8') feet or more above adjacent ground level.
- D. A water source shall be maintained on the lot for bees during all times that bees fly from the hive.
- E. All colonies shall be maintained in movable frame hives and the use of standard beekeeping equipment shall be required. All apiaries shall be operated in accordance with established beekeeping guidelines and practices.
- F. Hives shall be properly shaded from adjacent night lighting on adjoining properties.

1161.07 COMPLIANCE REQUIRED; INSPECTIONS

All beekeepers, registered as aforesaid, shall comply strictly with all applicable laws, ordinances, and rules and regulations, insofar as they affect the keeping of honeybees and shall permit the inspection of the hives by any authorized representatives of the City of Allentown and the Pennsylvania Department of Agriculture.

1161.08 FERAL BEES

In the event of receipt by the Bureau of Health of a complaint arising out of feral bees, the City of Allentown may order extermination of a feral bee colony(s) at a specific property or location. The responsibility for extermination shall be that of the property owner. The City of Allentown reserves the right to exterminate, utilizing qualified City personnel or to have exterminated under agreement with a professional exterminator, any feral bee colony located on a property whose owner does not comply with any order to exterminate in accordance with the provisions of the Third Class City Code regarding the abatement of public nuisances by the Board of Health. The City shall bill the property owner and upon nonpayment of such charges, the City shall file a lien against the property any expense incurred and unpaid as a result of the abatement of a public nuisance.

1161.99 PENALTY

Any person violating any provisions of this ordinance shall upon conviction thereof be fined not more than Three Hundred (\$300.00) Dollars or imprisoned not more than ninety (90) days or both.

Each violator of the provisions of this ordinance shall be deemed guilty of a separate offense for each and every day such violation shall continue and shall be subject to the penalty imposed by this section for each and every such separate offense.

(12863 8/17/1988)

ARTICLE 1162

AUTOMATED EXTERNAL DEFIBRILLATOR NOTIFICATION PROGRAM

- 1162.01 Purpose
 - 1162.02 Notification Procedures
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1162.01 Purpose

The purpose of this legislation is to facilitate the development of a database on automated external defibrillators. The American Heart Association has determined that a key to improving survival rates from sudden cardiac arrests is to reduce the delivery time of defibrillation therapy. The availability of automated external defibrillators can make sudden cardiac arrest a treatable disease. The collection and maintenance of AED data can help improve survival rates. (14153 §1 2/20/04)

1162.02 Notification Procedures

Any and all parties should report in writing to the Communications Center the location of an automated external defibrillator. The written notification should contain the person or business name, street location, location of the automated external defibrillator, and the telephone numbers associated with the location. (14153 §1 2/20/04)

The Communications Center shall maintain a database of the automated external defibrillators in the City of Allentown. (14153 §1 2/20/04)

ARTICLE 1170 SCHOOL SANITATION ORDINANCE

- 1170.01 Adoption and Purpose
 - 1170.02 Definitions
 - 1170.03 Plan Review
 - 1170.04 Water Supply
 - 1170.05 Plumbing
 - 1170.06 Sewage
 - 1170.07 Food Service
 - 1170.08 Toilet Facilities
 - 1170.09 Locker Rooms
 - 1170.10 Floors
 - 1170.11 Walls and Ceilings
 - 1170.12 Insect and Rodent Control
 - 1170.13 Lighting
 - 1170.14 Safety
 - 1170.15 Heating and Ventilation
 - 1170.16 Municipal Waste and Recyclable Materials Storage, Collection and Disposal
 - 1170.17 Bathing Places
 - 1170.18 Inspections
 - 1170.19 Enforcement
 - 1170.98 Severability
 - 1170.99 Penalty
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1170.01 ADOPTION AND PURPOSE

That a certain ordinance known as the School Sanitation Ordinance is hereby adopted by the City of Allentown. The Bureau of Health is hereby authorized to develop and implement a program of inspecting school facilities. Representatives of the Bureau of Health may at any reasonable time inspect any facility.

1170.02 DEFINITIONS

The following words and terms, when used in this Ordinance, shall have the following meanings, unless the context clearly indicates otherwise:

1. **Approved** shall mean procedures, construction and products acceptable to the Bureau of Health.
2. **Bureau of Health** shall mean the Bureau of Health of the City of Allentown or any agent, employee, representative or officer thereof.

3. **Imminent Health Hazard** shall mean a condition which exists within a facility that presents a clear, obvious and immediate threat to the welfare of the children and/or staff of that facility, including but not limited to sewage backup, heating system failure or critical violations of Building and Fire Codes.

