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PART 1

Pornography

§101. Definitions

KNOWLEDGE OR KNOWLEDGE OF SUCH NUISANCE – having knowledge of the content and character of the patently offensive sexual conduct or other content which appear in the motion picture film, publication, or live theater production, or knowledge of the acts of obscenity, assignation, or prostitution which occur in any place.

LIVE THEATER PRODCUTION – any dramatic, musical, or comedic production performed in the presence of a live audience.

MASSAGE PARLOR – any building or structure or portion thereof, located within the Township, which is open to members of the general public, with or without the payment of a fee, at which massage services are offered.

MATTER – a motion picture file, live theater production publication, or all three.

MODEL STUDIO –

- (1) Any place where there is conducted the business of furnishing figure models who pose in the nude for the purpose of being observed or viewed by any person or of being sketched, painted drawn, sculptured, photographed or otherwise similarly depicted for persons who pay a fee, or other consideration or compensation, or a gratuity, for the right or opportunity so to depict the figure model, or for admission to, or for permission to remain upon, or as a condition for remaining upon the place.
- (2) Any place where there is conducted the business of furnishing or providing or procuring, for a fee or other consideration or compensation or gratuity, figure models who pose in the nude to be observed or viewed by any person or to be sketched, painted, drawn, sculptured, photographed or otherwise similarly depicted.
- (3) Exception. The words “model studio” do not include:
 - (a) Any studio which is operated by any State college or junior college, public or private school, or any governmental agency wherein the person, for, association, partnership or corporation so operating has met the requirement established by the Commonwealth of Pennsylvania for the issuance or conferring of, and is in fact authorized thereunder to issue and confer, a diploma or honorary diploma.
 - (b) Any place where there is conducted the business of furnishing, providing or procuring figure models solely for any studio described in the Section.

MOTION PICTURE FILM – shall include any:

- (1) Film or plate negative.
- (2) Film or plate positive
- (3) Film designed to be projected on a screen for exhibition.
- (4) Films, glass slides or transparencies, either in negative or positive form, designed for exhibition by projection on a screen.
- (5) Video tape or any other medium used to electronically reproduce images on a screen.

NUDE – shall include:

- (1) Completely without clothing.
- (2) With the human male or female genitals, pubic area or buttocks with less than a full opaque covering or the showing of the female breast with less than a fully opaque covering of any portions thereof below the top of the nipple, or the covered male genitals in discernibly turgid state.

OBSCENE MATTER – any matter which:

- (1) The average adult person, applying contemporary community standards, would find, when considered as a whole, appeals to the prurient interest.
- (2) Depicts or describes patently offensive representations or descriptions of:
 - (a) Ultimate sexual acts, normal or perverted, actual or simulated.
 - (b) Masturbation, excretory functions, or exhibition of the genitals or genitals area.
- (3) The matter, taken as a whole, lacks serious literary, artistic, political, educational, or scientific value.

PERSON - any individual, partnership, firm, association, corporation or other legal entity.

PLACE – includes, but is not limited to, any building, structure or space, or any separate part or portion thereof, whether permanent or not, or the ground itself.

PUBLICATION – any book, magazine, article, pamphlet, writing, printing, illustration, picture, sound recording, or a motion picture film which is displayed in an area open to the public, offered for sale or exhibited in a coin-operated machine.

SALE – a passing of title or right of possession from a seller to a buyer for a valuable consideration, and shall include, but is not limited to, any lease or rental arrangement or other transaction wherein or whereby and valuable consideration is received for the use of, or transfer of possession of, obscene matter.

§102. Obscene Films, Live Theater Productions, Publications, and Places Exhibiting the Same Declared a Public Nuisance; Abatement Thereof.

