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PART 1

DISORDERLY CONDUCT

§101. Disorderly Conduct Prohibited.

Disorderly conduct, as defined in the Pennsylvania Crimes Code of 1972 (18 Pa.C.S.A. §5503), is hereby prohibited within the Borough of Greenville. A person is guilty of disorderly conduct if he:

1. Engages in fighting or in threatening, violent or tumultuous behavior.
2. Makes unreasonable noise.
3. Creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor. 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. 898, 9/4/1966; as revised by A.O.)

§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. 898, 9/4/1966; as revised by A.O.)

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 Greenville.

(Ord. 698, 11/10/1955; as revised by A.O.)

§202. Use of Air Rifles, Bow 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, 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. 698, 11/10/1955; as revised by A.O.)

§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. 698, 11/10/1955; as revised by A.O.)

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§204. Penalties for Violations.

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. 698, 11/10/1955; as revised by A.O.)

PART 3

ALCOHOLIC BEVERAGES

§301. Definitions.

Unless the context otherwise requires, the following words or phrases shall be construed according to the definitions set forth below:

ALCOHOLIC BEVERAGES — any spirits, wine, beer, ale or other liquid containing more than 1/2% of alcohol by volume which is fit for beverage purposes.

CONTAINER — any bottle, can or other vessel in which alcoholic beverages are contained.

(Ord. 1034, 6/9/1976; as revised by A.O.)

§302. Consumption.

No person shall consume any alcoholic beverage in any quantity upon any street, avenue, alley, sidewalk, stairway, thoroughfare or other public property within the Borough, nor shall any person consume any alcoholic beverage within five feet of any public way or thoroughfare while on a private stairway, doorway or other private property open to public view without the express or implied permission of the owner, his agent or other party in lawful possession thereof.

(Ord. 1034, 6/9/1976; as revised by A.O.)

§303. Possession.

No person shall possess any container of alcoholic beverage whether wrapped or unwrapped which has been opened or on which the seal has been broken in any manner on any public street, avenue, alley, thoroughfare or other public property within the Borough, nor shall any person possess any container of alcoholic beverage within five feet of any public way or thoroughfare while on a private stairway, doorway or other private property open to public view without the express or implied permission of the owner, his agent, or other person in lawful possession thereof.

(Ord. 1034, 6/9/1976; as revised by A.O.)

§304. Exceptions.

The provisions of §302 and 303 above shall not apply to interior portions of any private dwelling, habitat or building, nor to the consumption or possession by persons in the ar-

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eas herein designated of any duly prescribed and dispensed medication having alcoholic content as set forth in §301 hereof; and provided further that the provisions of said §§302 and 303 above shall not apply to premises duly licensed by the Pennsylvania Liquor Control Board and to persons then and there patrons of said licensee.

(Ord. 1034, 6/9/1976; as revised by A.O.)

§305. Penalty.

Whosoever violates any of the provisions 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 be imprisoned for a period not to exceed 30 days.

(Ord. 1034, 6/9/1976; as revised by A.O.)

PART 4

TAMPERING WITH PROPERTY

§401. Unlawful to Tamper with Public Property or Property on Street, Alley, Sidewalk or Public Ground.

No person shall destroy or injure in any way whatsoever, or tamper with or deface any public property of the Borough or of any authority created by the Borough, within or without the Borough or any grass, shrub, tree, walk, lamp, ornamental work, building, street light, fire hydrant or gas or water stop box on or in any street, sidewalk or public ground in the Borough. Provided, "defacement" shall include, but shall not be limited to, the making of graffiti or other markings upon any of the property above referred to or upon the surface of any street, alley, sidewalk or curb in the Borough.

(Ord. 1053, 9/13/1977, §8-1011)

§402. Unlawful to Tamper with Stakes, Posts or Monuments.

No person 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, 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 or public ground in 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, matter or thing.

(Ord. 1053, 9/13/1977, §8-1012)

§403. Unlawful to Tamper with Warnings Lamps, Signs or Barricades.

