

ORDINANCE NO. 7, 1969

AN ORDINANCE OF THE TOWNSHIP OF UPPER BERN, BERKS COUNTY, PENNSYLVANIA, RELATIVE TO DISORDERLY CONDUCT, CARRYING CONCEALED WEAPONS, LOAFING AND LOITERING, SOUNDING FALSE ALARMS, OBSTRUCTING OFFICERS IN THE PERFORMANCE OF DUTY, MALICIOUS DAMAGE TO PROPERTY, OBSTRUCTING PUBLIC WAYS, AND PUBLIC SAFETY: PROVIDING FOR THE ENFORCEMENT OF THE SAME AND PRESCRIBING THE PENALTIES FOR VIOLATIONS THEREOF.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Upper Bern, and IT IS HEREBY ENACTED AND ORDAINED by authority of the same that it shall be unlawful for any person or persons, company or corporation:

SECTION 1. DISORDERLY CONDUCT

(a) To willfully make or cause to be made, or, being the owner of any premises or having control thereof, to permit within or on said premises, any loud, boisterous or unseemly noise or disturbances, or to be guilty of vagrancy, or to engage in fighting or to incite others to fight, assault or quarrel, or to incite to riot, or to engage in any other unlawful act tending to imperil the personal security of any person or persons within the Township of Upper Bern.

(b) To use publicly profane, blasphemous, or indecent language, to commit open lewdness or any act of public indecency, make any indecent exposure of the person, to be found in a state of intoxication or drunkenness, to be gathered in disorderly assemblies on the streets or in drinking places.

(c) To cause, any unnecessary sounding of sirens, bells, whistles or other warning devices and disturbing noises by motor vehicle, including but not limited to the squealing of tires, backfiring, blowing of a horn or horns, and racing of a motor, to the annoyance of the residents nearby, or within or near to any alley, street, bridge, public passageway or public place whereby the public peace is broken or disturbed or the public is annoyed or offended.

SECTION 2. CARRYING CONCEALED WEAPONS

To carry such items as any firearm, bomb, explosive substance, slingshot, handy-billy, dirk-knife, razor, or any other deadly weapon concealed upon the person or any knife, razor or cutting instrument the blade of which can be exposed in an automatic way by switch push-button, spring mechanism, or otherwise unless authorized by law.

SECTION 3. LOAFING AND LOITERING

To loaf, loiter or stand upon any of the sidewalks, in front or on places of business or other public highways or public places, so as to willfully and unnecessarily interfere or obstruct the free and full passage of owners, residents, travellers or other persons.

SECTION 4. SOUNDING FALSE ALARMS

To raise or cause to be raised any false alarm for fire or police by the ringing of fire-bells or the giving of any other common or recognized alarm.

SECTION 5. OBSTRUCTING OFFICERS IN THE PERFORMANCE OF DUTY

To knowingly, willfully or forcibly obstruct, resist, publicly insult, harass, heckle or oppose any officer or other person duly authorized while serving or attempting to serve or execute any legal process or order, or in making a lawful arrest.

SECTION 6. MALICIOUS DAMAGE TO PROPERTY

(a) To willfully or wantonly destroy, deface or damage in any way, any public or private property within the Township of Upper Bern.

(b) To deface, disfigure or write upon or in any manner cause to be placed on any house, fence, wall, building, structure, automobile, or other auto vehicle, or any part thereof, any marks, lines, figures, letters, or caricatures of any kind without the permission of the owner thereof.

SECTION 7. OBSTRUCTING PUBLIC WAYS

To obstruct or block any public street, road, highway, alley, sidewalk or private or public driveway with any type of object or obstruction in such a manner as to restrict the flow of traffic. This section shall not be construed so as to prohibit obstruction of such public ways for the purpose of immediate loading or unloading, provided authorization has been obtained from the Chief of Police or proper authority to obstruct such public ways.

SECTION 8. PUBLIC SAFETY

To imperil or endanger the personal safety or security of any person or persons within the Township of Upper Bern.

SECTION 9. PENALTIES

Any person who shall violate any provision of this Ordinance shall upon conviction thereof before any Court of proper jurisdiction be sentenced to pay a fine of not less than Ten Dollars (\$10.00) nor more than Three Hundred Dollars (\$300.00), and costs of prosecution, to be collected in the manner in which such fines

are by law collectable, and, in default of the payment of said fine and costs, to be imprisoned in the Berks County Jail for a period not exceeding thirty (30) days.

SECTION 10. SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or otherwise invalid provision not been included herein.

ENACTED and ORDAINED this 7th day of November, 1969.

Richard H. Benge

Godwin R. Benge

Franklin S. Benge
Board of Supervisors of Upper
Bern Township, Berks County,
Pennsylvania

Attest:

Franklin S. Benge
Secretary