1. Any and every place in the Township where obscene motion picture films or live theater productions are publicly exhibited or possessed for the purpose of such exhibition; and, any and every place in the Township where obscene publications are publicly disseminated or sold, or possessed for the purpose of such dissemination, is a public nuisance.
2. Any and every obscene motion picture film or live theater production which is publicly exhibited, and any and every obscene publication which is publicly displayed, disseminated or sold, or possessed for such purpose, is a public nuisance per se.
3. From and after service on the place, or its manager, or acting manager, or person then in charge of such place, of a true and correct copy of this Part and a true and correct copy of the summons and complaint to abate a nuisance, all monies paid thereafter as admission price to such exhibitions or productions, or purchase price of such publications, are also declared to be public nuisance, as personal property used in conducting and maintaining a declared public nuisance.

(Ord. 15, 6/11/1986, §2)

§103. Massage Parlors or Model Studios Used for Purposes of Obscenity, Assignment, or Prostitution, or Upon Which Such Acts Occur, Declared a Public Nuisance; Abatement Thereof.

1. Every massage parlor or model studio, which, as a regular course of business, is used for the purposes of obscenity, assignment, or prostitution, and every such massage parlor or model studio in or upon which acts of obscenity, assignment, or prostitution are held or occur, is a public nuisance which shall be enjoined, abated and prevented.
2. From and after service on the place, or its manager, or acting manager, or person then in charge of such place, of a true and correct copy of this Part and true and correct copy of the summons and complaint to abate a nuisance, all monies or other valuable consideration paid for services rendered to customers are also declared to be a public nuisance, as personal property used in conducting and maintaining a declared public nuisance.

(Ord. 15, 6/11/1986, §3)

§104. Knowledge of Nuisance Presumed From Notice of Summons and Complaint; Responsibility of Parties Therefore; Abatement of Such Nuisances.

1. Upon and after receiving notice through service of a true and correct copy of this Part and a true and correct copy of the summons and complaint to abate a nuisance or notice by the Township solicitor of the character of the obscene films, production, publication, or place, any and every person who shall own, legally or equitable, lease, maintain, manage, conduct or operate a place in the township which is declared to be a public nuisance as set forth and stated in §§102 and 103 of this Part is deemed to be a person who has knowledge of such nuisance for the purpose of this Part, and may, thereafter, be responsible for its maintenance, and liable therefore.
2. The places and matters declared to be public nuisances under §§102 and 103 shall be abated as provided for herein.

(Ord. 15, 6/11/1986, §4)

§105. Who May Take Action; Posting of Bond.

1. The Township Solicitor or any citizen of the Commonwealth of Pennsylvania resident within the Township may maintain an action of an equitable nature in the name of the Township upon the relation of such Township Solicitor or citizen to abate a nuisance.
2. No bond shall be required of the Township Solicitor. If such action is instituted by a private citizen, a bond shall be required in the amount of not less than \$500, to secure to the defendants the proximate damages which may be sustained, including attorney's fees, if any court finds that there where no reasonable grounds for said action.
3. The Township Solicitor shall have the right to present arguments and authorities on behalf of either party.

(Ord. 15, 6/11/1986, §5)

§106. Remedies

1. Money damages may be recovered:
 - A. For compensation for loss or harm suffered in person or property by the Township or private citizen flowing from such nuisance.
 - B. As exemplary or punitive damages for the sake of example or to punish the

offender, where it is shown that the offender has been guilty of malice. Malice means an intent to do a wrongful act, that is, an intent to maintain, permit or allow a nuisance to exist.

2. Preliminary and permanent injunctions may be issued to prevent the further maintenance of a nuisance and to prevent the further sale or exhibition of obscene motion picture films, live theater productions and publications. The procedures for obtaining such injunctions shall be governed by the rules of civil procedure, preserving the right of trial by jury upon the application for permanent injunction.
3. Upon the application for preliminary injunction the court shall set the matter for a hearing no earlier than two days and no later than five days from the date of service of the summons and complaint.
4. Upon the trial on the merits of the permanent injunction, if the court finds a place to be a nuisance, the court may issue an order closing the place to all uses and purposes for the period of one-year. If the offenders or persons owning, in control or in charge of such place certify that the nuisance has been abated and that the films, productions or publications found to be obscene shall not be exhibited, sold or otherwise disseminated and, at that discretion of the court, post a bond in an amount not to exceed the value of the personal property possessed or contained at such place for the maintenance of the nuisance, the court may release such person or persons from the closure order. The release shall remain in effect for one-year or until the nuisance is found to exist at the place before the expiration of one-year. The bond shall be deposited with the court prior to the release of any closure order and shall be returned to the person posting said bond, without interest, at the expiration of one-year; provided that the nuisance is not maintained or reestablished within that year.