4. **Inspection** shall mean an official examination of a facility that checks to assure all provisions of this ordinance and other applicable rules and regulations are met.

5. **Municipal Waste** shall mean any garbage, refuse, industrial lunchroom or office waste, and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation or residential, municipal, commercial, or institutional establishments or from community activities and which are not classified as residual waste or hazardous waste as herein defined. The term does not include source separated recyclable materials or yard waste.

6. **Person** shall mean any individual, partnership, corporation, association, institution, cooperative enterprise, municipal authority, federal government or agency, state institution and agency, or any other legal entity whatsoever which is recognized by law as being subject to such rights and duties.

7. **Recyclable Material** shall mean a material which would otherwise become municipal waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products.

8. **Schools** shall mean school buildings, including grounds, where there are training facilities for teaching children, or offering instruction in any branch of knowledge, including public, private, parochial, vocational, or any institution intended for teaching from kindergarten to grade 12 on a classroom or organized basis.

1170.03 PLAN REVIEW

Before work is begun in the construction, remodeling or alteration of a school or in the conversion of an existing establishment or facility to a school, properly prepared plans and specifications shall be submitted to and approved by the Bureau of Health. The plans and specifications shall include, where applicable, data relating to the grounds, buildings, equipment, sewage disposal, water supply including plumbing, refuse disposal and any other information that may be required by the Bureau of Health.

1170.04 WATER SUPPLY

All water used in the operation of a school shall be provided from a supply approved by the Pennsylvania Department of Environmental Protection. Approval of a water supply shall be based upon satisfactory compliance with the construction standards for water supplies. The water supply shall be adequate in quantity and shall meet the bacteriological and chemical water standards of the Commonwealth of Pennsylvania.

1170.05 PLUMBING

Plumbing shall be sized, installed, and maintained according to law. There shall be no cross connection between the potable water supply and any non-potable or questionable water supply nor any source of pollution through which the potable water supply might become contaminated.

1170.06 SEWAGE

All sewage, including liquid waste, shall be disposed of by a public sewerage system or by a sewage disposal system designed, constructed and operated according to law. Non-water-carried sewage disposal facilities are prohibited.

1170.07 FOOD SERVICE

All food service facilities and operations shall comply with the provisions of the City's Food Service Sanitation Ordinance.

1170.08 TOILET FACILITIES

a. Separate toilet facilities for each sex shall be provided on the premises in accordance with all applicable laws. Toilet fixtures shall be of sanitary design and easily cleanable. Toilet facilities, including rooms and fixtures, shall be kept in a clean condition and in good repair. The doors of all toilet rooms shall be self-closing, and toilet rooms shall be adequately vented to the outside. Toilet tissue shall be provided. Easily cleanable receptacles shall be provided for waste materials, and such receptacles in toilet rooms for women shall be covered.

b. Handwashing facilities shall be located in the classroom or adjacent thereto in all grades from kindergarten through grade two, and in other rooms where the activities require frequent handwashing.

c. Each lavatory on the premises having running water under pressure shall be supplied with hot and cold water. Soap and individual towels or a satisfactory equivalent shall be available at all times.

1170.09 LOCKER ROOMS

Whenever a school is provided with a locker room and necessary appurtenances, they shall be designed, constructed and maintained in a sanitary manner.

1170.10 FLOORS

Floors of the school rooms shall be smooth and in good repair and shall be of such construction as to be easily cleaned. Dust-suppressing methods of floor cleaning shall be used. All floors shall be kept clean and free from litter. Each room shall have a least one metal container for paper and trash.

1170.11 WALLS AND CEILINGS

Walls and ceilings shall be clean, smooth, tight and in good repair. Walls and ceilings shall have surfaces of light color and flat finish.

1170.12 INSECT AND RODENT CONTROL

Effective measures intended to minimize the presence of rodents, flies, cockroaches, and other insects on the premises shall be utilized. The premises shall be kept in such condition as to prevent the harborage or feeding of insects or rodents.

Openings to the outside shall be effectively protected against the entrance of rodents. Outside openings shall be protected against the entrance of insects by tight-fitting, self-closing doors, closed windows, screening, controlled air currents, or other means. Screen doors shall be self-closing, and screens for windows, doors, skylights, transoms, intake and exhaust air ducts, and other openings to the outside shall be tight-fitting and free of breaks. Screening material for flying insect control shall not be less than sixteen (16) mesh to the inch. Hardware cloth with openings no larger than $\frac{1}{4}$ inch shall be utilized for rodent control where necessary.

