

CHAPTER 6

CONDUCT

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Part 1

Prohibiting Discharge of Firearms

§101. Prohibiting Discharge of Firearms. It shall be unlawful for any person to discharge within the Borough limits a firearm of any description or air rifle or spring-gun or any implement which impels with force a metal pellet of any kind. This section shall not be construed to prohibit the chief of police or persons designated by him from discharging within the Borough a firearm of any description or air rifle or spring-gun or any implement which impels with force a metal pellet of any kind in the performance of his or their duties as policemen within the Borough. (Ord. 72-23, 11/7/1972, §1)

§102. No Hunting With Firearms In Borough. All hunting with firearms of any description, or air rifles, spring-guns or any implement which impels with force a metal pellet of any kind is hereby prohibited within the limits of the Borough of Shamokin Dam. (Ord. 72-23, 11/7/1972, §2)

§103. Penalty. Any person, firm or corporation who shall violate any provision of this Part 1 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars; and/or to imprisonment for a term not to exceed ninety (90) days. (Ord. 72-23, 11/7/1972, §3, as amended by Ord. 88-3, 10/17/1988)

Part 2

Loud, Unnecessary or Unreasonable Noise Prohibited

§201. Noise Prohibited. It shall be unlawful for any person with purpose to cause public inconvenience or annoyance or to make, continue or cause to be made or continued any loud, unnecessary or unreasonable noise within the limits of the Borough which serves no legitimate purpose of said person. (Ord. 86-8, 12/1/1986, §413.01)

§202. Noise Defined. The following acts, among others, are declared to be loud, unnecessary or unreasonable noises in violation of this section, but said enumeration shall not be deemed to be exclusive;

1. Horns, signaling devices, etc. The creation by means of any horn or signaling device of any unnecessary or unreasonably loud or harsh sound, the sounding of any such horn or signaling device for an unnecessary and unreasonable period of time and the sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place of the Borough, except as a danger warning.

2. Radios, phonographs, amplifiers, musical instruments, etc. The operating of any such set, instrument, phonograph, machine or device in such a manner as to be plainly audible from the property of the lot upon which the building or structure in or upon which the set, instrument, phonograph or machine which is the source of the noise is situate shall be prima facie evidence of a violation of this Section when such noise occurs between the hours of 8:00 P.M. and 10:00 A.M. [Ord. 93-5]

3. Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing in the Borough between the hours of 11:00 P.M. and 7:00 AM.

4. Squealing tires. Causing the tires of any automobile or other vehicle to make a squealing noise or other harsh or loud sound except in the event of an emergency.

5. Animal Noise Disturbances. The owning, possessing, harboring or control of any animal which makes any noise continuously and/or incessantly for a period of ten (10) minutes or makes such noise intermittently for one-half ($\frac{1}{2}$) hour or more to the disturbance of any person any time of the day or night regardless of whether the animal is physically situated in or on private property.

(Ord. 86-8, 12/1/1986, §413.02; as amended by Ord 93-5, 11/1/1993, §1)

§203. Fireworks Limitation. It shall be unlawful within the limits of the Borough of Shamokin Dam for any person or person to light or fire off or have in his possession or expose to sale any fireworks except devices in which paper caps containing twenty-five hundredths (.25) grain or less of explosive compound are used and which are so constructed that the hand cannot come into contact with the cap when in place for the explosion and except, further, toy pistol paper caps containing less than twenty-five hundredths (.25) grain of explosive compound. (Ord. 86-6, 12/1/1986, §413.03)

§204. Penalty. Any person, firm or corporation who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred (\$300.00) dollars; and/or to imprisonment for a term not to exceed ninety (90) days. Every day that a violation of this Part 2 continues shall constitute a separate offense. (Ord. 86-6, 12/1/1986, \$413.99, as amended by Ord. 88-3, 10/17/1988)

Part 3

Curfew

§301. Definitions.

As used in this Part, the following terms shall have the meaning indicated:

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

OFFICIAL BOROUGH TIME - Eastern Standard Time or Eastern Daylight Savings Time, whichever is in effect.

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

PARENT - any natural parent of a minor, a guardian or any adult person, eighteen (18) years of age or over, responsible for the care and custody of a minor.

PUBLIC PLACE - any public street, highway, road, alley, park, playground, swimming pool, wharf, dock, public ground, public building or vacant lot.

REMAIN - to loiter, idle, wander, stroll or play in or upon.

(Ord. 04-7, 11/1/2004, §1)

§302. Unlawful Conduct of Minors.

1. It shall be unlawful for any minor under the age of eighteen (18) years to remain in or upon any public place or any establishment, upon the streets, walkways, roads, alleys, parks or playgrounds, public buildings, vacant lots or other unsupervised places within the Borough of Shamokin Dam between the hours of 11:00 P.M. and 6:00 A.M. the following day, provided however, that the provisions of this Section do not apply to a minor accompanied by his or her parent, guardian or other adult person having the care and custody of the minor or to a minor who is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor.

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

(Ord. 04-7, 11/1/2004, §1)

§303. Unlawful Conduct of Parents.

1. It shall be unlawful for any parent, guardian or other adult person having the care and custody of a minor under the age of eighteen (18) years to knowingly permit such minor to be in or upon any public place or any establishment, upon the streets, walkways, roads, alleys, park or playgrounds, public buildings, vacant lots or other unsupervised places within the Borough of Shamokin Dam between the hours of 11:00 P.M. and 6:00 A.M. the following day.

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

(Ord. 04-7, 11/1/2004, §1)

§304. Enforcement; Violations and Penalties.

1. Any police officer who finds a minor violating the provisions of this Chapter shall obtain information from such minor as to his name, age and address and the name and address of his parent or parents. The police officer shall thereupon instruct the minor to proceed to his home forthwith; and/or if the police officer deems it advisable, he shall accompany said minor to his home. The police officer shall ascertain, if possible, if the parent or parents are at home and if so, shall notify them verbally of the violation. In all cases, the police officer shall make a report of the violations to his superior officer. A written notice shall be mailed to the parent or parents of the minor advising them of the violation of this Part.

2. Any parent who shall permit a minor to violate the provisions of this Chapter after having received notice of one (1) prior violation shall be fined not less than fifty dollars (\$50.00) and not more than three hundred dollars (\$300.00) for each violation.

(Ord. 04-7, 11/1/2004, §1)