No person shall willfully or maliciously destroy, remove, deface, obliterate or cover up any lamp, warning sign or barricade erected by the authorities of the Borough or by any person doing work by permission of the authorities of the Borough on any street, alley, sidewalk or bridge in the Borough or on any public ground of the Borough, within or without the Borough, as a warning of danger.

(Ord. 1053, 9/13/1977, §8-1013)

§404. Unlawful to Take Earth, Stone or Other Material from Street, Alley or Public Ground.

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

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(Ord. 1053, 9/13/1977, §8-1014)

§405. Certain Activities not Prohibited.

This Part shall not apply to normal activities in connection with the 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. 1053, 9/13/1977, §8-1015)

§406. Penalties.

Any person, firm or corporation 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 a term of imprisonment not to exceed 30 days.

(Ord. 1053, 9/13/1977, §8-1016; as added by A.O.)

PART 5

CURFEW

§501. Curfew Established for Children Under 18.

1. It shall be unlawful for any child under the age of 18 (such persons being defined for the purpose of this Part as "children") to be or remain in or upon any street, alley, sidewalk, park or public place in the Borough between the hours of 10:00 p.m. and 5:00 a.m. throughout the period from Sunday evening through Thursday morning inclusive and 12:00 midnight and 5:00 a.m. throughout the period from Friday evening through Sunday morning inclusive, unless that child is accompanied by a parent, guardian or other person having the legal custody of him, or unless that child has acceptable evidence on his person verifying attendance at a recognized school, church or recreational function and is homeward within 30 minutes of the conclusion of the event.
2. During the summer months in which classes in the public schools of Greenville are recessed for summer vacation, the restricted curfew hours shall be from 11:00 p.m. and 5:00 a.m. from Sunday evening through Thursday morning of each week, both inclusive, subject to the remaining provisions of subsection (1).

(Ord. 704, 11/10/1955, §1; as amended by Ord. 848, 3/14/1964, §1; and by Ord. 871, 6/8/1965, §1)

§502. Prohibited Acts by Parents and Guardians.

It is hereby made unlawful for any parent, guardian or other person having the legal care or custody of any child under the age above designated, to allow or permit that child, ward or other person under such age, while in such legal custody, to go or be in or upon any street, alley, sidewalk, park or public place in the Borough between the hours specified in §501, except as therein provided.

(Ord. 704, 11/10/1955, §2; as amended by Ord. 898, 3/14/1964, §3)

§503. Enforcement and Penalties.

Any child, as above defined, found in or upon any street, alley, sidewalk, park or public place in the Borough, in violation of §501, shall be taken into custody by the Borough police and delivered to that child's parents, guardian or person having legal custody of the child. Additionally, the police thereafter shall deliver a written warning to the said parents, guardian or person having legal custody of the child, advising them of the curfew violation. If the parent, guardian or person having legal custody of that child shall subsequently allow the child to be in or upon any street, alley, sidewalk, park or public place in violation of §501, that parent, guardian or person having legal custody of the

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child so offending shall, upon conviction therefor, be sentenced to pay a fine of \$25 for the first offense occurring after the warning, plus costs of prosecution, and shall be sentenced to pay a fine of \$50, plus costs of prosecution, for the second offense and for each subsequent occurrence thereafter said person, upon conviction thereof, shall be sentenced to a fine of not more than \$600 plus costs and, in default of payment of said fine and costs to a term of imprisonment not to exceed 30 days. Also, any person who aids or abets a child in violating this Part shall be guilty of an offense and, upon conviction thereof, shall be subject to a fine of \$25 for the first offense and \$50 for the second and subsequent offenses.

(Ord. 704, 11/10/1955, §2; as amended by Ord. 898, 3/14/1964, §4; by Ord. 1312, 8/8/1995, Art. I; and by A.O.

§504. Report of Repeated Violators.

Any child who shall violate any provision of this Part more than three times shall be reported to a society whose purpose is to take charge of incorrigibles and delinquents, and proceedings shall then be taken in the proper court for the permanent welfare of that child, and a like procedure shall be taken in cases where the arrest of the parent, guardian or legal custodian shall not be effective, or where for any other reason the provisions of §501 cannot be made effective by fines and penalties imposed under this Part.

