

Chapter 6

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Part 1**Curfew****§6-101. Definition of Terms.**

Curfew period—the entire period between 11 p.m. and 5:30 a.m., except on Fridays and Saturdays the hours shall be from 12 midnight to 5:30 a.m.

Minor—a person under the age of 18 years, whether a resident or nonresident of the Borough, unmarried and not emancipated.

Parent—the father, the mother or the guardian or other legal custodian of a minor.

Public place—any public street, sidewalk, highway, road, alley, park, playground, public building, vacant lot or location where the public commonly has access to.

Remain—to loiter, idle, wander, stroll or play in or upon.

(Ord. 79-8, 3/19/1979, §1)

§6-102. Curfew Established for Minors.

It shall be unlawful for any minor to remain in or upon any public place in the Borough unless accompanied by his or her parent or on an errand or business directed by the minor's parent, or in connection with the minor's employment.

(Ord. 79-8, 3/19/1979, §2)

§6-103. Unlawful for Parent or Minor.

It shall be unlawful for any parent to allow or permit a minor under his custody to violate any provision of §6-102 and any parent or minor who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not less than \$25, nor 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.

(Ord. 79-8, 3/19/1979, §3; as amended by A.O.)

Part 2**Loitering****§6-201. Lingering in or about Specific Facilities.**

Under circumstances falling short of rendering such person(s) an implied invitee or licensee, it shall be unlawful for any person(s) to linger in or about and for a purpose unconnected with lawful activity related to facilities of a restricted nature, including a store, laundromat, bank or other financial institution, school, post office, public phone, barroom or any other place of business. Also, Troy Borough Hall or Troy Police Station, any place of public worship or any parking area serving such facility of a restricted public nature. Such specific places shall be deemed to include, to the fullest extent permitted as reasonable under all circumstances, any point within 100 feet of such place or facility, for the effective dispelling of alarm for safety of person(s) or property, prevention or disruption of activities in which facilities specialize and minimizing of trespassing or trespassing ab initio. The provisions of this Section shall not be restricted only to the hours of said facilities operation, but shall apply at all times.

(Ord. 85-1, 3/18/1985)

§6-202. Definitions.

As used in this Part, the following words and phrases shall have the meaning given to them in this Part:

Barroom—any facility or business licensed by the State to serve and/or sell alcoholic beverages.

Public phone—any pay telephone accessible to the general public.

(Ord. 85-1, 3/18/1985)

§6-203. Group Loitering.

On any public street, including sidewalks thereof (and walls, steps or points immediately adjacent thereto, so as to minimize evasion), it shall be unlawful for three or more persons as a group, or as interacting individuals or groups, to linger for more than 10 minutes under circumstances that tend to annoy and alarm persons in that vicinity, or warrant alarm for the safety of property in that vicinity.

(Ord. 85-1, 3/18/1985)

§6-204. Loitering Prohibited.

It shall be unlawful for any person to loiter or prowl in circumstances of time, place or manner not usual for law abiding individuals, or which circumstances reasonable warrant alarm for the safety or security of persons or property in the vicinity of such actor. Among the circumstances which may be considered in determining whether such alarm is reasonably warranted is that the actor takes flight upon the appearance of a police officer, that he or she refuses to identify himself or herself or that he or she manifestly endeavors to conceal himself or herself or any object.

(Ord. 85-1, 3/18/1985)

§6-205. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to 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 or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 85-1, 3/18/1985; as amended by A.O.

Part 3**Alcoholic Beverages****§6-301. Prohibition.**

1. No person shall transport or possess on his person or in a motor vehicle any beer, wine or alcoholic beverages in an open container in or upon the streets, sidewalks, alleys or public ways of the Borough of Troy, nor in or upon the parking areas of private shopping centers, businesses or other institutions under the jurisdiction of the Police Department of the Borough of Troy.

2. No person shall consume or possess beer, wine or alcoholic beverages in an open container in or upon the property of another unless that person is a guest, licensee or invitee of the owner or occupier of the property.

(Ord. 92-4, 9/21/1992, §1)

§6-302. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$50 nor 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 or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 92-4, 9/21/1992, §1; as amended by A.O.)

Part 4**Discharge of Firearms****§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 Troy.

(Ord. 79-10, 3/19/1979; as revised by A.O.)

§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.

(Ord. 79-10, 3/19/1979; as revised by A.O.)

§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.

(Ord. 79-10, 3/19/1979; as revised by A.O.)

§6-404. Penalties for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to 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 or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 79-10, 3/19/1979; as revised by A.O.)

Part 5**Public Drunkenness****§6-501. Public Drunkenness Prohibited.**

1. Public drunkenness, as defined in §5505 of the Crimes Code, 18 Pa.C.S.A., and in the conduct described herein, is hereby prohibited within the Borough of Troy.

2. A person is guilty of public drunkenness if that person appears in any public place manifestly under the influence of alcohol to the degree that they may endanger themselves or other person or property or annoy persons in the vicinity.

3. 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.

(A.O.)

§6-502. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to 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 or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(A.O.)

Part 6**Protection of Public Property****§6-601. 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.

(A.O.)

§6-602. 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 street light on or in any of the streets, alleys, sidewalks or public grounds in the Borough.

(A.O.)

§6-603. 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.

(A.O.)

§6-604. 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 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 any public grounds of the Borough, within or without the Borough.

(A.O.)

§6-605. Removal of Material from Streets, Alleys or Public Grounds Prohibited.

No person shall take any earth, stone or other material from any street, alley or public grounds in the Borough.

(A.O.)

§6-606. Deposit of Harmful Substances on Streets, Alleys, Sidewalks or Public Grounds Prohibited.

No person shall pour, throw or deposit any harmful or destructive substance or matter on any street, alley, sidewalk or public grounds in the Borough.

(A.O.)

§6-607. Exceptions.

This Part shall not apply to normal activities in connection with 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 Borough.

(A.O.)

§6-608. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, 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 or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(A.O.)

Part 7**Throwing Objects onto Streets****§6-701. Prohibited Acts.**

The throwing, kicking or knocking of any ball, snowballs, stones or any other missile upon or into any of the public streets, alleys or sidewalks in the Borough is hereby prohibited.

(A.O.)

§6-702. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to 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 or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(A.O.)

Part 8**Disorderly Conduct****§6-801. Disorderly Conduct Prohibited.**

1. Disorderly conduct, as defined in §5503 of the Crimes Code, 18 Pa.C.S.A. §5503, and in the conduct described herein is hereby prohibited within the Borough of Troy. A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm or recklessly creating a risk thereof he:

- A. Engages in fighting or threatening or in 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.
- D. Urinates or defecates on or immediately adjacent to any street, alleyway or building in the Borough.
- E. Urinates or defecates outdoors on private or public property if such an act is reasonably within the public view and causes alarm, annoyance or disgust.

2. 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.

(A.O.)

§6-802. Penalty for Violation.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to 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 or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(A.O.)

