

Chapter 153
PEACE AND GOOD ORDER

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[HISTORY: Adopted by the Borough Council of the Borough of Dormont 5-7-1956 by Ord. No. 935 as Ch. 15 of the 1956 Code; amended in its entirety at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Curfew — See Ch. 88.
Loitering — See Ch. 135.

Peddling and soliciting — See Ch. 155.

§ 153-1. Acts of annoyance.

It shall be unlawful for any person to be upon any street, lane, alley, avenue or highway or other public place within the limits of the borough to the annoyance of any of the inhabitants thereof or to annoy any of the residents of the borough by trespassing on any private property, to commit any act of open lewdness or public indecency or to assemble with others on the public streets, lanes, alleys, avenues, highways, sidewalks, public places or elsewhere within the limits of the borough in such manner as to interfere with, impede or annoy the traveling public.

§ 153-2. Display or use of weapons.

It shall be unlawful for any person, other than properly constituted peace officers, to display or make use of any knife, handy-billy, artificial knuckles, club, gun, revolver or any other similar weapon or to discharge the same upon any of the streets, alleys, lanes, highways or elsewhere within the limits of the borough.

§ 153-3. Abandoned refrigerators.

It shall be unlawful for any person to leave or permit to remain outside of any dwelling, building or other structure or within any unoccupied or abandoned building, dwelling or other

structure under his or her control, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or other container which has an airtight door or lid, snaplock or other locking device which may not be released from the inside, without first removing such door or lid, snaplock or other locking device from such icebox, refrigerator or container.

§ 153-4. Operation of businesses during evening hours. [Amended 8-7-1995 by Ord. No. 1451]

It shall be unlawful for any person to operate or cause to be operated within the corporate limits of the borough any machine shop or repair shop for the general repair of motor vehicles and for general construction of any kind or any other business in a residential neighborhood, during the hours of rest, beginning at 9:00 p.m. and ending at 7:00 a.m.; provided, however, that this section shall not apply to the furnishing of gasoline, oil and grease or changing of tires, emergency towing service and like businesses where such work is performed and services rendered with reasonable precautions for the peace and quietude of the neighborhood and is unaccompanied by unnecessary noise and disturbance.

§ 153-5. Permitted sound levels; exemptions. [Amended 8-7-1995 by Ord. No. 1451]

- A. No operation or activity shall cause or create noise in excess of the sound levels prescribed below. The noise shall be measured on an "A-weighted" scale of a sound pressure level meter which conforms to the standards prescribed by the American National Standards Institute (ANSI), New York, New York, in Specifications for Sound Level Meters, S1.4-1971 or latest revised edition.
- (1) Residential districts. At no point beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 60 dBA for more than four hours during any twenty-four-hour period.
 - (2) Commercial districts. At no point on or beyond the boundary of any lot within these districts shall the exterior noise level resulting from any use or activity located on such lot exceed a maximum of 65 dBA for more than eight hours during any twenty-four-hour period.
 - (3) Where two or more zoning districts in which different noise levels are prescribed share a common boundary, the most restrictive noise level standards shall govern.
- B. Any violation of the above Subsection A(1), (2) and (3) shall be considered to be a violation of this section and are hereby declared to constitute a public nuisance and shall be punishable as such.
- C. The following uses or activities shall be exempted from the noise regulations:
- (1) Noises emanating from construction or maintenance activities between 7:00 a.m. and 9:00 p.m.
 - (2) Noises caused by safety signals, warning devices and other emergency-related activities or uses.

- (3) Noises emanating from public or private recreational uses between 7:00 a.m. and 11:00 p.m.
 - (4) Noises emanating from the delivery of public services such as street maintenance, snow removal and solid waste and recycling pickup.
- D. In addition to the above regulations, all uses and activities within the borough shall conform to all applicable county, state and federal regulations. Whenever the regulations contained herein are at variance with any other lawfully adopted rules or requirements, the more restrictive shall govern.

§ 153-6. Resisting officers.

It shall be unlawful for any person to resist an officer in the performance of his or her duty or to aid, encourage or abet any other person to resist such officer within the limits of the borough.

§ 153-7. Emergency call boxes.

It shall be unlawful for any person to deface, injure, tamper with or willfully break, destroy or impair the usefulness of any police or fire call boxes within the borough, and the same is hereby prohibited.

§ 153-8. Sledding.