(Ord. 704, 11/10/1955, §4; as amended Ord. 898, 3/14/1964, §5)

§505. Discretion of Police in Determining Age of Children.

The police officers of the Borough, in taking children into custody under this Part, 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. 704, 11/10/1955, §5; as amended Ord. 898, 3/14/1964, §6)

PART 6

PROHIBITING THROWING MISSILES ON STREETS

§601. Prohibited Acts.

The throwing, kicking or knocking of any ball, snowballs, stones or any other missile upon or into any of the public streets, alleys or sidewalks in the Borough of Greenville is hereby prohibited.

(Ord. 706, 11/10/1955; as revised by A.O.)

§602. 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 \$600 plus costs and, in default of payment of said fine and costs, to imprisonment for a term not to exceed 30 days.

(Ord. 706, 11/10/1955; as revised by A.O.)

PART 7

AUDIO SYSTEM DISTURBANCES PROHIBITED

§701. Audio System Disturbances Prohibited.

No person shall play any radio, music player or any audio system in a motor vehicle within the Borough of Greenville, Pennsylvania, at such volume so as to disturb the quiet comfort or repose of other persons upon private or public property.

(Ord. 1342, 9/9/1997, Art. I)

§702. Penalty.

Any person, firm or corporation who shall violate any provision of this Part shall be, upon conviction of the first offense pay a fine of \$100, the sum of \$200 for the second offense and the sum of \$600 for the third and each successive offense and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Additionally, upon the second conviction, the sound device shall be subject to seizure by the Borough for payment of the fine.

(Ord. 1342, 9/9/1997, Art. II; as amended by A.O.)

PART 8

DISORDERLY HOUSES

§801. Short Title.

This Part shall be known and referred to as the "Disorderly House Ordinance."

(Ord. 1414, 5/13/2003, Art. I)

§802. Definitions and Word Usage.

The following words and phrases as used in this article shall have the meaning ascribed herein, unless the context clearly indicates a different meaning:

DISORDERLY HOUSE – any place within the Borough where persons gather or reside and where the owner, lessee, or person in charge permits, encourages or tends to encourage drunkenness, illegal consumption, boisterous conduct, unseemly noise, fighting or other conduct which disturbs the public peace or decorum, or promotes disorder and lessens the dignity of the community. Said definition shall apply whether the place is public or private, a building or any lot or land in the Borough. All such places within the Borough of Greenville are hereby declared a public nuisance.

KEEPER OF A DISORDERLY HOUSE – any person who is the owner, lessee, or person in charge of any such house at the time when any of the acts defined above are permitted or encouraged.

OCCUPANT OF A DISORDERLY HOUSE – any person, not the keeper of a disorderly house, who lives and resides in such disorderly house or is employed at, or attends a gathering in such a house, lot or other place, knowing that such house is a disorderly house as defined herein.

(Ord. 1414, 5/13/2003, Art. II)

§803. Maintenance Prohibited, Arrest a Violator.

No person shall permit, keep, maintain, or be an occupant of a disorderly house within the Borough. Violators are subject to the penalties of this Part upon conviction before a District Justice having jurisdiction.

(Ord. 1414, 5/13/2003, Art. III)

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§804. Enforcement.

It shall be the duty of the police officers of the Borough upon complaint made or upon personal knowledge of any such officers that any house, room, building, lot, or other premises is used or are used for the purposes aforesaid, to arrest the person in whose possession or occupancy place may be, together with all persons found therein, by issuance of citations or otherwise.

(Ord. 1414, 5/13/2003, Art. IV)

§805. Penalty.

Any person, firm, or corporation who shall violate any provision of this Part shall, upon conviction thereof be sentenced to pay a fine of not less than \$100 or more than \$300 together with costs. Each occurrence of a violation of this Part shall constitute a separate offense.

(Ord. 1414, 5/13/2003, Art. V)