

# TUSCARORA TOWNSHIP ORDINANCE NO. 8

AN ORDINANCE TO REPEAL TUSCARORA TOWNSHIP ORDINANCE NO. 8 THE DISORDERLY PERSON ORDINANCE AND REPLACE SUCH ORDINANCE WITH A NEW DISORDERLY PERSON ORDINANCE AND TO PRESCRIBE PENALTIES FOR VIOLATIONS.

THE TOWNSHIP OF TUSCARORA ORDAINS:

## **Section 1, Repeal.**

Ordinance No. 8 adopted July 23, 1975 is hereby repealed effective thirty (30) days after publication of this Ordinance.

## **Section 2, Definitions.**

The term "public place" as used in this Ordinance shall mean any street, alley, park, public building, any place of business or assembly open to or frequented by the public and any other place which is open to the public view, or to which the public has access.

## **Section 3, Disorderly Conduct.**

No person shall in any public place:

- a. Be drunk or under the influence of any narcotic drug if, while drunk or under the influence of a narcotic drug, said person is endangering the well-being of himself or herself or other persons.
- b. Be in a naked state.
- c. Use any indecent or immoral language to, or in the presence or hearing of, any other person, or manifest any indecent or immoral behavior in said township in the presence, view or hearing of any other person.
- d. Engage in any disturbance, fight or quarrel.
- e. Conduct himself or herself in such a manner that he or she unreasonably disturbs a meeting of municipal officials.
- f. Disturb the public peace and quiet by loud, boisterous or vulgar conduct.
- g. Allow any place occupied or controlled by him or her to be a resort of noisy, boisterous or disorderly persons.

- h. Obstruct, resist, hinder or oppose any member of the Police or Fire Departments or any peace officer in the discharge of his duties as such, or to flee on foot from any member of the Police Department when said officer is lawfully discharging his duties.
- i. Prowl about or loiter in any alley or the private premises of any other person without authority or the permission of the owner of such premises.
- j. Summon, as a joke or prank or otherwise without any good reason therefore, by telephone or otherwise, the Police or Fire Department or any public or private ambulance to go to any address where the service called for is not needed.
- k. While under the age of seventeen (17) years loiter or remain in or upon any streets, alleys or public places in the Township of Tuscarora between the hours of eleven (11:00) o'clock P.M. and five (5:00) o'clock A.M. of the following day, unless such minor is in the pursuance of an errand directed by a parent, guardian or other person having care or custody, or while the performance of such lawful employment of such minor makes it necessary that such minor be upon such streets, alleys or public places during the night time, within such specified hours.
- l. To loiter, loaf, wander, stand or remain idle either alone and /or in consort with others in a public place in such a manner so as to:
  - a. obstruct any public street, public highway, public sidewalks or any other public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians.
  - b. commit in or upon any public street, public highway, public sidewalk or any other public place or building any act which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by any one in or upon or facing or fronting on any such public street, public highway, public sidewalk or any other public place or building, which act prevents the free and uninterrupted egress or ingress to or from said place.

When any person or persons causes or commits any of the conditions herein enumerates in this subsection, a police officer or any law enforcement officer shall order that person or persons to cease causing or committing such conditions and to move or disperse. Any person or persons who fails or refuses to obey such orders shall be guilty of a violation of this Section.

#### **Section 4. Penalties.**

Any persons violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding FIVE HUNDRED DOLLARS (\$500.00) or be imprisoned in the County jail for a period not exceeding NINETY (90) days or be both so fined and imprisoned. Any minor whose age would place him under the jurisdiction of the Probate

Court, violating any of the provisions of this Ordinance shall be dealt with in accordance with Juvenile Court law and procedure.

**Section 5. Publication.**

This Ordinance shall be published once in the Straitsland Resorter, a Newspaper published and circulating in said township and shall become effective thirty (30) days after publication.

Enacted and ordained on the 1st day of August, 1994.