

CHAPTER VI

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Part 1
Ball Playing

Section 1. Ball Playing Prohibited on Public Ways. Ball Playing, including the throwing, kicking or knocking of any ball, snowballing, and the throwing of any stone or other missile of any kind upon or onto any of the public streets, alleys or sidewalks in the Borough of Beech Creek is hereby prohibited. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than ten dollars (\$10.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days. (Ordinance 62, September 6, 1977)

Part 2

Curfew

Section 51. Curfew Established. It shall be unlawful for any person under sixteen (16) years of age to be or remain in or upon the streets, alleys, parks, athletic fields, business places, or any other public places within the Borough of Beech Creek between the hours of 11:00 P.M. and 6:00 A.M. of the following day. (Ordinance 73, September 6, 1977, Section 1)

Section 52. Exceptions. The provisions of this ordinance¹ shall not apply to any person under sixteen (16) years of age under the following circumstances:

(1) When such person is accompanied by a parent, guardian, or other person having legal custody of such minor.

(2) When such person is going directly home from a school, church or Borough-sponsored activity.

(3) When such person is engaged in gainful employment during the curfew hours or traveling to or from such employment.

(Ordinance 73, September 6, 1977, Section 2)

Section 53. Unlawful for Parents to Permit Violations. It shall be unlawful for any parent, guardian or other person having legal custody of a person under sixteen (16) years of age to allow or permit such to be, or remain in or upon the streets, alleys, parks, athletic fields, business places or other public places within the Borough in violation of Section 1 of this ordinance,² except as provided under Section 2 hereof.³ (Ordinance 73, September 6, 1977, Section 3)

Section 54. Penalty for Violation. Any person who shall violate any of the provisions of this ordinance⁴ shall, upon conviction thereof, be sentenced to pay a fine of not more than fifty dollars (\$50.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than five (5) days. (Ordinance 73, September 6, 1977, Section 4)

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1. Sections 51 to 54 of this chapter.
 2. Section 51 of this chapter.
 3. Section 52 of this chapter.
 4. Sections 51 to 54 of this chapter.

Part 3
Disorderly Conduct

Section 101. Disorderly Conduct Prohibited. Disorderly conduct is hereby prohibited within the Borough of Beech Creek. A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he:

- (1) Engages in fighting or threatening, or in violent or tumultuous behavior;
- (2) Makes unreasonable noise;
- (3) Uses obscene language, or makes an obscene gesture; or
- (4) 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.

(Ordinance 63, September 6, 1977, Section 1)

Section 102. Disturbance of the Peace Prohibited. Disturbance of the peace is hereby prohibited within the Borough of Beech Creek. Any person who shall be guilty of any willful act causing or tending to cause a disturbance of the peace and good order of the Borough, or causing or tending to cause any danger, discomfort or annoyance to inhabitants of the Borough or to users of any of the public streets or alleys in the Borough; or who shall fight or quarrel or incite others to fight or quarrel; or who shall publicly make use of obscene or indecent language; or who shall loaf or loiter or congregate upon any of the public streets or alleys or public grounds of the Borough, to the annoyance of peaceable residents nearby or traveling upon any street or alley or being lawfully upon any of the public grounds in the Borough, shall be guilty of disturbance of the peace. (Ordinance 63, September 6, 1977, Section 2)

Section 103. Penalty for Violation. Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days. (Ordinance 63, September 6, 1977, Section 3)

5. Sections 101 to 103 of this chapter.

Part 4

Firearms and Other Weapons

Section 151. Discharge of Firearms Restricted. Except in necessary defense of person and property and except as provided in Section 3 of this ordinance,⁶ it shall be unlawful, within the Borough of Beech Creek, for any person to use, fire, or discharge any gun or other firearm. (Ordinance 64, September 6, 1977, Section 1)

Section 152. Use of Air Rifles, Bow and Arrows, or Similar Devices Regulated. 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, 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 Beech Creek except as provided in Section 3 of this ordinance.⁷ (Ordinance 64, September 6, 1977, Section 2)

Section 153. Exception. Nothing in this ordinance⁸ shall be deemed to prohibit the proper use of firearms, bows and arrows, or similar devices where their lawful use is permitted in hunting as provided for by the Pennsylvania Game Law and by the rules and regulations of the Pennsylvania Game Commission. (Ordinance 64, September 6, 1977, Section 3)

Section 154. Penalty for Violation. Any person who shall violate any provision of this ordinance⁹ shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days. Provided: each violation of any provision of this ordinance, and each day the same is continued, shall be deemed a separate offense. (Ordinance 64, September 6, 1977, Section 4)

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6. Section 153 of this chapter.
 7. Section 153 of this chapter.
 8. Sections 151 to 154 of this chapter.
 9. Sections 151 to 154 of this chapter.

