

ORDINANCE

98-6

**ORDINANCE OF THE TOWNSHIP OF EAST BETHLEHEM
REGULATING CONDUCT OF A DISORDERLY NATURE, DISTURBING
THE PEACE, LOITERING AND UNLAWFUL OCCUPANCY**

WHEREAS, the Board of Commissioners of the Township of East Bethlehem, has determined that it is in the public interest for the health, safety and well-being of the citizens of East Bethlehem Township to regulate conduct that is disorderly and regulate loitering;

NOW THEREFORE, be it ORDAINED and ENACTED by East Bethlehem Township Board of Commissioners in a lawful session and it is hereby ORDAINED and ENACTED as follows:

SECTION 1 - DEFINITIONS

• **Disorderly Conduct** is defined as making or causing to be made or recklessly creating a risk thereof any loud, boisterous and/or unseemly or unreasonable noise or disturbance to the annoyance of peaceable residents nearby, or near to any public highway, road, street, lane, alley, park, square or common area, whereby the public peace is broken or disturbed or the traveling public annoyed or using obscene language or makes obscene gesture.

• **Disturbing the Peace** conduct which disturbs, tends to disturb or aids in disturbing the peace of others by violent, tumultuous, offensive or obstreperous conduct and any person

knowingly permitting such conduct upon any premises owned or possessed by him or under his control.

- **Loitering** is defined as:

A. any conduct or activity including, but not limited to, sitting, standing, walking, or strolling in, about or upon any street, alley or other public way or public place, or within any other public gathering or around any store, shop, restaurant, business or commercial establishment, or any private property or place such that such conduct or actions, after warnings to cease such conduct or actions, hinders or obstructs unreasonably the free passage of patrons, pedestrians or vehicular traffic; or

B. remaining idle or lingering essentially in one location; spending time idly, loafing or walking about aimlessly in one vicinity or neighborhood.

- **Public Place** any place to which the public has access including any public street or public sidewalk, the front of and the area immediately adjacent to any school, parking lot, store, restaurant, tavern or other place of business.

- **Unlawful Occupancy** is defined as any person occupying, lodging or sleeping in any vacant or unauthorized barn, garage, shed, shop or other building or structure, or in any automobile, truck or other vehicle without owning the same or without permission of the owner or person titled to the possession of the same, or in any vacant lot or residential lot.

SECTION 2 - VIOLATION

Disorderly conduct, loitering, disturbing the peace and unlawful occupancy are prohibited within the limits of the Township of East Bethlehem as above defined, shall be prohibited and is hereby prohibited.

SECTION 3 - PENALTIES

Any person, partnership, firm, corporation or other entities violating the provisions herein shall be deemed, upon conviction thereof, be sentenced to pay a fine of not less than Fifty (\$50.00) Dollars nor more than Three Hundred (\$300.00) Dollars for each offense, and upon failure to pay such fine, by imprisonment in the Washington County Jail for a period not exceeding thirty (30) days.

SECTION 4 - SEVERABILITY

If any sentence, clause, section or part of this Ordinance is, for any reason, found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Township that this Ordinance shall have been enacted as if such unconstitutional, invalid or illegal provision or provisions had not been included herein.

SECTION 5 - EFFECTIVENESS

This Ordinance shall become effective immediately upon passage.

ORDAINED and ENACTED into law by the East Bethlehem Township Board of Commissioners this 27th day of July 1998.

ATTEST:

EAST BETHLEHEM TOWNSHIP

Nanette Bodnar

Secretary

Nanette Bodnar

Thomas Pelkey

Chairman, Board of Commissioners
Thomas Pelkey