

An Ordinance. #28.

Providing for the weighing of all coal and coke sold and delivered by vehicles in the Borough of Alburdis, Lehigh County, Pa., by persons having no regularly established coal or coke yard equipped with inspected platform scales for the weighing of coal and coke; prescribing the method of ascertaining the weight of coal or coke so sold and delivered; fixing charges for weighing such coal or coke; providing for the weighing of all vehicles used for the delivery of certain coal and coke in the Borough of Alburdis; and providing penalties for the violation thereof; and repealing ordinances inconsistent herewith or supplied by the provisions hereof.

Be it ordained by the Council of the Borough of Alburdis,

Section 1. That all coal and coke sold and delivered by vehicles in the Borough of Alburdis by persons engaged in the sale and delivery of coal or coke, who have no regularly established coal or coke yard and who are not equipped with regularly inspected platform scales for weighing coal or coke, shall be sold and weighed by net weight. All such coal and coke so sold and delivered shall, prior to the delivery thereof, be weighed on the scale at the coal yard of T. E. Kuhns. The Borough of Alburdis shall furnish to the said T. E. Kuhns, blank forms of weight bills which shall be properly filled out in quadruplicate by the said T. E. Kuhns showing the gross and tare weight of the load, the name of the dealer or distributor, and the name, address, and truck license number of the driver or person in charge of the vehicle. One such weight bill shall be kept at the scales and two weight bills shall be given to the person delivering the coal or coke which latter person shall deliver one weigh bill

Ordinance No. 28 to the purchaser of the load of coal or coke, and one weigh bill shall be sent by the said T. E. Kuhns to the Secretary of the Borough Council of Alburtis.

Any trucker or dealer procuring coal or coke by vehicle from the colliery must be able to show a colliery slip and a weight slip from the colliery at the time of the weighing.

Section 2. All dealers and truckers selling and delivering coal or coke by vehicle in the Borough of Alburtis, shall paint the net weight of the empty truck or other vehicle at a prominent place thereon, and the said net weight shall include all the accessories used on said truck at all seasons of the year; said truck or vehicle to be weighed at the scale of T. E. Kuhns in the Borough of Alburtis and in his presence or in that of his duly authorized agent, the said dealer or trucker shall pay for said weighing the sum of twenty-five cents of which said sum or charge, ten cents shall belong to the said T. E. Kuhns, and fifteen cents of said sum or charge shall be paid T. E. Kuhns for the use of the Borough of Alburtis.

Section 3. Any person or persons selling and delivering coal or coke in the Borough of Alburtis in accordance with the provisions of this ordinance shall pay for weighing the same, the sum of ten cents for each truckload of coal or coke, or load of coal or coke, or any other vehicle, and the sum of three cents per ton shall be paid to the scale owner for the use of the Borough of Alburtis; and if the said dealer or trucker has more than one customer for the coal or coke on said vehicle, he shall have the said truck reweighed as often as is necessary in order to give each customer a weigh slip as provided in this ordinance and he shall be charged the sum of five cents for

Ordinance No. 28 concluded.

each and every reweighing that is necessary, and the entire charge for said reweighing shall go to the owner of the scales.

If the said trucker has his truck or other vehicle divided into compartments for each separate customer and satisfies the owner of the scales that the cubical content of each compartment will insure each customer the proper amount of the total load, then the dealer or trucker shall be entitled to separate weigh slips for each compartment at the original weighing.

Section 4. Any person or persons who shall fail or refuse to comply with the provisions of this ordinance or violate any of the provisions hereof, and upon conviction thereof before the Chief Burgess of the Borough of Alburtis or Justice of the Peace thereof, shall be sentenced to pay a fine of not less than five dollars nor more than fifty dollars for each offense, and costs of prosecution, and in default of payment of said fine and costs, shall be imprisoned in the County prison for a period not exceeding thirty days.

Section 5: That any ordinance or ordinances, or part of any ordinance or ordinances, conflicting with the provisions of this ordinance be and the same is hereby repealed.

Passed July 5, 1933.

Wm. H. Hunsberger, Pres. of Council

Clarence R. Scherer, Burgess.

Attest: Earle S. Hartman, Secty.

Commonwealth of Pa.

Act No. 427 Regulating the sale and delivery of coal. Enacted July 19, 1935.