

**MORGAN TOWNSHIP
GREENE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 07-06

AN ORDINANCE KNOWN AS THE MORGAN TOWNSHIP CURFEW ORDINANCE SETTING FORTH REGULATIONS LIMITING THE ACCESS OF MINORS TO PUBLIC PLACES IN THE TOWNSHIP OF MORGAN DURING CERTAIN HOURS; AND PROVIDING FOR PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, the Board of Supervisors of Morgan Township have received numerous complaints from residents of minors being in public places causing vandalism, etc; and

WHEREAS, the Second Class Township Code permits Morgan Township to adopt ordinances regulating the access of minors to public places at specific times; and

WHEREAS, it is in the best interest, health, safety and welfare of the residents of Morgan Township to adopt this Ordinance .

NOW, THEREFORE BE IT ORDAINED and ENACTED by the Board of Supervisors of the Township of Morgan, County of Greene and Commonwealth of Pennsylvania. And **IT IS HEREBY ORDAINED and ENACTED** by authority of the same as follows:

SECTION 1. TITLE.

This Ordinance shall be known as the Morgan Township "Curfew Ordinance".

SECTION 2. DEFINITIONS AND INTERPRETATION.

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

MINOR - person under the age of eighteen (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 ordinance, "parent" shall mean one or both parents.

PUBLIC PLACE - any public street, alley, sidewalk, park, playground, public building or vacant lot in the Township.

REMAIN - to stay behind, to tarry and to stay unnecessarily upon the street, including the congregating of groups (or of interacting minors) totaling four (4) 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.

In this Ordinance, the singular shall include the plural, the plural shall include the singular; and the masculine shall include the feminine and the neuter.

SECTION 3. 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 Township 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 and public good, safety and welfare.

SECTION 4. CURFEW; EXCEPTIONS.

It shall be unlawful for any minor to be or remain on or upon any public highway, park or other public place within the Borough, or in any enclosure or vehicle which is on or in close proximity to any such public place within the Township, between the hours of 10:00 p.m. and 6:00 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 of 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 subsection 2 above.

SECTION 5. 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 therefor.

SECTION 6. PROCEDURE UPON VIOLATION.

Any minor found upon the streets, alleys, parks or public places within the Township in violation of this Ordinance shall be taken into custody by the Township 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 Ordinance. 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 this Ordinance, said parent, guardian, or person having 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 Ordinance. Upon the third violation, said parent, guardian or person will be remanded to the district justice for disposition.

SECTION 7. 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 One Thousand (\$1,000.00) Dollars, and/or to imprisonment for a term not to exceed ninety (90) days.

SECTION 8. PROCEDURE IN CASE OF REPEATED VIOLATIONS OR OTHER FACTORS INTERFERING WITH ENFORCEMENT.

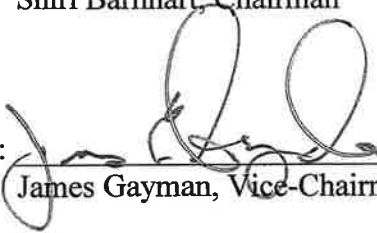
Any minor who shall violate this Ordinance more than three (3) times may, at the discretion of the proper Township officials, be reported to a society or organization the purpose of which is to take charge of incorrigibles and delinquents, and proceedings shall then be taken in the proper court for the 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

ORDAINED AND ENACTED INTO LAW by the Board of Supervisors of Morgan

Township, Greene County, Pennsylvania, this 21st day of August, 2006.

**TOWNSHIP OF MORGAN
BOARD OF SUPERVISORS**

By: 
Shirl Barnhart, Chairman

By: 
James Gayman, Vice-Chairman

By: _____
George E. Handford, 3rd Member

ATTEST:


Relda K. Litten, Secretary/Treasurer

(SEAL)

ORDINANCE NO. 03-2017

**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 in the best interest of the safety and welfare of its residents to adopt this Ordinance.

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, as follows:

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 and/or his designee 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:

- A. 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, Township code enforcement office and/or designee;
- (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.

B. House or Place – shall mean any residence or other building, structure or site.

SECTION 4. 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 5. 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 6. 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 7. 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 8. EFFECTIVE DATE.

This Ordinance shall be effective upon execution thereof.

SECTION 9. 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 10. 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.

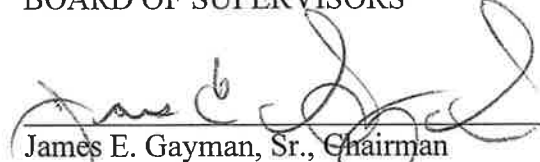
ORDAINED AND ENACTED INTO LAW by the Board of Supervisors of Morgan Township, Greene County, Pennsylvania, this 8th day of NOVEMBER, 2017.

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

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.

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 forgoing 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 7. 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 8. EFFECTIVE DATE.

This Ordinance shall be effective upon execution thereof.

SECTION 9. 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 10. 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.

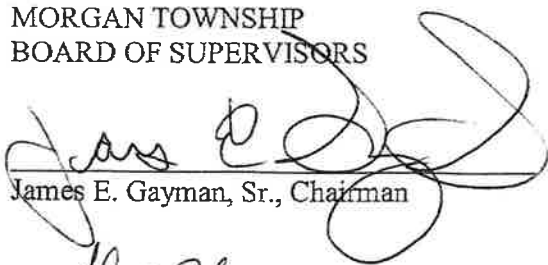
ORDAINED AND ENACTED INTO LAW by the Board of Supervisors of Morgan Township, Greene County, Pennsylvania, this 11th day of NOVEMBER, 2017.

ATTEST:



Relda K. Litten, Secretary/ Treasurer

MORGAN TOWNSHIP
BOARD OF SUPERVISORS

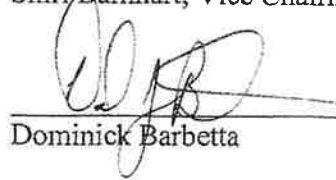
BY:


James E. Gayman, Sr., Chairman

BY:


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