

**ORDINANCE NO. 17-03**

**MORGAN TOWNSHIP  
GREENE COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MORGAN  
TOWNSHIP, GREENE COUNTY, PENNSYLVANIA PROHIBITING  
DISORDERLY CONDUCT IN MORGAN TOWNSHIP, PENNSYLVANIA,  
PROVIDING DEFINITIONS, AND PENALTIES THEREOF.**

**WHEREAS**, the Board of Supervisors of Morgan Township, Greene County, have received a number of complaints from its residents concerning conduct of people that disturbs the order of the Township and is threatening in nature; and

**WHEREAS**, the Township does not have a police force of its own and does have a Code Enforcement Officer who will enforce this Ordinance; and

**WHEREAS**, the Board of Supervisors of Morgan Township, Greene County, Pennsylvania, deems it necessary to amend Ordinance No. 209 relative to the Crime of Disorderly Conduct.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors of Morgan Township, Greene County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same.

**SECTION 1. TITLE**

This Ordinance shall be known as the Morgan Township Disorderly Conduct Ordinance of 2017.

**SECTION 2. PURPOSE**

The purpose of this Ordinance is to allow the Township Code Enforcement Officer to file a citation for Disorderly Conduct in those circumstances where the action of an individual fall within the perimeters of this Ordinance.

**SECTION 3. DEFINITIONS**

When used in this Ordinance, the following words, terms and phrases shall have the following meanings ascribed to them, unless the context clearly indicates otherwise;

1.01.1 Disorderly Conduct - shall mean and include all conduct by any person which, whether or not intended to do so, disturbs the good order and quiet of the Township or of any section of the Township and/or endangers or violates the public peace in any other manner by:

- (i) clamor or noise;

- (ii) intoxication and/or drunkenness;
- (iii) fighting or threatening to fight;
- (iv) engaging in violent or tumultuous behavior;
- (v) use of obscene, profane or indecent language and/or of an obscene gesture on sidewalks, streets or in any public place or building in the Township to the annoyance of any of its residents;
- (vi) congregating with others on any street, road or other public way or public place and refusing to move on when ordered to do so by police, Peace Officer, Code Enforcement Officer or any other township official.
- (vii) shouting or making a noise either outside or inside a building during the evening to the annoyance or disturbance of other persons;
- (viii) operating, playing or permitting the operation or playing of any radio, television or other device producing or amplifying sound at any time of the day in such a manner from any source as to create a noise disturbance across a real property boundary;
- (ix) disturbing, tending to disturb or aiding in disturbing the peace of others by violent, tumultuous, offensive or obstreperous conduct; or
- (x) creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

1.01.2 Hours or Place - shall mean any residence or other building, structure or site.

#### **SECTION 4. DISORDERLY HOUSE OR PLACE**

Presence or Participation in Disorderly House or Place Prohibited. No person shall participate in or knowingly be present in or at a disorderly house or place where disorderly conduct as defined in this Ordinance is occurring.

#### **SECTION 5. ENFORCEMENT**

This Ordinance shall be enforced by either the State Police and/or Township Code Enforcement Officer in accordance with the Rules of Criminal Procedure governing summary offenses and as provided herein.

#### **SECTION 6. DISORDERLY CONDUCT PROHIBITED**

It shall be unlawful for any person to commit or cause to be committed any act or acts of disorderly conduct within Morgan Township or upon Township property within or without the Townships limits.

## **SECTION 7. ACTS OF DISORDERLY CONDUCT ENUMERATED.**

The following acts are defined and declared to be disorderly conduct in violation of this Ordinance.

- a) Appearing in a drunken or intoxicated condition upon the streets, lanes, avenues, alleys, parks, or other public places in the Township;
- b) Engaging in fighting or inciting others to fight or riot or to engage in any unlawful act tending to imperil the personal security of any person or persons in or on any public street, alley, park public building, or any building or other place to which the public has access;
- c) The uttering of loud, boisterous, profane, indecent or vulgar language which annoying and disturbing to persons in public or to nearby residents;
- d) Making or causing to be made any loud boisterous noise or disturbance to the annoyance of the peaceable residents nearby or near to any public street, alley or public ground in the Township, whereby the public peace is broken or disturbed; this section shall include making noise across partition walls common to two (2) or more parties in a multi-unit building;
- e) Lingered or loitering, standing, or placing one's self upon any of the sidewalk or other public highways or to obstruct the entrance to any public building or places so as to annoy or interfere with the free and full passage of residents or travelers;
- f) Detonating any explosives or fireworks not permitted by Pennsylvania Law; however this subsection shall not apply to any person licensed to denote any explosives or fireworks so long as said person obtains the express written permission of the Township; notwithstanding the foregoing no explosive or firework may be detonated between the hours of 10:00 p.m. and 7:00 a.m.;
- g) Writing posting or exposing to view any lewd or indecent word, picture or device;
- h) Indecently exposing his or her person;
- i) Establishing or conducting on or upon the streets, lanes, avenues, alleys or public places any show, game or other demonstration for the purpose of attracting a crowd without the permission of the Police Department.
- j) Intentionally squealing a tire or tires on a motor vehicle, or intentionally burning rubber or other material out of which a tire or tires on the ground or on the improved or unimproved portion of a public place or of a public or private road, street, lane, avenue, driveway or alley; or
- k) Making or causing noise to be plainly heard at fifty (50) feet from such a device when operated within a motor vehicle on a public right-of-way or public space.

## **SECTION 8. PENALTIES FOR VIOLATION.**

Any person violating a provision of this Ordinance, and any person aiding, abetting or assisting in the violation or a provision of this Ordinance shall, upon conviction thereof before a

magisterial district judge, be subject to a fine of not more than three hundred (\$300.00) Dollars, and the costs of the prosecution for each offense; and in default of the payment of fines and costs shall undergo imprisonment in the Greene County Jail for a period not exceeding ninety (90) days for each violation.

**SECTION 9. EFFECTIVE DATE.**

This Ordinance shall be effective upon execution thereof.

**SECTION 10. SEVERABILITY.**

If any sentence, clause, section or part of this Ordinance is for any reason to be unconstitutional, illegal or invalid, such unconstitutionally, 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 Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

**SECTION 11. REPEALER.**

All ordinances or parts of ordinances conflicting with any of the provisions of this Ordinance are hereby repealed in so far as the same effect of this Ordinance.

**ORDAINED AND ENACTED INTO LAW** by the Board of Supervisors of Morgan Township, Greene County, Pennsylvania, this 8th day of NOVEMBER, 2017.


ATTEST:

  
Relda K. Litten, Secretary/ Treasurer

MORGAN TOWNSHIP  
BOARD OF SUPERVISORS

BY:   
James E. Gayman, Sr., Chairman

BY:   
Shirl Barnhart, Vice- Chairman

BY:   
Dominick Barbetta Supervisor