

Chapter 6

Conduct

Part 1

Discharge of Firearms and Launching of Other Missiles

- §6-101. Use Restricted
- §6-102. Use of Blanks Prohibited
- §6-103. Interpretation
- §6-104. Penalties

Part 2

Public Property

- §6-201. Definition and Interpretation
- §6-202. Tampering with Public Property or Property on Streets, Alleys, or Public Ground Prohibited
- §6-203. Tampering with Stakes, Posts, and Monuments Prohibited
- §6-204. Tampering with Warning Lamps, Signs, or Barricades Prohibited
- §6-205. Removal of Material from Streets, Alleys, or Public Grounds
- §6-206. Exceptions
- §6-207. Penalty for Violation

Part 3

Loafing and Loitering

- §6-301. Prohibition
- §6-302. Penalty for Violation
- §6-303. Each Violation a Separate Offense

Part 4

Curfew

- §6-401. Definitions
- §6-402. Purposes
- §6-403. Curfew, Exceptions
- §6-404. Parents Not to Permit Violation
- §6-405. Procedure Upon Violation
- §6-406. Penalties
- §6-407. Procedure in Case of Repeated Violations or Other Factors Interfering with Enforcement
- §6-408. Police Discretion in Age Determination

Part 1**Discharge of Firearms and Launching of Other Missiles****§6-101. Use Restricted.**

From and after the passage of this Part the use or discharge on the streets, alleys, parks, and other public places, or within a distance of 500 feet from any residence or building within the limits of the Township of any rifle, shotgun, revolver, pistol, flobert rifle, air gun, spring gun, or any implement which impels with force a metal pellet of any kind is prohibited. Further that from and after the passage of this Part the use of any bow and arrow or the propelling from any bow or blow gun of an arrow on the streets, alleys, parks, and other public places, or within a distance of 500 feet from any residence or building within the limits of the Township is prohibited.

(*Ord. 425, 8/28/1944, §1; as amended by Ord. 244, 5/6/1975, §1*)

§6-102. Use of Blanks Prohibited.

The use or discharge of any blank cartridge in any rifle, shotgun, revolver, pistol, flobert rifle, or any similar firearm in the streets, alleys, parks, or other public places within the limits of the Township of Baldwin is prohibited.

(*Ord. 425, 8/28/1944, §2*)

§6-103. Interpretation.

Nothing in this Part 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.

(*Ord. 425, 8/28/1944, §3*)

§6-104. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 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.

(*Ord. 425, 8/28/1944, §5; as amended by Ord. 427, 4/4/2006*)

Part 2**Public Property****§6-201. Definition and Interpretation.**

As used in this Part, the term “person” shall include any individual, corporation, firm, partnership, association, or other legal entity. The singular shall include the plural and the masculine shall include the feminine and the neuter.

(Ord. 427, 4/4/2006)

§6-202. Tampering with Public Property or Property on Streets, Alleys, or Public Ground Prohibited.

No person shall destroy or injure in any way whatsoever or tamper with or deface any public property of the Township of Baldwin, within or without the Township, 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 Township.

(Ord. 427, 4/4/2006)

§6-203. Tampering with Stakes, Posts, and Monuments Prohibited.

No person 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 Township, made, placed, or set, or hereafter made, placed, or set, or caused to be done by the authorities of the Township in any survey of or in any street, alley, or public ground in the Township, 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.

(Ord. 427, 4/4/2006)

§6-204. Tampering with Warning Lamps, Signs, or Barricades Prohibited.

No person shall destroy or remove or deface or obliterate or cover up any lamp, warning sign, or barricade erected by the authorities of the Township or by any person doing work by permission of the authorities of the Township on any of the streets, alleys, sidewalks, or bridges in the Township or on any public grounds of the Township, within or without the Township, as a warning of danger.

(Ord. 427, 4/4/2006)

§6-205. Removal of Material from Streets, Alleys, or Public Grounds.

No person shall take any earth, stone, or other material from any of the streets, alleys, or public grounds in the Township.

