

Chapter 6

Conduct

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Part 1**Injury or Destruction of Public Property****§6-101. Definition and Interpretation.**

Person - any individual, corporation, partnership, association, firm or other legal entity. The singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

(Ord. 76, 12/29/2003)

§6-102. Tampering with Public Property on Streets, Alleys or Public Ground Prohibited.

No person shall destroy, injure, tamper with or deface any public property of the Borough, or any grass, walk, lamp, ornamental work, building or street light on or in any of the streets, alleys, sidewalks or public grounds in the Borough.

(Ord. 76, 12/29/2003)

§6-103. Tampering with Stakes, Posts and Monuments Prohibited.

No person shall in any manner interfere or meddle with, or pull, drive, change, alter or destroy any stake, post, monument or other marking, made, placed or set, or hereafter made, placed or set, or caused to be done by the authorities of the Borough, to evidence the location, elevation, line, grade, corner or angle of any public street, alley, sidewalk, curb, gutter, drain, or other public work or thing.

(Ord. 76, 12/29/2003)

§6-104. Tampering with Warning Lamps, Signs or Barricades Prohibited.

No person shall destroy, remove, deface, obliterate or cover up any lamp, sign or barricade erected as a warning of danger by the authorities of the Borough or by any person doing work by permission of the authorities of the Borough on any of the streets, alleys, sidewalks or bridges in the Borough or on any public grounds of the Borough, within or without the Borough.

(Ord. 76, 12/29/2003)

§6-105. Removal of Material from Streets, Alleys or Public Grounds Prohibited.

No person shall take any earth, stone or other material from any street, alley or public grounds in the Borough.

(Ord. 76, 12/29/2003)

§6-106. Deposit of Harmful Substances on Streets, Alleys, Sidewalks or Public Grounds Prohibited.

No person shall pour, throw or deposit any harmful or destructive substance or matter on any street, alley, sidewalk or public grounds in the Borough.

(Ord. 76, 12/29/2003)

§6-107. Exceptions.

This Part shall not apply to normal activities in connection with construction, maintenance and repair of streets, alleys, sidewalks and public grounds and the structures and fixtures located thereon or therein, or to incidental results of work done thereon or therein upon permit from or by authority of the Borough.

(Ord. 76, 12/29/2003)

§6-108. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 76, 12/29/2003)

Part 2**Disorderly Conduct****§6-201. Disorderly Conduct Prohibited.**

1. Disorderly conduct, as defined in §5503 of the Crimes Code, 18 Pa.C.S.A. §5503, is hereby prohibited within the Borough. A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof he:

- A. Engages in fighting or threatening, or in violent or tumultuous behavior.
- B. Makes unreasonable noise.
- C. Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

2. Provided, as used in this Section, the word "public" means affecting or likely to affect persons in a place to which the public or a substantial group has access. Among the places included are streets, alleys and sidewalks, transport facilities, schools, prisons, apartment houses, places of business or amusement, any neighborhood or any premises which are open to the public.

(Ord. 76, 12/29/2003)

§6-202. Penalty for Violation.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

(Ord. 76, 12/29/2003)

Part 3**Curfew****§6-301. Curfew Established.**

It shall be unlawful for boys and girls age 16 and under (such persons being defined for the purpose of this Part as children) to be or remain in or upon the streets, alleys, or parks or public places in the Borough of Connoquenessing at night, after the hour of 10:00 p.m., EST, but before 5:00 a.m., EST, unless such child is accompanied by a parent, guardian or other adult person having the legal custody of such child.

(Ord. 76, 12/29/2003)

§6-302. Parental Responsibility.

It is hereby made unlawful for any parent, guardian, or other adult person having the legal care or custody of any of the children hereinbefore designated, to allow or permit any such child, ward, or other person under such age, while in such legal custody, to go or be in or upon any street, alley, park or public place in said Borough after the time prohibited in §6-301 of this Part, except as therein provided.

(Ord. 76, 12/29/2003)

§6-303. Violations and Penalties.

Any child as hereinbefore designated found upon the Borough streets, alleys, parks or public places within the Borough in violation of §6-301 of this Part shall be taken into custody by the Borough police and delivered to his or her parents, guardian or adult person having the legal custody of such child, and report thereof made immediately to the Secretary of Council, who shall make a record thereon in a book to be kept for that purpose. If said parent, guardian or adult person having the legal custody of said child shall again allow him or her to be on such streets, alleys, parks or public places in violation of §6-301 of this Part, said parent, guardian or adult person having legal custody of said child, so offending, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense

(Ord. 76, 12/29/2003)

§6-304. Repeat Violators.

Said child who shall violate this Part more than three times shall be reported to the Probation Office of Butler County, Pennsylvania, which shall take whatever proceedings are deemed necessary for the child's permanent welfare, and a like procedure shall be taken in cases where the arrest of the parent or guardian shall not be effective or where for any other reason the provisions of §6-301 of this Part

cannot be made effective by fines and penalties imposed thereunder.

(Ord. 12/29/2003)

§6-305. Enforcement.

The police officers of the Borough in taking children into custody shall use their discretion in determining age, and in doubtful cases may require positive proof, and until such proof is furnished the officer's judgment shall prevail.

(Ord. 76, 12/29/2003)

Part 4**Alcoholic Beverages****§6-101. Definitions.**

The following terms shall have the meaning indicated:

A. *Alcoholic Beverages* - as defined in the "Liquor Code" of the Commonwealth of Pennsylvania (i.e. liquor, wine, malt, and brewed beverages).

B. *Open Container* - any container from which consumption of an alcoholic beverage is occurring.

C. *Public Access Property* - any public street, alley, sidewalk, park, playground, ball field, recreation areas, commons, or parking lots; or any private parking lots open to public use (regardless if the private parking lot establishment is open or closed for business).

(Ord. 76, 12/29/2003)

§6-102. Prohibited Conduct.

It shall be unlawful for any person to drink an alcoholic beverage upon any public access property within the Borough and it shall be unlawful for any person to have in such person's possession, or in a vehicle under such person's control, any open container containing an alcoholic beverage upon any public access property in the Borough.

(Ord. 76, 12/29/2003)

§6-103. Penalties.

Any person who shall violate the provisions of this Chapter, shall upon conviction thereof, be sentenced to pay a fine of fifty (\$50.00) dollars plus the costs of prosecution, or in default of payment of same, to undergo imprisonment for five (5) days for the first offense; one hundred (\$100.00) dollars plus the costs of prosecution, or in default of payment, imprisonment for ten (10) days for the second offense; and three hundred (\$300.00) dollars plus the costs of prosecution, or in default of payment, imprisonment for ninety (90) days for the third offense and any offense thereafter.

(Ord. 76, 12/29/2003)

§6-104. Authorization of Police Officer.

Any police officer is hereby authorized to act on behalf of the Borough.

(Ord. 76, 12/29/2003)

