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**PART 1**  
**ALCOHOLIC BEVERAGES**

**§101. DEFINITIONS.**

The following words or phrases, unless the context clearly indicates otherwise, shall have the meaning ascribed to them in this Section:

**LIQUOR and MALT OR BREWED BEVERAGES and CONTAINER and OFFICIAL SEAL** - the same as those words and phrases are defined in the Liquor Code of the Commonwealth of Pennsylvania.

**OPEN CONTAINER** - any container which has been perforated in the case of a can or similar container or a container on which the cap has been loosened or the cork displaced and the official seal torn or mutilated.

(Ord. 108-94, 8/9/1994, §1)

**§102. UNLAWFUL TO HAVE ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY.**

It shall be unlawful, within the Borough of East Conemaugh, for any person to drink "liquor" or "malt or brewed beverages" upon any public street, public municipal parking lot, private parking lot open to public use or public park, or in any vehicle being operated or parked therein.

(Ord. 108-94, 8/9/1994, §2)

**§103. UNLAWFUL TO HAVE ALCOHOLIC BEVERAGES IN VEHICLE.**

It shall be unlawful, within the Borough of East Conemaugh, for any person to have in such person's possession, or in a vehicle under such person's control, any open container containing "liquor" or "malt or brewed beverages" upon any public street, public municipal parking lot, private lot open to public use or public park.

(Ord. 108-94, 8/9/1994, §3)

**§104. PENALTIES.**

Any person who shall violate the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$25 nor 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. 108-94, 8/9/1994, §4; as amended by A.O.

## **PART 2**

### **CURFEW**

#### **§201. DEFINITIONS AND INTERPRETATION.**

In this Part, the following definitions shall apply:

**AFTER HOURS** - the period beginning at 10 p.m. on every day of the week and extending until 5:30 a.m. of the following morning. Provided on any evening when a school-sponsored event or any other organized or supervised activity or program shall be held, the beginning of the said period may be extended to a stipulated time after 10 p.m. as required by the school authorities in advance of such event, by action of the Mayor or Chief of Police, in order to allow minors in the Borough to attend such event until its conclusion, with a reasonable time thereafter to return to their homes.

**ESTABLISHMENT** - any privately owned place of business carried on for profit, any place of amusement or entertainment to which the public is invited, and any similar place.

**OPERATOR** - any individual, firm, association, partnership or corporation owning, operating, managing or conducting any establishment; and, whenever used in any Section prescribing a penalty, the word "operator," as applied to associations and partnerships, shall include the members, partners and managers thereof or any of them, and as applied to corporations shall include the officers and managers thereof, or any of them.

**PARENT** - the natural or adoptive parent or the guardian of any minor, or any other adult person legally responsible for the custody and control of a minor.

**PUBLIC PLACE** - any public street, highway, road, alley, park, playground, vacant lot, public building, bus terminal or similar place.

**REMAIN** - "loiter," "idle," "wander," "stroll," "play" or "be."

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. 199, 3/18/1974, §1)

#### **§202. UNLAWFUL ACTS BY MINORS.**

It shall be unlawful for any minor to remain after hours in or upon any public place or establishment in the Borough after hours unless accompanied by a parent, or upon an errand, or other legitimate business directed by a parent, or unless engaged in gainful, lawful employment, in which case such minor shall carry written identification and evidence of such employment.

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(Ord. 199, 3/18/1974, §2)

### §203. UNLAWFUL ACTS BY PARENTS.

It shall be unlawful for any parent knowingly to permit any minor to remain in or upon any public place or establishment in the Borough after hours unless the parent shall accompany the minor, or shall direct the minor in writing to perform an errand or engage in other legitimate business, which writing shall be kept in the possession of the minor; or unless such minor is engaged in gainful, lawful employment after hours, in which case such minor shall carry identification and evidence of employment.

(Ord. 199, 3/18/1974, §3)

### §204. UNLAWFUL ACTS BY OPERATORS OF ESTABLISHMENTS.

It shall be unlawful for the operator of any establishment in the Borough to knowingly permit any minor to remain in or upon the premises of such establishment after hours.

(Ord. 199, 3/18/1974, §4)

### §205. ENFORCEMENT.

Any police officer of the Borough who finds any minor violating any provision of this Part shall endeavor to obtain the name, age, date of birth and address of such minor and the names of the minor's parents. The minor shall thereupon either be brought to the police station and the parents notified, or such minor shall be taken or instructed to proceed directly to his home. The information obtained from the minor together with a full report shall be transmitted by such police officer to the Chief of Police, who shall cause written notice to be delivered, by United States mail or otherwise, to the parents of such minor, advising them of the violation of this Part. The Police Department shall keep a record of all such violations.

(Ord. 199, 3/18/1974, §5)

### §206. PENALTIES.

1. Any parent who shall permit a minor to violate any provision of this Part, after having received a notice of a prior violation involving the same minor shall, upon conviction thereof, be sentenced to pay a fine of not less than \$5 nor more than \$600 plus costs and, in default of payment of said fine, to a term of imprisonment not to exceed 30 days.
2. Any operator who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$5 nor 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. 199, 3/18/1974, §6; as amended by A.O.

**PART 3**

**DISORDERLY CONDUCT**

**§301. DISORDERLY CONDUCT PROHIBITED.**

Disorderly conduct, as defined in §5503 of the Crimes Code, 18 Pa.C.S.A. §5503, is hereby prohibited within the Borough. A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof he:

- A. Engages in fighting or threatening, or in violent or tumultuous behavior.
- B. Makes unreasonable noise.
- C. 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. 195, 3/18/1974; as revised by A.O.)