(Ord. 427, 4/4/2006)

§6-206. Exceptions.

This Part 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 Township.

(Ord. 427, 4/4/2006)

§6-207. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 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.

(Ord. 427, 4/4/2006)

Part 3**Loafing and Loitering****§6-301. Prohibition.**

1. To loaf, loiter, or stand upon any of the sidewalks, streets, pavements, crossings, bridges, highways, alleys, or parks in this Township, or any place of public resort or entertainment, or places of business, so as to interfere with or obstruct the free passage of citizens or travelers along any of the said thoroughfares, or into or out of any of said places is prohibited.

2. To loaf or loiter in any motor vehicles upon any of the said streets, pavements, street crossings, street corners, bridges, parks, alleys, and the like, in this Township; or at, in, or near the entrances to private property or any place of public resort or entertainment, or upon any private property within the limits of this Township without the consent of the owners thereof is prohibited.

(Ord. 271, 7/5/1978, §1)

§6-302. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 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.

(Ord. 271, 7/5/1978, §2; as amended by Ord. 427, 4/4/2006)

§6-303. Each Violation a Separate Offense.

Each violation of the provisions of this Part shall constitute a separate offense.

(Ord. 271, 7/5/1978, §3)

Part 4**Curfew****§6-401. Definitions.**

Definitions and Interpretation. 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. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Minor - person under the age of 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 Part, "parent" shall mean one or both parents.

Public place - any public street, alley, sidewalk, park, playground, public building or vacant lot in the Township of Baldwin.

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

(Ord. 427, 4/4/2006)

§6-402. 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 the public good, safety and welfare.

(Ord. 427, 4/4/2006)

§6-403. Curfew, Exceptions.

It shall be unlawful for any minor to be or remain in or upon any public highway, park or other public place within the Township of Baldwin, or in any enclosure or vehicle which is on or in close proximity to any such public place within the Township of Baldwin, during the following hours: on Sunday evenings through Thursday evenings, between the hours of 10 p.m. and 6 a.m. on the following day; and on Friday evenings through Saturday evenings, between the hours of 11 p.m. and 6 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 or 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 in 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 paragraph .B above.

(Ord. 427, 4/4/2006)

§6-404. 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.

(Ord. 427, 4/4/2006)

§6-405. Procedure Upon Violation.

Any minor found upon the streets, alleys, parks or public places within the Township of Baldwin in violation of §6-403 shall be taken into custody by the Township of Baldwin police or legally deputized individual, and be delivered to his parent(s), guardian, or person having the legal custody of said minor, at which time both the minor and parent(s), guardian, or person having the legal custody of said minor shall be given and acknowledge in writing their receipt of a copy of this Part. A report of the foregoing, along with the written acknowledgment of receipt of this Part, shall be filed and kept in a book for that specific purpose. Upon the second violation by the said minor of §6-403 hereof, said minor shall be issued a citation and shall be remanded to the magisterial district judge for disposition. Additionally, said parent(s), guardian or person having the legal custody of said minor shall, having allowed him again to be on the streets, alleys, parks or public places in violation of §6-403, upon such second violation by the said minor of §6-403 hereof and having received a copy of this Part at the time of the first violation, be issued a citation for violation of §6-404 of this Part and shall be remanded to the magisterial district judge for disposition.

(Ord. 427, 4/4/2006)

§6-406. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 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.

(Ord. 427, 4/4/2006)

§6-407. Procedure in Case of Repeated Violations or Other Factors Interfering with Enforcement.

Any minor who shall violate this Part more than three times may, at the discretion

of the proper Township of Baldwin 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 for the provisions of §6-402 of this Part cannot be made effective by the imposition of fines and penalties.

(Ord. 427, 4/4/2006)

§6-408. Police Discretion in Age Determination.

The police officers of the Township of Baldwin in taking minors into custody shall use their discretion in determining age and in doubtful cases may require positive proof of age. Until such proof is furnished, the officer's judgment shall prevail.

(Ord. 427, 4/4/2006)

