

Chapter 6

Conduct

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Part 1**Discharge of Firearms****§6-101. Discharge of Firearms Prohibited.**

Except in necessary defense of person and property and except as provided in §6-103, it shall be unlawful for any person to use, fire or discharge any gun or other firearm within the Borough.

(Ord. 1077, 5/23/2006)

§6-102. Use of Air Rifle, Bow and Arrow, or Similar Device 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 §6-103, and except on a target range which is properly constructed to trap or stop the projectile as ascertained by the Chief of Police.

(Ord. 1077, 5/23/2006)

§6-103. 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 officer when used in the discharge of his official duties.

(Ord. 1077, 5/23/2006)

§6-104. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, 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 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 1077, 5/23/2006)

Part 2**Tampering with and Injury to Property****§6-201. Unlawful to Tamper with Public Property or Property on Street, Alley 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 any grass, shrub, walk, lamp, ornamental work, building, sign, street light, or gas or water stop box or gas meter on or in any street, alley, 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 referred to in this Part or upon the surface of any street, alley or curb in the Borough.

(*Ord. 775, 7/11/1978, §8-1011*)

§6-202. 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, corner or angle in the Borough, 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 or public ground in the Borough, to evidence the location, elevation, line, grade, corner or angle of any public street, alley, curb, gutter, drain or other public work, matter or thing.

(*Ord. 775, 7/11/1978, §8-1012*)

§6-203. Unlawful to Tamper with Warning Lamps, Signs or Barricades.

No person shall willfully or maliciously destroy, remove, deface, obliterate or cover up any lamp, flare, 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 or alley in the Borough or on any public ground of the Borough, as a warning of danger.

(*Ord. 775, 7/11/1978, §8-1013*)

§6-204. 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.

(*Ord. 775, 7/11/1978, §8-1014*)

§6-205. Certain Activities Not Prohibited.

This Part shall not apply to normal activities in connection with the construction, maintenance and repair of streets, alleys 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. 775, 7/11/1978, §8-1015*)

§6-206. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, 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 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 775, 7/11/1978, §8-1016; as amended by Ord. 1077, 5/23/2006*)

Part 3**Curfew****§6-301. Definitions and Interpretation.**

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Minor - any individual under the age of 18 years.

Parent - any natural parent of a minor, as herein defined, or a guardian, or any adult person responsible for the care and custody of a minor. When used in this Part, "parent" shall mean one or both parents.

Public place - any public street, alley, sidewalk, park, playground, public building or vacant lot in the Borough of Glassport.

Remain - to stay behind, to tarry, and to stay unnecessarily upon the streets, including the congregating of groups (or of interacting minors) totaling four or more persons in which any minor involved would not be using the streets, for emergencies or ordinary purposes such as mere passage of going home.

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. 1063, --/2004, §1*)

§6-302. Purposes.

This is a curfew ordinance prescribing, in accordance with prevailing community standards, regulations for the conduct of minors on streets at night, for the protection of younger children in the Borough of Glassport from each other and from other persons on the streets during nighttime hours, for the enforcement of parental control and responsibility for their children, for the protection of the public from nocturnal mischief by minors and for the reduction of the incident of juvenile criminal activity, all for the good of minors, for the furtherance of family responsibility, and for the public good, safety, and welfare.

(*Ord. 1063, --/2004, §2*)

§6-303. Curfew; Exceptions.

It shall be unlawful for any minor to be or remain in or upon any public highway, park, or other public place within the Borough of Glassport, or in any enclosure or vehicle which is on or in close proximity to any such public place within the Borough of Glassport, between the hours of 10 p.m. and 6 a.m. on the following day. Exceptions to the above are the following:

A. Minor accompanied by parent, guardian, or other person having legal care or custody of such minor.

B. Minor possessing a written statement dated that day and signed by parent, guardian, or other person having the legal care or custody of such minor, which statement specifies the time, place, purpose, and necessity of the minor being in a public place contrary to this Part.

C. Minor lawfully employed making it necessary to be on or in highways, streets, parks, etc., as stated above and possessing a current letter certifying the same and signed by employer, parent, or guardian.

D. Minor on an emergency errand.

E. Minor traveling to and from church, school, or municipal activity with parental permission statement as in paragraph .B above.

F. Friday and Saturday nights which will have a curfew from between the hours of 11 p.m. and 6 a.m. on the following day.

G. During the months of June, July, and August which the curfew will then be between 11 p.m. and 6 a.m. on the following day.

(*Ord. 1063, --/2004, §3*)

§6-304. Parents Not to Permit Violation.