**§302. 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 a term of imprisonment not to exceed thirty (30) days.

(Ord. 195, 3/18/1974; as revised by A.O.)

**PART 4**

**PROHIBITING DISCHARGE OF FIREARMS OR SIMILAR DEVICES**

**§401. DISCHARGE OF FIREARMS PROHIBITED.**

Except in necessary defense of person and property and except as provided in §403 of this Part, it shall be unlawful for any person to use, fire, or discharge any gun or other firearm within the Borough.

(Ord. 196, 3/18/1974; as revised by A.O.)

**§402. 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 §403 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. 196, 3/18/1974, §1; as revised by A.O.)

**§403. 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. 196, 3/18/1974; as revised by A.O.)

**§404. PENALTIES 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 a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.



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(Ord. 196, 3/18/1974; as revised by A.O.

**PART 5**  
**THROWING OF OBJECTS**

**§501. 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 is hereby prohibited.

(Ord. 197, 3/18/1974; as revised by A.O.

**§502. 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 a term of imprisonment not to exceed 30 days.

(Ord. 197, 3/18/1974; as revised by A.O.

**PART 6**

**TAMPERING WITH PUBLIC PROPERTY**

**§601. UNLAWFUL TO TAMER WITH PUBLIC PROPERTY OR PROPERTY ON ANY STREET, ALLEY, SIDEWALK, BRIDGE OR PUBLIC GROUND.**

No person or persons shall destroy or injure in any way whatsoever, or tamper with or deface any public property of the Borough or of any municipal authority organized by the said Borough, or any grass, walk, lamp or ornamental work, building, parking meter, street light, fire hydrant or water or gas stop box on or in any street, alley, sidewalk, bridge or public ground in the said Borough.

(Ord. 198, 3/18/1974, §1)

**§602. UNLAWFUL TO TAMPER WITH STAKES, POSTS OR MONUMENTS.**

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 made, place 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, bridge, drain or other public work, matter or thing.

(Ord. 198, 3/18/1974, §2)

**§603. UNLAWFUL TO TAMPER WITH WARNING LAMPS OR FLARES, SIGNS OR BARRICADES.**

No person or persons shall wilfully or maliciously destroy or remove or deface or obliterate or cover up any lamp, flare, warning sign or barricade erected by the authorities of the Borough or of any municipal authority of the Borough, or by any person, firm or corporation doing work by permission of the Borough or of any such municipal authority on any street, alley, sidewalk, bridge or public ground in the Borough, as a warning of danger.

(Ord. 198, 3/18/1974, §3)

**§604. UNLAWFUL TO TAKE MATERIAL FROM STREET, ALLEY OR PUBLIC GROUND.**

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

(Ord. 198, 3/18/1974, §4)

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### **§605. EXCEPTIONS.**

This Part shall not apply to normal activities in connection with the construction, maintenance of streets, alleys, sidewalks, bridges and public grounds, and the structures and fixtures located thereon or to incidental results of work thereon or therein upon permit from or by authority of the Borough or of any municipal authority organized by the Borough.

(Ord. 198, 3/18/1974, §5)

### **§606. PENALTY FOR TAMPERING WITH, INJURING OR REMOVING CERTAIN PROPERTY.**

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 a term of imprisonment not to exceed 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 action to recover damages resulting from such violation.

(Ord. 198, 3/18/1974, §6; as amended by A.O.

**PART 7**

**ENGINE BRAKE REGULATIONS**

**§701. SHORT TITLE.**

This Part shall be known as the "East Conemaugh Borough Engine Brake Ordinance."

(Ord. 102-85, 12/11/1985, §1)

**§702. ENGINE BRAKE VEHICLES DECLARED TO BE A NUISANCE.**

The Borough Council of the Borough of East Conemaugh, Cambria County, Pennsylvania, finds as a fact that the operation of an engine brake on a gasoline powered or diesel powered motor vehicle not equipped with exhaust mufflers, or equipped with defective or modified exhaust mufflers, so as to create excessive noise through the use of said engine brake, adversely affects the public health, safety and welfare of the residents of the Borough and, therefore, is a nuisance in fact.

(Ord. 102-85, 12/11/1985, §2)

**§703. UNLAWFUL FOR ENGINE BRAKE VEHICLES TO OCCUPY ANY STREET, ROAD OR ALLEY IN THE BOROUGH.**

No gasoline powered or diesel powered motor vehicle shall be operated on the streets, roads, alleys or highways within the Borough of East Conemaugh, Cambria County, Pennsylvania, utilizing, in said operation, an engine brake, without exhaust mufflers, or with defective or modified exhaust mufflers, permitting excessive noise to be created by said motor vehicle.

(Ord. 102-85, 12/11/1985, §3)

**§704. EMERGENCY SITUATIONS EXEMPTED.**

This Part shall not apply to emergency driving situations requiring the utilization of an engine brake to protect the safety and property of the residents of East Conemaugh Borough, other motor vehicle operators, pedestrians and the operator and passengers of the motor vehicle involved in said emergency situation.

(Ord. 102-85, 12/11/1985, §4)

**§705. PENALTIES.**

Any person, firm, corporation or organization violating any of the provisions of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 plus costs

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and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

(Ord. 102-85, 12/11/1985; as amended by A.O.