(Ord. 15, 6/11/1986 §6)

§107. Forfeiture to the General Fund of the Township; Cost of Abatement; Manner of Collection.

1. If the existence of the nuisance is established on the trial, a judgment shall be entered which shall permanently enjoin the defendants, and any other person with notice or knowledge of the action and judgment, from maintaining the nuisance at said place and the defendants from maintaining such nuisance elsewhere, and the entire expenses of such abatement action shall be recovered by the plaintiff as part of his costs.
2. The cost of abatement shall include the following:
 - A. Investigative costs.
 - B. Court costs.
 - C. Reasonable attorney's fees arising out of the preparation for, and trial of the case, and appeals therefrom, and other costs allowed on appeal.

- D. Printing costs of trial and appellate briefs, and all other papers filed in such proceeding.
3. Such cost of abatement may be made a special assessment against the place or the parcel of land upon which such place is located. Upon its determination in a civil action, such shall by separate legal proceeding, be made a lien against such property and a personal obligation against any person, and shall be collected at the same time and in the same manner as ordinary Township taxes. All laws applicable to the levy, collection and enforcement of Township taxes shall be applicable to such special assessment.
4. Upon judgment for the plaintiff in legal proceedings brought pursuant to this Part, an accounting shall be made by such defendant or defendants or all monies or valuable consideration received by them which have been declared to be public nuisance under, §§102 or 103 of this Part. Such monies or their equivalent and any valuable consideration received shall be forfeited to the General Fund of the Township or to the Township as property of the Township if any valuable consideration received be not money.

(Ord/ 15, 6/11/1986, §7)

PART 2

Disorderly Houses

§201. Title.

This Park shall be known and may be cited as the “Slippery Rock Township Disorderly House Ordinance.” (Ord. 10A, -/-/1984, §1)

§202. 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 hazard or physically offensive condition by any act which serves no legitimate purpose of the actor.

DISORDERLY HOUSE – any place within the Township of Slippery Rock where two or more 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.

(Ord. 10A, -/-/1984, §2)

§203. Violations.

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

(Ord. 10A, -/-/1984, §3)

§204. Penalties.

Any person, firm or corporation who shall violate any provision 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 \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 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. (Ord. 10A, -/-/1984, §4; as amended by Ord. 2/12/2002)

Part 3
Prohibiting Disorderly Conduct

§301 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:

- A. Engages in fighting or in threatening, 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. 5, 6/13/1972; as revised by Ord. 2/112/2002)

Part 4
**Temporary Use of Outdoor Sound Systems/Temporary Outdoor
Entertainment**

§401 Purpose and Findings.

The Township intends to preserve the peace, health, safety, and welfare of the residents and neighborhoods within its boundaries by regulating the utilization of outdoor sound systems and outdoor entertainment to try and so as to alleviate public nuisance, inconvenience and disturbances of the general peace and tranquility of the Township.

The Township finds that:

- a. Events and gatherings which utilize outdoor sound systems/outdoor entertainment, whether held on private or public property, can often create neighborhood disturbances and other conditions which result in a general disturbance of the peace and can impact the health, safety and welfare of the surrounding community. As such, these types of gatherings require oversight via permit so as to allow the Township, law enforcement officials and/or emergency responders to properly plan for, respond to and/or abate potential threats or nuisances.
- b. The event host, organizer, management entity, or property owner are deemed to be responsible for the activities upon their property and, further, the activities of their guests and/or visitors upon the site of a gathering or event located upon the property.

§402 Shall Not Apply/Exemption.