1170.13 LIGHTING

Natural lighting, if provided, shall be uniformly distributed with a minimum of glare in classrooms. The levels of illumination within the school building shall at least meet minimum illumination standards.

1170.14 SAFETY

The buildings, grounds, play area equipment and appurtenances shall be constructed and maintained to minimize health and accident hazards. All spaces, including cellars, shall be maintained in a clean, dry condition without the presence of unnecessary material in storage.

1170.15 HEATING AND VENTILATION

All rooms of the school shall be adequately and uniformly heated. In those schools where room heaters are used, they shall be located and protected to prevent direct contact by the students.

All rooms shall have sufficient ventilation to keep them free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes. Ventilation systems shall be installed and operated according to law and, when vented to the outside, shall not create an unsightly, harmful or unlawful discharge.

Intake and exhaust air ducts shall be maintained to prevent the entrance of dust, dirt, and other contaminating materials.

1170.16 MUNICIPAL WASTE AND RECYCLABLE MATERIALS STORAGE, COLLECTION AND DISPOSAL

a. All municipal waste and recyclable materials containing food wastes shall, prior to disposal, be kept in leak-proof, nonabsorbent, rust and corrosion resistant containers of adequate number, which shall be kept covered with tight fitting lids when filled or stored or not in continuous use. However, other means of storage may be used if approved by the Bureau of Health. All other municipal waste shall be stored in containers of sufficient number and size in a manner so as to prevent insect and rodent problems and other nuisances. Adequate container cleaning facilities shall be provided, and each container shall be thoroughly cleaned as often as necessary in order to prevent a nuisance.

b. Recyclable materials shall be handled in accordance with the City of Allentown's Recycling Ordinance.

c. The collection of municipal waste and recyclable materials shall be scheduled as often as required so as to prevent a nuisance or violation of any other applicable laws or codes.

1170.17 BATHING PLACES

The design, construction, modification, maintenance and operation of any bathing place in a school shall be subject to the provisions of the current Commonwealth of Pennsylvania Public Bathing Law and the provisions of the rules and regulations promulgated there under.

1170.18 INSPECTIONS

a. **Inspection Frequency** - An inspection of all public schools shall be conducted at least once a year. Additional inspections of a school shall be conducted as often as necessary. Private, parochial, vocational or other institutions intended for teaching from kindergarten to grade 12 shall be inspected upon receipt of a request from the Pennsylvania Department of Education or other agency authorized to make such a request.

b. **Access** - Representatives of the Bureau of Health, after proper identification, shall be permitted to enter any school at any reasonable time for the purpose of making inspections to determine compliance with this ordinance.

c. **Report of Inspections** - Whenever an inspection of a school is made, the findings shall be recorded on the inspection report form. A copy of the completed inspection report form shall be furnished to the person-in-charge of the facility at the conclusion of the inspection or may be sent by registered or certified mail, return receipt requested, to the last known address of the school administration. A copy of the inspection report shall be retained by the Bureau of Health. The completed inspection report form is a public document that shall be made available for public disclosure to any person who requests it according to law.

1170.19 ENFORCEMENT

a. **Correction of Violations** - The completed inspection report form shall specify a reasonable period of time for the correction of the violations found. The correction of the violations shall be accomplished within the period specified. If an imminent health hazard exists, the facility shall immediately cease operations. Operations shall not be resumed until authorized by the Bureau of Health.

b. **Appeal Procedure** - The operator of any school shall be provided the opportunity to appeal any inspectional findings or any order to cease operations due to violations of this code to the Board of Health. Such requests for appeal shall be made in writing to the Director of Health within ten (10) days receipt of the inspection report or order to cease operations. Further appeal may be taken under the provisions of current state statutes.

c. **Injunctions** - The Bureau of Health may seek to enjoin violations of this Article.

1170.98 SEVERABILITY

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall mean remain in full force and effect.

1170.99 PENALTY

That any person, firm, school district or corporation who shall fail, neglect or refuse to comply with any of the terms or provisions of this Article or of any regulation or requirement pursuant hereto and authorized hereby, shall upon conviction thereof be ordered to pay a fine of not less than Twenty-Five (\$25.00) Dollars nor more than One Thousand (\$1000.00) Dollars and, in default of payment of fines and costs, imprisoned not more than ninety (90) days. Each day's violation shall constitute a separate offense. (13593 §1 8/7/97)
