

## ARTICLE 317

### Weights and Measures

- 317.01 Standards to be Furnished.
- 317.02 Inspector of Weights and Measures; Powers and Duties
- 317.03 House-to-house Sales from Vehicles.
- 317.99 Penalty.

### CROSS REFERENCES

Inspector of Weights and Measures - See 76 P.S. §201 et seq.  
Power to regulate weighing and measuring of commodities - See 3rd Class  
§2403 (52) (53 P.S. §37403 (52))  
Weighing of solid fuel - See BUS. REG. Art. 315

#### 317.01 STANDARDS TO BE FURNISHED.

The Inspector of Weights and Measures shall be supplied at the expense of the City with standard tests of weights and measures in uniformity with those established by the government of the United States or the Bureau of Standards of the Commonwealth of Pennsylvania, and the laws of this Commonwealth. (1946 Code C. 31 §2.)

#### 317.02 INSPECTOR OF WEIGHTS AND MEASURES; POWERS AND DUTIES.

The duties of the Inspector of Weights and Measures shall be to report in writing to the chief of the State Bureau of Standards upon blanks to be furnished by the Commonwealth:

- (a) The number of tests made since the last preceding report.
- (b) The number of weights, measures and balances found by such tests to be correct.
- (c) The number of weights, measures and balances found by such test to be false.

(d) The number of prosecutions instituted by such Inspector since the last preceding report, together with the name of the accused, the title of the court where prosecution was instituted and the result of such prosecution.

(e) Such other matters as the chief may from time to time prescribe.

The Inspector of Weights and Measures shall take charge of and keep safely the proper standards. He shall have power, within his respective jurisdiction, to test all instruments and devices used in weighing or measuring anything sold or to be sold, including instruments and devices for weighing at coal mines and including instruments, weighing machines and scales installed in places frequented by the public, which scales or weighing machines by whatever means purport to indicate the weight of any person or object placed thereon upon the deposit of a coin, and seal the same if found to be correct. Such tests shall include all appliances connected or used with such instruments or devices.

For the purpose of making such test, the Inspector of Weights and Measures may, at any reasonable time and without formal warrant, enter upon any premises, and may, on any public highway, stop any vendor or dealer or the agent or servant of such vendor or dealer, or stop any vehicle used in delivering any commodity which is weighed or measured as delivered.

He may condemn and mark as condemned, or may seize any false or illegal instrument or device used, or intended to be used, in weighing or measuring. If he shall seize any such instrument or device, he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures or to the sale of commodities. After the determination of such prosecution, the false or illegal instrument or device shall be destroyed, unless otherwise ordered by the proper court. (1946 Code C. 31 §3.)

### 317.03 HOUSE-TO-HOUSE SALES FROM VEHICLES.

All dealers selling merchandise by weight and measure from house to house within the City shall, at all times when engaged in selling such merchandise, keep and carry upon each vehicle accurate weights and

measures which have been tested and sealed by the Inspector of Weights and Measures. All merchandise sold from bulk quantities thereof carried on such vehicle shall be weighed or measured on such weights and measures, and such weighing shall be done in the presence of the purchaser thereof or his agents or servants, whenever request thereof is made of the person in charge of the vehicle delivering such commodity. (1946 Code C. 31 §4.)

317.99 PENALTY.

Any person who violates any provision of this article shall be fined six hundred dollars (\$600.00) or imprisoned not more than ninety days, or both. (Ord. 1768 §1. Passed 11/13/62; Ord. 3242-Passed 2/7/89)