This ordinance shall not be applicable to a temporary use of outdoor sound systems when necessary to a single family dwelling (when occupied by a family, as defined within the Township's Zoning Ordinance) for a gathering held without charge, surcharge, cover or assessment by the property owner or an occupant tenant. Nor shall this ordinance apply to the following: (1) all uses when located within the E-1 Educational District; (2) the temporary use of sound systems upon the property of a place of worship for religious purposes; and (3) temporary outdoor sound systems in conjunction with auctions, public safety, and political events.

§403 Permit Required.

Use of Outdoor Sound systems for purposes of amplified entertainment when accessory to a retail business, eating and drinking establishment, limited commercial business, park, multiple family dwelling, or any other use or district not specifically exempted under the preceding Section shall require a permit

from the Township. The permit holder shall comply with all provisions established herein after. The permit shall be requested from and issued by the Slippery Rock Township Zoning and Code Enforcement Officer(s).

§404 Definitions.

For purposes of this subsection, “Outdoor Sound Systems” means portable electric or electronic sound systems (whether playing live or recorded music), electric amplifiers, microphones, and amplified acoustic musical instruments. This temporary use is hereafter referred to as an “outdoor amplified music event”.

An “Outdoor Amplified Event: shall mean any gathering of ten (10) or more people not exempt under the preceding Section A, or a place of gathering promoted in such a fashion to attract ten (10) or more people, for the purposes involving outdoor sound systems use outside a completely enclosed building; and is hereafter referred to as “events”.

A “completely enclosed building” shall have four or more solid walls that extend from ground to ceiling and doors or other entranceway which can be secured. A picnic shelter, tent, canopy, pole barn without walls, etc...shall not be deemed to be completely enclosed building which would negate the necessity for a permit.

§405 Duration.

The temporary use permit may be issued for single events, or annually, in the case of properties which host multiple events.

§406. Setback

The outdoor sound amplification equipment shall not be oriented toward a single family residence located within three hundred (300) feet of the property line upon which the outdoor amplified music event is to be held, unless said property is divided by a public street or road. Further, to the extent possible, sound amplification equipment shall be oriented so that sound is directed away from the closest residential property.

§407. Noise

The applicant shall note type, number and amplification systems proposed.

§408. Limitations on Number of Events.

Unless within the boundaries of a public or private park, no more than one (1) outdoor amplified music event shall be held on the property in a thirty (30) day period with a maximum of six (6) events per calendar year.

§409. Hours of Operations.

All outdoor entertainment event activity shall take place only between the hours of 10:00 a.m. and 10:00 p.m. on Sunday through Thursday, and between 9:00 a.m. and 11:00 p.m. on Friday and Saturday. The applicant shall provide the zoning officer with a list of the date(s) and time(s) of the scheduled event(s) prior to obtaining a permit. The permit holder shall annually update the information on file with zoning officer regarding the event date(s) and time(s), and the zoning officer shall be notified of any change in the date(s) and time(s) of events at least ten (10) days prior to the event.

§410. Attendance.

The applicant shall establish maximum attendance at the event where the outdoor sound system is to be employed.

§411. Private Security.

If the event will have less than five hundred (500) attendees, private security shall not be required. If the event attendees will exceed five hundred (500), applicant shall be responsible to secure and retain private event security at a ratio of at least one (1) officer for every five hundred (500) attendees. The permit application shall identify the name, phone number and contact person serving as private security liaison. The private security shall remain on site and present throughout the duration of the event. Failure to provide for the requisite security shall void the permit and shall subject violator to punishment in accordance with the provisions hereinafter.

§412. Parking

Adequate paved or other dust and mud free off-street parking shall be provided at a ratio of one (1) space for each three (3) anticipated attendees. If such parking is located off the lot where the event is to be held, it may be reserve by lease. Off-lot parking shall be either located within eight hundred (800) feet of the event, or shuttle transportation shall be arranged for remote parking.

§413. Traffic and Parking Management Plan.

The applicant shall detail a plan for traffic management for any special event that is anticipated to produce more than one hundred (100) vehicle trips on a township road accessing the event. Traffic and parking management plan shall be submitted at time the application for permit is filed. At a minimum, such traffic and parking management plan shall include the number of vehicles expected, a list of the streets to be used for ingress and egress, and a list of properly surfaced parking areas to be used to accommodate the event. Any and all proposed pedestrian crossing of public streets shall be noted, with a plan for orderly and safe crossing.

