

ORDINANCE NO. 96-4

PROHIBITING DISORDERLY CONDUCT AS HEREIN DEFINED, IMPOSING PENALTIES FOR VIOLATION THEREOF; CONTAINING A SEVERABILITY CLAUSE AND REPEALING ALL ORDINANCES INCONSISTENT HERewith TO THE EXTENT OF SUCH INCONSISTENCY.

BE IT ORDAINED, and it is hereby ordained by the Council of the Borough of East Prospect, York County, Pennsylvania, as follows:

Section I.

It shall be unlawful for any person to commit or cause to be committed any act of acts or disorderly conduct within East Prospect Borough, York County, Pennsylvania.

Section II.

The following acts are defined and declared to be disorderly conduct in violation of this ordinance:

- (a) Refusing to obey any lawful order issued by any law enforcement officer of East Prospect Borough while in the performance of his/her duties.
- (b) Whoever wilfully makes or causes to be made any loud, boisterous and unseemly noise or disturbances to the annoyance of the peaceable residents of the Borough, whereby the public peace is broken or disturbed, or the public is annoyed, is guilty of the offense of disorderly conduct.
- (c) Appearing under the influence of alcohol or any illegal substance in or on any public street, avenue, alley, park or public building.
- (d) Prowling or loitering about the property of other persons or peering or peeping into any house of other structure without the consent of the owner.
- (e) Enticing any minor by an adult to accompany them for immoral purposes.
- (f) Publicly making use of profane, scandalous, obscene or indecent language.

(g) Engaging in fighting or brawling in or on any public street, avenue, alley, park, public building or any building or other place to which the public has access.

(h) Willfully making any excessive noise, or any unseemly and loud noises with a motor vehicle, or operating any such motor vehicle in a manner that may annoy the peaceable residents of the borough, or operating any such vehicle, including, but not limited to automobiles, trucks, motorcycles, and mini-bikes, in such a manner that is not of the normal operation of said vehicle, including but not limited to, squealing of tire, excessive speed, drag racing, roaring of engines to purposely create an excessive amount of noise, and erratic driving, are hereby declared to be acts of disorderly conduct.

Section III.

Any person violating Section II, Paragraphs (a), (b), (c), (d), (f), (g), or (h) of this ordinance shall, upon conviction thereof in a summary proceeding before a Justice of the Peace, be sentenced to pay a fine not to exceed Three Hundred Dollars (\$300.00) and costs of prosecution, and in default of the payment of such fine and costs, shall be imprisoned in the York County Prison for a period of not more than sixty (60) days, and any person violating Section II, Paragraph (e) of this ordinance, shall, upon conviction thereof, in a summary proceeding before a Justice of the Peace, be sentenced to pay a fine not to exceed Five Hundred Dollars (\$500.00) and costs of prosecution, and in default of the payment of such fine and costs, shall be imprisoned in the York County Prison for a period of not more than one hundred twenty (120) days.

Section IV.

If any provision of this ordinance or the application thereof to any person or circumstance, is held invalid, the remainder of this ordinance and the application of such provision to other persons or circumstances shall not be affected thereby and to this end the provisions of this ordinance are declared to be severable.

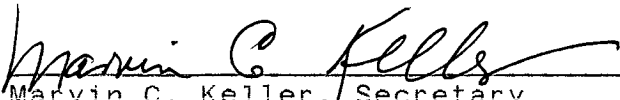
Section V.

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed to the extent of such inconsistency.

ORDAINED AND ENACED as an Ordinance by the Borough Council
of the Borough of East Prospect, York County, Pennsylvania in
lawful session duly assembled this 2nd day of April
1996.


Donald E. Barshinger, President

ATTEST:


Marvin C. Keller, Secretary


Maxine J. Kuntz, Mayor

Proof of Publication

in the _____ Court _____ of York County

Copy of Advertisement Attached Here

Of _____ Term, 19
No. _____

THE YORK DISPATCH/YORK SUNDAY NEWS and YORK DAILY RECORD are the names of the daily newspapers of general circulation published continuously for more than the last six months by York Newspaper Company, at its principal place of business, which is at 1891 Loucks Road, York, PA 17404.

The printed copy of the advertisement hereto attached is a true copy, exactly as printed and published, of an advertisement printed in the regular issues of the said **The York Dispatch/York Sunday News and York Daily Record** published on the following dates, viz:

March 22, 1996

**COMMONWEALTH OF PENNSYLVANIA
COUNTY OF YORK**

SS

Before me, a Notary Public, personally came Nancy L Nelson

_____ who being duly sworn deposes and says that he/she is the legal clerk of York Newspaper Company, and has personal knowledge of the publication of the advertisement mentioned in the foregoing statement; that the facts set forth in said statement and all the allegations of said statement as to the time, place and character of publication are true, and that the affiant is not interested in the subject matter of the above mentioned advertisement.

Sworn and subscribed to before me this

22nd day of March 1996

Jean Marie Porter

Notary Public

Nancy L Nelson

LEGAL NOTICE
The East York Prospect Borough Council at its regular scheduled meeting on April 2, 1996 will be adopting the following ordinances:
Ordinance #74-4 Prohibiting disorderly conduct as herein defined and imposing penalties for violation thereof.
Ordinance #74-5 An Ordinance regulating outside burning within the Borough and Penalties for violation thereof.
Ordinance #74-6 Limiting the use of skateboards in the Borough.
Copies of ordinances are available at the Borough Office and can be inspected during business hours: Monday 9:00 AM to 12:00 PM and Thursday Mornings 9:00 AM to Noon. Copies of same at a reasonable cost can be obtained by calling 252-3405 or 252-2141.
Marvin C. Keller
Borough Secretary

Notarial Seal
Jean Marie Porter, Notary Public
York Twp., York County
My Commission Expires March 20, 1997
Member, Pennsylvania Association of Notaries

Received of _____

_____ Dollars
100

in payment of the charge for the publication of above mentioned advertisement and the expense of above affidavit.

Advertisement \$ _____

Affidavit \$ _____

Flat Rate Fee \$ _____

\$ _____