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PART 1

DISORDERLY CONDUCT

§101. 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 of New Oxford. 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. 222, 1/3/1967; as revised by Ord. 384, 6/7/1999)

§102. 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 \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days.

(Ord. 222, 1/3/1967; as revised by Ord. 384, 6/7/1999)

PART 2

DISCHARGE OF FIREARMS

§201. DISCHARGE OF FIREARMS PROHIBITED.

Except in necessary defense of person and property and except as provided in §203 of this Part, it shall be unlawful for any person to use, fire or discharge any gun or other firearm within the Borough of New Oxford.

(Ord. 248, 11/6/1969; as revised by Ord. 384, 6/7/1999)

§202. USE OF AIR RIFLES, BOWS AND ARROWS OR SIMILAR DEVICES RESTRICTED.

It shall be unlawful for any person to discharge any air rifle, air pistol, spring gun, spring pistol, B-B gun, bow and arrow or similar device, or any implement that is not a firearm but which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm, at any place within the Borough of New Oxford, except as provided in §203 of this Part, and except on a target range which is properly constructed to trap or stop the projectile as ascertained by the Chief of Police.

(Ord. 248, 11/6/1969; as revised by Ord. 384, 6/7/1999)

§203. EXCEPTIONS.

This Part shall not apply to:

- A. Persons licensed to hunt in this Commonwealth while actually engaged in hunting where permitted under the laws of the Commonwealth of Pennsylvania.
- B. Members of any organization incorporated under laws of this Commonwealth engaged in target shooting upon the grounds or property belonging to or under the control of such organization.
- C. Any law enforcement officers when used in the discharge of their official duties.

(Ord. 248, 11/6/1969; as revised by Ord. 384, 6/7/1999)

§204. PENALTIES 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 \$600 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.

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(Ord. 248, 11/6/1969; as revised by Ord. 384, 6/7/1999)

PART 3

MISSILE THROWING PROHIBITED

§301. BALL PLAYING, SNOWBALLING AND THROWING STONES AND OTHER MISSILES RESTRICTED.

1. Ball playing, including the throwing, kicking or knocking of any ball, snowballing and the throwing of any stone or other missile upon or into any of the public streets, alleys or sidewalks in the Borough of New Oxford or Center Square is hereby prohibited.
2. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [Ord. 384]

(Ord. 249, 11/6/1969; as amended by Ord. 384, 6/7/1999)

PART 4

TAMPERING WITH PUBLIC PROPERTY

§401. TAMPERING WITH CERTAIN PUBLIC PROPERTY AND PROPERTY IN PUBLIC PLACES PROHIBITED.

No person or persons shall destroy or injure in any way whatsoever, or tamper with or deface any public property of the Borough of New Oxford, or any grass, walk, ornamental work, building, street light, fire hydrant or water or gas stop box on or in any of the streets, alleys, sidewalks, public squares or public grounds in the Borough.

(Ord. 250, 11/6/1969, §1)

§402. TAMPERING WITH STAKES AND MARKERS PROHIBITED.

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

(Ord. 250, 11/6/1969, §2)

§403. TAMPERING WITH WARNING LAMPS, SIGNS OR BARRICADES PROHIBITED.

No person or persons shall wilfully or maliciously destroy or remove or deface or obliterate or cover up any lamp, warning sign or barricade erected by the authorities of the Borough or by any person, firm or corporation doing work by permission of the authorities of the Borough on any of the streets, alleys, sidewalks, squares or bridges in the Borough, as a warning of danger.

(Ord. 250, 11/6/1969, §3)

§404. REMOVAL OF MATERIAL FROM STREETS, ALLEYS, SIDEWALKS, SQUARES AND PUBLIC GROUNDS PROHIBITED.

No person or persons shall take any earth, stone or other material from any of the streets, alleys, public squares, parks or other public grounds in the Borough.

(Ord. 250, 11/6/1969, §4)

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§405. CERTAIN ACTIVITIES NOT PROHIBITED.

Nothing in this Part shall apply to normal activities in connection with the construction, maintenance and repair of streets, alleys, sidewalks, public squares and other public grounds, and the structures and fixtures located thereon, or to incidental results of work done thereon or therein upon permit from or by authority of the Borough.

(Ord. 250, 11/6/1969, §5)

§406. PENALTY FOR TAMPERING WITH CERTAIN PROPERTY.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$600 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. Provided, the fact that a violator has been penalized, after hearing, as herein provided, shall not preclude the Borough or other injured party from taking proper legal action to recover damages resulting from such violation.

(Ord. 250, 11/6/1969, §6; as amended by Ord. 384, 6/7/1999)

PART 5

CURFEW

§501. DEFINITIONS AND INTERPRETATION.