§414. Event Notification.

The Township shall provide a copy of the permit application (including the traffic and parking management plan, the details as to private security and the event notification plan) to the Pennsylvania State Police and local emergency responders in advance of the event. The applicant shall provide written notice of every outdoor amplified music event to all properties which abut the subject property at least seven (7) days prior to the date of each event. Such notice can be via first class U. S. Mail or posting of the property with a conspicuous notice. An event notification plan shall be submitted by the applicant prior to obtaining a permit identifying the method by which notice regarding the outdoor amplified music event(s) is to be provided. Such notice shall include the following:

- a. the date, location, and hours of the event;
- b. the name, email address, and telephone number of the person(s) responsible for the event;
- c. the telephone number of the zoning officer's office for purposes of making complaints regarding the event; and
- d. a statement that noise, littering, trespass, or nuisance complaints regarding the event shall be made to the Pennsylvania State Police, Butler Barracks

§415. Revocation of Permit/Edibility.

The Pennsylvania State Police and/or the Township's Zoning/Code Enforcement Officer shall have the authority to revoke a temporary event permit upon the violation of any of the terms and conditions of the use permit or of the provisions of this section. Upon such revocation, the use of any and all outdoor sound amplification shall cease and desist immediately. No property or person in violation of the nuisance gathering ordinance may be eligible for a temporary use permit under this section within a calendar year that said violation occurs. No property or person shall be eligible for a temporary use permit for any property that is already in violation of Township statutes, laws or ordinances.

§416. Penalty

A violation of this ordinance shall be deemed to be a breach of the peace of the Township of Slippery Rock. Any person(s), property owner, management agent, authority, partnership, corporation or the like which is found to have violated this Ordinance shall be deemed to have committed a breach of the peace and shall be subject to summary citation for Disorderly Conduct-Breach of Peace. Enforcement shall be by action brought before a district justice in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The municipal solicitor may assume charge of the prosecution without the consent of the District Attorney in accordance with Pa.R.Crim.P. No. 83(c) and Section 1601 (c)(2) of the Township Code (53 P.S. Section 66601 et seq). Upon conviction of same, the violator shall be subject to fine of no less than \$250 and no more than \$1,000 for a first and any subsequent offense. To the extent permitted, the court shall also assess costs and direct

reimbursements as warranted. Upon failure to pay the requisite fine, the offender may be jailed or imprisoned in accordance with the laws of this Commonwealth.

(Ord. 2017-2, 3/13/2017 §4)

Part 5
Nuisance Gathering

§501 Purpose and Findings.

The Township intends to preserve the peace, health, safety, and welfare of the residents and neighborhoods in the municipality by reducing gatherings and events that become a public nuisance

The Township finds that:

- c. Events and gatherings held on private or public property where persons gather and where neighborhood disturbances, destruction and defacing of property, violence and hazardous conditions result constitute a threat to peace, health, safety, and welfare of the community that require prevention, response to, and/or abatement.
- d. The hosts or other organizers of a gathering or event are deemed to be responsible for the activities of their guests and visitors on the site of the gathering or event.

§502 Definitions.

For purposes of this ordinance, the following terms have the following meanings:

EVENT OR GATHERING – Event or gathering means any group of ten (10) or more persons who have assembled or gathered together for a social function or other activity on public or private property whether indoors or outdoors.

HOST(S) - Host(s) means to aid, conduct, allow, entertain, organize, supervise, control, or overtly permit a gathering or event.

LIQUOR – Liquor as defined by Title 18 – Pennsylvania Crimes Code Section 6310.6.

MALT OR BREWED BEVERAGES – Malt or brewed beverages as defined by Title 18 – Pennsylvania Crimes Code Section 6310.6

PERSON – Person means any individual, partnership, co-partnership, corporation, or any association of one or more individuals.

