

ORDINANCE NO. 2018-01

AN ORDINANCE PROHIBITING CERTAIN DISORDERLY CONDUCT AND TO
PROVIDE ENFORCEMENT AND PENALTIES FOR VIOLATIONS

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Landisburg, Perry County, Pennsylvania, and it is hereby ordained and enacted by authority of the same as follows:

SECTION 1. Definitions:

- OBSTRUCT - to render impassable without unreasonable inconvenience or hazard
- PUBLIC - affecting or likely to affect persons in a place to which the public or a substantial group has access, not limited to but including highways, transport facilities, schools, apartment houses, places of business, places of amusement or any neighborhood.

SECTION 2. Enumeration of Disorderly Practices. A person is guilty of the offense of disorderly practices if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he or she:

- A. Engages in fighting or threatening or in violent or tumultuous behavior,
- B. Makes unreasonable noise 10 p.m. to 7 a.m.,
- C. Makes offensive coarse or lewd utterances or gestures or displays or addresses abusive or lewd language to any person present,
- C. Makes unreasonable noise by:
 - (1) Vehicle mufflers.
 - (2) Squealing tires.
 - (3) Tape, CD, MP3 players or other such devices 10 p.m. to 7 a.m.
- D. Appears in public or operates any motor vehicle on any street or highway within the Borough of Landisburg manifestly under the influence of alcohol, narcotics or other drugs to the degree he may endanger himself or other persons or property or annoy persons in the vicinity.
- E. Having no legal privilege to do so, intentionally or recklessly obstructs any highway or other public passages, whether alone or with others. No person shall be guilty of violating this subsection solely because of a gathering of persons to hear him speak or otherwise communicate or solely because of being a member of such gathering.
- F. Refuses to obey a reasonable official request or order to move, to prevent obstruction of a highway, sidewalk or other public passages, or to maintain public safety by dispersing those gathering in dangerous proximity to a fire or other hazards.

SECTION 3. Any person who shall interfere with the lawful conduct of business on public property; or any persons who shall loaf or loiter or congregate upon any of the streets or alleys or public grounds in the Borough, to the annoyance of peaceable residents nearby or traveling upon any street or alley or being lawfully upon any of the public grounds of the Borough, whereby the public peace is broken or disturbed; or who shall congregate or loiter on public or private property, not being either a business invitee or guest, in such manner as to inconvenience other persons who are business invitees or guests, shall be guilty of disorderly conduct.

SECTION 4. Violations and Penalties. Any person, firm or corporation who shall violate any provision of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than \$300 and/or to imprisonment for a term not to exceed 90 days,

SECTION 5. The provisions of this Ordinance are severable, and if any word, words, part, parts, provision, section, sentence or clause shall be declared illegal, invalid, or unconstitutional by a court of competent jurisdiction, such illegality, invalidity or unconstitutionality shall not affect or impair any of the remaining words, parts, provisions, sections, sentences or clauses of this Ordinance. It is hereby declared to be the intent of the Borough Council that this Ordinance would have been adopted if such illegal, invalid or unconstitutional word, words, part, parts, provisions, sections, sentences or clauses had not been included herein.

SECTION 6. Enforcement of this Ordinance shall be done pursuant to Ordinance #2011-2, relating to the Office of Code Enforcement.

ENACTED and ORDAINED this 11 day of JUNE 2018.

Stan J. Kavalera
_____, President
Landisburg Borough Council

Attest:

Thomas W. Jaler
_____, Secretary

[SEAL]

Lawrence Conway
_____, Mayor
Landisburg Borough