1. As used in this Part, the following words and terms shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:

CHILD - a person under the age of 18 years, whether a resident or a nonresident of the Borough of New Oxford, and whether married or unmarried.

CHILD WELFARE ORGANIZATION - a society or organization the purpose of which is to take charge of incorrigibles or delinquents and designated as such from time to time, by motion of the Borough Council.

CURFEW PERIOD - the entire period between 11 p.m. and 5:30 a.m. the following morning.

PARENT - the father, the mother or the guardian or other legal custodian of the child.

2. In this Part, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

(Ord. 286, 4/5/1976, §1)

§502. PROHIBITIONS APPLICABLE DURING CURFEW PERIOD.

It shall be unlawful for any child to be in or upon any of the streets, alleys, sidewalks, parks or other public places in the Borough of New Oxford, or in any place of public resort or entertainment or in any place of business outside the premises of his home at any time during the curfew period. Provided, the prohibition set forth hereinabove shall not apply in any of the following situations:

- A. In the case of a child accompanied by his parent or another responsible person of good repute who is at least 21 years of age.
- B. In the case of a child who is in the performance of an errand for his parent, and who bears a written note from such parent giving the date, time and nature of the errand.
- C. In the case of a child who is returning from a community or school sponsored function or activity, in which case such child shall be allowed 1/2 hour after the conclusion of such function or activity to reach his home, but in no case later than midnight. This exception, however, shall apply only in instances where the Mayor shall be notified by the school principal or other person in charge of the function

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or activity, in advance of such scheduled or contemplated function or activity and when, at the conclusion of such function or activity, the Mayor or Chief of Police shall be notified thereof by the principal or other person in charge.

(Ord. 286, 4/5/1976, §2)

§503. UNLAWFUL ACTS BY PARENTS; PENALTY.

It shall be unlawful for any parent to allow or permit his child to violate any of the provisions of §502 of this Part. Any parent violating any of the provisions of that Section shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100 nor more than \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days.

(Ord. 286, 4/5/1976, §3; as amended by Ord. 384, 6/7/1999)

§504. POLICE DISCRETION IN AGE DETERMINATION.

The members of the Police Department of the Borough of New Oxford 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. 286, 4/5/1976, §4; as amended by Ord. 384, 6/7/1999)

§505. PROCEEDINGS IN CASE OF REPEATED VIOLATIONS.

If any child shall be found violating any of the provisions of §502 of this Part more than three times, the Mayor shall report such fact to the child welfare organization and proceedings shall then be taken in the Court of Common Pleas or the Juvenile Court for the permanent welfare of such child, and a like procedure shall be followed in cases where the arrest and prosecution of the parent shall not be effective.

(Ord. 286, 4/5/1976, §5; as amended by Ord. 384, 6/7/1999)

PART 6

OPEN CONTAINERS

§601. CONSUMPTION IN VEHICLES AND PUBLIC PLACES PROHIBITED.

Any person who shall consume alcoholic beverages while in or on a public street, land, sidewalk, public parking lot, public or quasi-public place or in any public conveyance; or in a private motor vehicle while the same is in motion or parked in any public street, lane or public parking lot; or while upon any private property not his own without the express permission of the owner or other person having authority to grant such permission; or any person who shall discard alcoholic beverage containers upon any public street, lane, sidewalk, public parking lot, public or quasi-public place or upon any private property not his own, without the express permission of the owner, is a disorderly person.

(Ord. 314, 7/11/1983, §1)

§602. OPEN CONTAINERS IN VEHICLES AND PUBLIC PLACES PROHIBITED.

Any person who shall carry an open container of alcoholic beverage while in or on a public street, lane, sidewalk, public parking lot, public or quasi-public place or in any public conveyance; or in a private motor vehicle while the same is in motion or parked on any public street, lane or parking lot; or while upon any private property not his own without the express permission of the owner or other person having authority to grant such permission, is a disorderly person.

(Ord. 314, 7/11/1983, §2)

§603. VIOLATIONS AND PENALTIES.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not less than \$100 nor more than \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days.

(Ord. 314, 7/11/1983, §3; as amended by Ord. 384, 6/7/1999)

PART 7

LITTERING

§701. LITTERING PROHIBITED.

It shall be unlawful for any person, firm or corporation, or any agent thereof, to place, throw, store, accumulate or maintain, or cause to be placed, thrown, stored, accumulated or maintained, any used cans, papers, paper boxes, lumber, rubbish, debris, animal matter, garbage, empty bottles or other containers upon any property within the Borough of New Oxford or on or near any alley, highway or stream located within said Borough, except in accordance with any Borough ordinance dealing with the collection of garbage, refuse, trash or solid waste.

(Ord. 327, 9/8/1986, §1)

§702. PENALTIES.

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not to exceed \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days.

(Ord. 327, 9/8/1986, §2; as amended by Ord. 384, 6/7/1999)