PREMISE – Premise means any home, yard, fraternity house, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation. Premises licensed by the Pennsylvania Liquor

Control Board are EXCLUDED from the definition of “premise” for purposes of this ordinance.

UNDERAGE PERSON – Underage person is any individual under twenty-one (21) years of age.

§503 Declaration of Nuisance Gathering.

An event or gathering that results in three (3) or more of the following illegal activities at a Premises, is hereby declared to be an unlawful public nuisance as defined herein:

- a. Excessive, unnecessary, or unreasonably loud noise which does or is likely to disturb the comfort, quiet, or repose of the neighborhood (Section 5503 of the Pennsylvania Crimes Code – Title 18) and /or Chapter 6, Parts 2 and/or 3 of the Slippery Rock Township Code of Ordinances; or
- b. Public disturbances, brawls, fights, or quarrels or indecent or obscene conduct (Section 5503 of the Pennsylvania Crimes Code – Title 18); or
- c. Purchase, consumption, possession, or transportation of Liquor or Mail or Brewed beverages (Section 6308 of the Pennsylvania Crimes Code – Title 18); or
- d. Public drunkenness (Section 5505 of the Pennsylvania Crimes Code Title18); or
- e. Public urination or defecation (Section 5503 of the Pennsylvania Crimes Code – Title 18); or
- f. Unlawful sale, furnishing, or consumption of intoxicating beverages (Section 6310.1 of the Pennsylvania Crimes Code – Title 18); or,
- g. Unlawful deposit of trash or litter – Section 6501 of the Pennsylvania Crimes Code Title 18); or
- h. Criminal mischief (Section 3304 of the Pennsylvania Crimes Code – Title 18); or
- i. Sale, manufacture, possession of any controlled substances as defined in “The Controlled Substance, Drug, Device and Cosmetic Act” Act of 1972, P.L. 233, No. 64; or
- j. Open lewdness or indecent exposure (Section 5901 or Section 3127 of the Pennsylvania Crimes Code – Title 18).

- k. Any event that is in breach of Ordinance 2017-2 (a/k/a the Outdoor Sound Systems/Outdoor Entertainment Ordinance) for reasons such as: failure to obtain permit; failure to provide requisite security; exceeding terms of permit; or any similar breach/violation of same.
- l. Where law enforcement or emergency medical services/provides determines there to have been a nuisance gathering or disturbance of the peace, based upon actual observation of events and/or conduct of those present.

§504 Exclusions.

The within Ordinance shall not apply to any event or gathering held for political or religious purposes, regardless of size, whether held indoors or outdoors and whether held on public or private property.

§505 Prohibited Acts.

- a. Any premise owner, occupant, tenant, or other person having any possessory control, individually or jointly with others, of any premise who sponsors, conducts, hosts, invites, or overtly permits an event or gathering that at any time of the event or gathering to become an unlawful public nuisance as defined in Section 503 is hereby deemed to have committed a violation of this section.
- b. Assistance Request Exemption. Any premise owner; occupant, tenant, or other person having any possessory control, individually or jointly with others, of any premise who request assistance from the Commonwealth of Pennsylvania State Police to prevent a gathering from becoming a nuisance gathering as set forth herein, shall not be considered to have violated this ordinance. This exemption may only be obtained one time in any 365 day period.

§506. Penalty for Violation

- e. Any person who violates Section 505 is guilty of a summary offense punishable by a fine of not less than \$500.00 nor more than \$1,000.00
- f. In addition to fine, any person or entity who violates Section 505 may be assessed the cost of reimbursing local law enforcement, fire services, EMS, ambulance or other provider who responds to calls or renders assistance at the Nuisance Gathering.
- g. A penalty provided for under subsection (a) of this Section may be imposed in addition to any criminal penalty that may be imposed for any other criminal offense arising for from the same event.
- h. Each act of violation and every day upon which such violation occurs shall constitute a separate offense.

§507. Severability

If any section, subsection, sentence, clause, phrase, word, or other portion of this ordinance is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance, which remaining portions shall continue in full force and effect.

(Ord. 2015-5, 11/23/2015, §4) (Ord. 2017-3, 3/13/2017 §5)