It is hereby made unlawful for any parent, guardian, or the person having the legal care or custody of a minor to allow or permit such minor to violate any of the provisions of this Part without legal justification therefore.

(*Ord. 1063, --/2004, §4*)

§6-305. Procedure upon Violation.

Any minor found upon the streets, alleys, parks, or public places within the Borough of Glassport in violation of §6-302 shall be taken into custody by the Borough of Glassport, police, or legally deputized individual, be delivered to his parent(s), guardian, or person having the legal custody of said minor, and be given a copy of this Part. A report shall be filed and kept in a book for that specific purpose. If said parent, guardian, or person having the legal custody of said minor shall again allow him to be on the streets, alleys, parks, or public places in violation of §6-302, said parent, guardian, or person giving the legal custody of said minor so offending shall, upon the second offense, be called along with offender and be so advised once again as to the penalty provisions contained in this Part. Upon the third violation, said parent, guardian, or person will be cited for the violation.

(*Ord. 1063, --/2004, §5*)

§6-306. Procedure in Case of Repeated Violations of Other Factors Interfering with Enforcement.

Any minor who shall violate this Part more than three times may, at the discretion of the proper Borough of Glassport officials, be reported to a society or organization for the purpose of which is to take charge of incorrigibles and delinquents, and proceedings shall then be taken in the proper court for the permanent welfare of such minor and a like procedure may be taken in cases where the arrest of the parent is not effective, or where for any other reason the provisions of §6-302 of this Part cannot be made effective by the imposition of fines and penalties.

(*Ord. 1063, --/2004, §6*)

§6-307. Police Discretion in Age Determination.

The police officers of the Borough of Glassport in taking minors into custody shall

use their discretion in determining age and in doubtful cases may require positive proof of age. Until such proof is furnished, the officer's judgment shall prevail.

(*Ord. 1063*, 10/11/2004, §7)

§6-308. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, 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 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 1063*, 10/11/2004, §8; as amended by *Ord. 1077*, 5/23/2006)

Part 4**Doors of Business Places; Alcoholic Beverages****§6-401. Doors of Business Places to Be Kept Closed.**

It shall be unlawful for any owner, proprietor, employee or agent of any commercial house, tavern, restaurant, or other places of business to permit or allow any door of entry or exits to stand open or ajar during business hours. By "door" is meant a door of solid construction, capable of diffusing and diminishing loud and raucous conversations; loud and profane utterances; disturbing noises from a television set, record player, radio, juke box, or other electrical transcription devices; and, loud and boisterous singing and shouting which disturb and intrude on the tranquility and peace of the immediate neighborhood and which is offensive to passersby. A screened or louvered door does not fall within the definition of "door" as used in this Section.

(*Ord. 797, 9/9/1980, §1*)

§6-402. Restrictions on Possession, Display or Drinking from Open Containers of Alcoholic Beverages.

It shall be unlawful at any time for any person to possess, display, or drink from any open container having in it any alcoholic beverage in public view on any sidewalk, street, parking lot, shopping mall, or in or on any moving vehicle within the Borough.

(*Ord. 797, 9/9/1980, §2*)

§6-403. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, 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 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 797, 9/9/1980, §3; as amended by Ord. 1077, 5/23/2006*)

Part 5**Prohibiting Fishing, Diving, Swimming or Loitering on
Boat Dock and Boat Launch Structure****§6-501. Fishing.**

It shall be unlawful for any person to engage in the act of fishing, whether by hand line, fishing pole or other apparatus, from the boat deck or boat launch on the Monongahela River in the Borough of Glassport, Allegheny County, Pennsylvania.

(*Ord. 1041, -/-/2003, §1*)

§6-502. Swimming or Diving.

It shall be unlawful for any person to engage in the act of swimming or diving from the boat dock or boat launch located in the Borough of Glassport, Allegheny County, Pennsylvania.

(*Ord. 1041, -/-/2003, §2*)

§6-503. Stand, Stop, Congregate or Loiter.

It shall be unlawful for any person to stand, stop, congregate or loiter, for no lawful purpose, on the boat dock or boat launch located on the Monongahela River, in the Borough of Glassport, Allegheny County, Pennsylvania.

(*Ord. 1041, -/-/2003, §3*)

§6-504. Penalty for Violation.

Any person who shall be convicted before a magistrate of the Commonwealth of Pennsylvania for violating any provision of this Part, upon conviction thereof, 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 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(*Ord. 1041, -/-/2003, §4; as amended by Ord. 1077, 5/23/2006*)