The use for coasting of what is commonly known as “bobsleds,” any two-track sleds and sleds of a greater length than six feet is hereby prohibited upon any of the streets, alleys or highways within the corporate limits of the borough.

§ 153-9. Vagrancy.

It shall be unlawful for any person who shall have no fixed place of residence within the borough to go about from house to house or from place to place within the limits of the borough begging or asking for food, alms or other valuable things as a means of sustenance or for any person who is without visible means of support or is unable to account for his or her actions to the satisfaction of the arresting officer to trespass upon private property or elsewhere within the limits of the borough.

§ 153-10. Disorderly conduct.

Disorderly conduct is hereby prohibited within the Borough of Dormont. Any person who shall be guilty of any act, word or conduct 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 any of the inhabitants of the borough or users of the borough thoroughfares or who shall willfully make any loud, boisterous or unseemly noise or disturbance 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 in the Borough of Dormont, 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, whereby the public peace is broken or disturbed or the traveling public annoyed, shall be guilty of disorderly conduct.

§ 153-11. Defacement of public property.

- A. No person or persons shall destroy or injure in any way whatsoever or tamper with or deface public property of the Borough of Dormont or any grass, walk, fire hydrant, ornamental work or building on any of the streets, alleys, parks or other public grounds of the borough.
- B. No person shall willfully 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 of Dormont or by any person, firm or corporation doing work by permission of the authorities of the borough on any of the streets, alleys, sidewalks, parking lots, public buildings and parks of the borough as a warning of danger.
- C. No person or persons shall take any earth, stone or other material from any of the streets, alleys, parks or other public grounds of the borough. This shall not apply to normal activities in connection with the construction, maintenance and repair of streets, alleys, sidewalks, public parks, parking lots and other public grounds and the structures and fixtures located thereon.

§ 153-11.1. Nuisance motor vehicles. [Added 11-6-2000 by Ord. No. 1493; amended 6-6-2005 by Ord. No. 1533, §§I-III]

- A. This section applies only to any motor vehicle which is parked, stored or otherwise present outside on private property within the borough and does not apply to any motor vehicle on public property, streets or highways or parked in a garage.
- B. Criteria.
 - (1) A motor vehicle shall only be determined to be a public nuisance in accordance with the laws of the Commonwealth of Pennsylvania. The following criteria shall be considered evidence of a motor vehicle constituting a nuisance:
 - (a) The motor vehicle is unregistered;
 - (b) The motor vehicle does not bear a current and valid inspection sticker;
 - (c) The motor vehicle is in a state of major disassembly, disrepair or in the process of being stripped or dismantled;
 - (d) The motor vehicle is inoperable; or
 - (e) The motor vehicle constitutes a public hazard.
 - (2) The criteria as stated herein are not exhaustive and the presence of other conditions may

justify a finding that a motor vehicle is a nuisance.

- C. It is declared unlawful for any person to deposit, leave, cause to be left, fail to remove or permit the presence of a nuisance motor vehicle on any private property within the borough. **[Amended 6-6-2005 by Ord. No. 1533, §I]**
- D. Upon a finding by a code enforcement or building inspection officer of the Borough that any person has deposited, left, caused to be left, failed to remove or is permitting the presence of a nuisance motor vehicle on private property within the borough, the officer shall forward a notice to the property owner, and/or the owner of the nuisance motor vehicle, and/or the person depositing, leaving, causing to be left or failing to remove from the private property the nuisance motor vehicle, that the motor vehicle is a nuisance and must be removed within five days of the notice. **[Amended 6-6-2005 by Ord. No. 1533, §II]**
- E. If any person fails to remove the motor vehicle within the time permitted under Subsection D above, any such person violating any of the provisions of this ordinance shall, upon conviction before a District Justice, be subject to a fine or penalty of not less than \$50 nor more than \$600, and costs of prosecution of each offense, for any single violation of this ordinance provided that each day's violation shall constitute a separate offense, and, in default of payment thereof, shall be committed to the Allegheny County Jail for a period not exceeding 30 days or the Borough may elect to collect such judgments and costs by execution or other process as provided by law. **[Amended 6-6-2005 by Ord. No. 1533, §III]**

§ 153-12. Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs of prosecution and, in default of payment thereof, to imprisonment for not more than 30 days; provided, however, that the fact that a violator has been penalized, after hearing, as herein provided shall not preclude the borough from taking proper legal action to recover damages resulting from such violation.

