

CHAPTER 6

CONDUCT

PART 1

CURFEW

- §6-101. Definitions and Interpretation**
- §6-102. Purposes**
- §6-103. Curfew; Exceptions**
- §6-104. Parents Not to Permit Violations**
- §6-105. [Reserved]**
- §6-106. [Reserved]**
- §6-107. Police Discretion in Age Determination**
- §6-108. Penalties**

PART 2

NOISE DISTURBANCES

- §6-201. Short Title**
- §6-202. Disturbing the Peace Unlawful**
- §6-203. Standards for Determining Violation**
- §6-204. Penalties**

PART 3

PUBLIC PROPERTY PROTECTION

- §6-301. Definition and Interpretation**
- §6-302. Tampering with Public Property on Streets, Alleys or Public Ground Prohibited**
- §6-303. Tampering with Stakes, Posts and Monuments Prohibited**
- §6-304. Tampering with Warning Lamps, Signs or Barricades Prohibited**
- §6-305. Removal of Material from Streets, Alleys or Public Grounds Prohibited**
- §6-306. Deposit of Harmful Substances Prohibited**
- §6-307. Exceptions**
- §6-308. Penalties**

PART 1
CURFEW

§6-101. Definitions and Interpretation.

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 Borough of Galeton.

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.

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.

(Ord. 228, 10/8/1975; as revised by Ord. 287, 12/30/1991)

§6-102. 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 Borough of Galeton 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. 228, 10/8/1975; as revised by Ord. 287, 12/30/1991)

§6-103. 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 Borough of Galeton, or in any enclosure or vehicle which

§6-107. Police Discretion in Age Determination.

The police officers of the Borough of Galetton, 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. 228, 10/8/1975; as revised by Ord. 287, 12/30/1991)

§6-108. Penalties.

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 and costs, and in default of payment, to imprisonment for a term not to exceed 30 days.

(Ord. 228, 10/8/1975; as revised by Ord. 287, 12/30/1991)

PART 2
NOISE DISTURBANCES

§6-201. Short Title.

This Part shall be known and may be cited as the "Disturbance of the Peace Ordinance."

(Ord. 229, 11/12/1975, §1)

§6-202. Disturbing the Peace Unlawful.

It shall be unlawful for any person to willfully make or continue or cause to be made or continued, or permit any animal, vehicle, and/or equipment subject to the control or operation of said person to make or continue, any loud, unnecessary or unusual noise which disturbs the peace of mind of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.

(Ord. 229, 11/12/1975, §6)

§6-203. Standards for Determining Violation.

The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include but not be limited to the following:

- A. The volume of the noise.
- B. The intensity of the noise.
- C. Whether the nature of the noise is usual or unusual.
- D. Whether the origin of the noise is natural or unnatural.
- E. The volume and intensity of the background noise, if any.
- F. The proximity of the noise to residential sleeping facilities.
- G. The nature and zoning of the area within which the noise emanates.
- H. The density of the inhabitation of the area within which the noise emanates.
- I. The time of the day or night the noise occurs.
- J. The duration of the noise.

PART 3

PUBLIC PROPERTY PROTECTION

§6-301. Definition and Interpretation.

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

(Ord. 287, 12/30/1991)

§6-302. Tampering with Public Property on Streets, Alleys or Public Ground Prohibited.

No person shall destroy, injure, tamper with or deface any public property of the Borough, or any grass, walk, lamp, ornamental work, building or streetlight on or in any of the streets, alleys, sidewalks or public grounds in the Borough.

(Ord. 287, 12/30/1991)

§6-303. Tampering with Stakes, Posts and Monuments Prohibited.

No person shall in any manner interfere or meddle with, or pull, drive, change, alter, or destroy any stake, post, monument, or other marking made, placed or set, or hereafter made, placed or set, or caused to be done by the authorities of the Borough, to evidence the location, elevation, line, grade, corner, or angle of any public street, alley, sidewalk, curb, gutter, drain, or other public work, or thing.

(Ord. 287, 12/30/1991)

§6-304. Tampering with Warning Lamps, Signs or Barricades Prohibited.

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

(Ord. 287, 12/30/1991)

PART 4

DISCHARGE OF FIREARMS OR SIMILAR DEVICES

§6-401. Discharge of Firearms Prohibited.

Except in necessary defense of person and property and except as provided in §6-403 of this Part, it shall be unlawful for any person to use, fire, or discharge any gun or other firearm within the Borough of Galetton.

(Res. 8, 4/20/1899; as revised by Ord. 287, 12/30/1991)

§6-402. Use of Air Rifles, Bow and Arrows, or Similar Devices Restricted.

It shall be unlawful for any person to discharge any air rifle, air pistol, spring gun, spring pistol, B-B gun, bow and arrow, or similar device, or any implement that is not a firearm but which impels a pellet of any kind with a force that can reasonably be expected to cause bodily harm, at any place within the Borough, except as provided in §6-403 of this Part, and except on a target range which is properly constructed to trap or stop the projectile as ascertained by the Chief of Police.

(Res. 8, 4/20/1899; as revised by Ord. 287, 12/30/1991)

§6-403. Exceptions.

This Part shall not apply to:

- A. Persons licensed to hunt in this Commonwealth while actually engaged in hunting where permitted under the laws of the Commonwealth of Pennsylvania.
- B. Members of any organization incorporated under laws of this Commonwealth engaged in target shooting upon the grounds or property belonging to or under the control of such organization.
- C. Any law enforcement officers when used in the discharge of their official duties.

(Res. 8, 4/20/1899; as revised by Ord. 287, 12/30/1991)

PART 6
LOITERING

§6-601. Purpose.

The purpose of this Part is to declare as unlawful the loitering of persons on public property, public places or business property which, for no legitimate reason, impedes, obstructs or otherwise interferes with access to places open to the public or public rights-of-way. Nothing in this Part is intended to prohibit orderly picketing, demonstrating or other forms of Constitutionally protected activities.

(Ord. 332, 6/14/2006)

§6-602. Definitions.

As used in this Part, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

BOROUGH — the Borough of Galeton, Potter County, Pennsylvania.

BUSINESS PROPERTY — any property used for the purpose of operating a commercial business or enterprise and which is open to the public and/or business invitees.

LOITERING — the assembling of two or more persons in such a way, and for no legitimate purpose, which unnecessarily interferes with or impedes other persons' use of or access to public rights-of-way, easements or business properties.

PERSON — every natural person, association, partnership or corporation. Whenever used in any clause prescribing or imposing a fine or penalty of imprisonment in default of payment thereof, the term, as applied to associations shall mean any partner thereof, and as applied to corporations, shall mean the president or the chief executive officer.

PUBLIC PLACE — any place customarily open to the public or business invitees.

PUBLIC PROPERTY — any property that, by right or custom, the use of or access to is open and available to the public. Examples of such places include any public street, highway, sidewalks, or public parking lot within the Borough.

(Ord. 332, 6/14/2006)

§6-603. Loitering on Public Property/Place.

No person shall, at any time, loiter in or on any public property or place, without legitimate reason or purpose, in the manner herein prohibited.