

ORDINANCE NO. 4 OF 2011

**TOWNSHIP OF SHENANGO,
LAWRENCE COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE TOWNSHIP OF SHENANGO,
COUNTY OF LAWRENCE, COMMONWEALTH OF
PENNSYLVANIA, ESTABLISHING PROHIBITION OF
DISORDERLY HOUSES AND PROVIDING PENALTIES
THEREFORE.**

Section 1: Title.

This part shall be known and may be cited as the "Shenango Township Disorderly House Ordinance".

Section 2: Definitions.

DISORDERLY CONDUCT - a person engages in "disorderly conduct" if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he/she:

- (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;
- (4) Creates a hazardous or physically offensive condition, by any act, that serves no legitimate purpose of the actor.

KEEPER OF A DISORDERLY HOUSE - Any person who is the owner, lessee, or person in charge at any such house at the time when any of the acts defined are permitted or encourages.

DISORDERLY HOUSE - Any place within the Township of Shenango where persons gather or abide with the intent to engage in disorderly conduct or to permit, encourage or tend to encourage drunkenness, illegal consumption of alcoholic beverages by minors, boisterous conduct, unseemly noise, fighting or other conduct which disturbs the public peace or decorum, or promotes disorder and lessens the dignity of the community. Said definition shall apply whether the place is public or private, a building or any lot or land within the Township of Shenango.

Section 3: Violations.

1. No person shall engage in any act of disorderly conduct at any disorderly house within the Township of Shenango.
2. No person shall enter in or upon any disorderly house nor remain at any disorderly house within the Township of Shenango.

Prohibiting Disorderly Conduct

Section 4: Disorderly Conduct Prohibited.

Disorderly conduct, as defined in the Pennsylvania Crimes Code of 1972 (18 Pa. C.S.A. § 5503), is hereby prohibited within the Township. A person is guilty of disorderly conduct if he/she:

- (1) Engages in fighting or in threatening, violent or tumultuous behavior;
- (2) Makes unreasonable noise;
- (3) 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.

Section 5: Penalties.

Any person, firm or corporation who shall violate any provisions of this Part, upon conviction thereof in an action brought before a district justice in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than three hundred dollars (\$300.00) plus costs; and, in default of payment of said fine and costs, to a term or imprisonment not to exceed ninety (90) days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

Section 6: Enforcement.

It shall be the duty of the police officers of the Township to suppress and to close and keep closed any nuisance house, and to arrest all persons found therein. If the keeper or any other person with such nuisance house refuse to permit any officer of the Township to enter the same, the officer may enter the nuisance house with a warrant or other legal means, and to arrest, by issuance of citations or otherwise, all persons found therein.

Section 7: Severability.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance.

This Ordinance shall become effective five (5) days after enactment as provided by law.

ADOPTED AND ENACTED by the Shenango Township Board of Supervisors on this
11 th day of August, 2011.

ATTEST:

SHENANGO TOWNSHIP
BOARD OF SUPERVISORS

Brian D. Tanner
Secretary

Chairman
Robert H. Peters
William A. Albert