BOROUGH OF BEECH CREEK, CLINTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 2012 - _____

AN ORDINANCE AMENDING CHAPTER VI, PART 4, ENTITLED "FIREARMS AND OTHER WEAPONS" TO PERMIT BOW AND ARROW TARGET RANGES

Council of the Borough of Beech Creek, Clinton County, Pennsylvania, HEREBY ENACTS and ORDAINS as follows:

SECTION 1: Section 152 of Part 4 of Chapter VI of the Beech Creek Borough Code is amended in whole as follows:

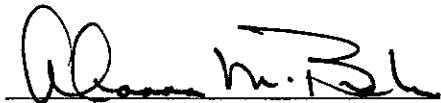
SECTION 152. USE OF AIR RIFLES, BOW AND ARROWS, OR SIMILAR DEVICES RESTRICTED. It shall be unlawful for any person to discharge any air rifle, air pistol, spring gun, spring pistol B-B gun, bow and arrow, or similar device, or any implement that is not a firearm but which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm, at any place within the Borough of Beech Creek, except as provided in Section 3 of this ordinance, and except on a target range exclusively for bow and arrow use which is properly constructed to trap or stop the arrows from exiting the property upon which the target range is located.

SECTION 2: The provisions of this Ordinance shall become effective on the first day allowable under the Commonwealth of Pennsylvania Borough Code.

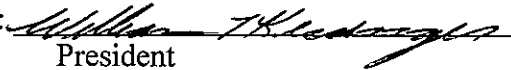
DULY ENACTED and ORDAINED this _____ day of July, 2012, by the Council of the Borough of Beech Creek, Clinton County, Pennsylvania.

ATTEST:

BOROUGH OF BEECH CREEK



Secretary

By: 
President

Approved this 3rd day of July, 2012.


Mayor

Part 5

Protection of Public Property

Section 201. Tampering with Public Property or Property on Streets, Alleys or Public Ground 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 Beech Creek, within or without the Borough, or any grass, walk, lamp, ornamental work, building, street light, or water stop box on or in any of the streets, alleys, sidewalks or public grounds in the Borough. (Ordinance 74, September 6, 1977, Section 1)

Section 202. Tampering with Stakes, Posts and Monuments 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 Beech Creek, 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, sidewalk, curb, gutter, drain or other public work, matter or thing. (Ordinance 74, September 6, 1977, Section 2)

Section 203. 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 or bridges in the Borough or on any public grounds of the Borough, within or without the Borough, as a warning of danger. (Ordinance 74, September 6, 1977, Section 3)

Section 204. Removal of Material from Streets, Alleys or Public Grounds Prohibited. No person or persons shall take any earth, stone or other material from any of the streets, alleys or public grounds in the Borough. (Ordinance 74, September 6, 1977, Section 4)

Section 205. Exceptions. This ordinance¹⁰ 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. (Ordinance 74, September 6, 1977, Section 5)

10. Sections 201 to 207 of this chapter.

Section 206. Penalty for Violation. Any person who shall violate any provision of this ordinance¹¹ shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) and costs of prosecution, or, in default of payment of such fine and costs, to undergo imprisonment for not more than thirty (30) days. 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. (Ordinance 74, September 6, 1977, Section 6)

Section 207. Severability. The provisions of this ordinance¹² shall be severable, and if any section, part of section or provision thereof shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining sections, parts of sections or provisions of this ordinance. It is hereby declared as a legislative intent that this ordinance would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been a part thereof. (Ordinance 74, September 6, 1977, Section 7)

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11. Sections 201 to 207 of this chapter.
 12. Sections 201 to 207 of this chapter.