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**PART 1**

**VANDALISM**

**§6-101. Prohibiting Vandalism of Borough Monuments.**

It shall be unlawful for any person or persons, not authorized thereto by the Town Council or the Street Committee thereof, to destroy, remove, mutilate or otherwise tamper with any of the Borough monuments or street markers within the Borough of East McKeesport or any pins placed by the Borough Engineer or other engineer, on private property or wherever located.

*(Ord. 122, 4/29/1913, §1)*

**§6-102. Penalty.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600 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 shall constitute a separate offense.

*(Ord. 122, 4/29/1913, §2; as amended by Ord. 828, 6/12/2003, §1)*



**PART 2**

**DISORDERLY CONDUCT**

**§6-201. Disorderly Conduct Prohibited.**

Disorderly conduct, as defined in §5503 of the Crimes Code, 18 Pa.C.S.A. §5503, is hereby prohibited within the Borough. 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.

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.

*(Ord. 828, 6/12/2003, §1)*

**§6-202. Penalty for Violation.**

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 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days.

*(Ord. 828, 6/12/2003, §1)*



**PART 3**

**DISORDERLY HOUSES**

**§6-301. Offense.**

A person shall be guilty of keeping, maintaining or visiting a disorderly house or place in the Borough of East McKeesport, Allegheny County, Pennsylvania, if such person is found on the premises or found to be the keeper or keepers thereof.

*(Ord. 617, 5/31/1973, §1)*

**§6-302. Definitions.**

**DISORDERLY HOUSE** - all houses of ill-fame; all houses frequented by persons for lewd, unchaste or immoral purposes; all houses or places maintained to the encouragement of idleness, gaming, gambling, drinking, the use of drugs or narcotics of any kind, or misbehavior, or the common nuisance and disturbance of the neighborhood or orderly citizens; all unlicensed public dance houses and all houses and places where intoxicating liquors are sold without license contrary to the laws of this Commonwealth, or where persons gather or visit unlawfully for any unlawful purpose or practices; all houses and places where a slot machine and other games of chance are unlawfully maintained and operated; all houses and places frequented by persons for the purpose of having their future forecast or having their fortune told; either for pay or for gift.

*(Ord. 617, 5/31/1973, §2)*

**§6-303. Penalty.**

Any person, firm or corporation who shall violate any provision of this Part shall, 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 shall constitute a separate offense.

*(Ord. 617, 5/31/1973, §3; as amended by Ord. 828, 6/12/2003, §1)*





**PART 4**

**CURFEW**

**§6-401. Curfew of Minors.**

It shall be unlawful for any child actually or apparently under the age of 18 years to loiter, wander or stroll about the streets, avenues, alleys or public parks of said Borough in the night season after the hour of 10 p.m. unless accompanied by parent or other adult guardian having legal custody and control of such minor.

*(Ord. 588, 8/19/1969, §I)*

**§6-402. Parent or Guardian Responsibility.**

It is hereby made unlawful for any parent, guardian or other person having legal care and custody of any child under the age of 18 years to allow or permit any such child or ward to go or be in or upon any street, alley or other public places within the time prohibited in §6-401 of this Part.

*(Ord. 588, 8/19/1969, §II)*

**§6-403. Violation and Penalty.**

Any policeman, constable, or peace officer is hereby authorized to arrest any such minor violating any of the provisions of §6-401 and for the first violation to take such child to East McKeesport Borough building and notify his parents or guardians of such violation and issue a citation for violation of the provisions of this Part, said parents or guardians, 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 date that the violation of this Part continues shall constitute as a separate offense. If said minor cannot be controlled, he or she shall be placed in some reformatory institution of this Borough or State or referred to the juvenile authorities of Allegheny County for further charges.

*(Ord. 588, 8/19/1969, §3; as amended by Ord. 828, 6/12/2003, §1; and by Ord. 867, 10/11/2007, §1)*



**PART 5**

**NOISE**

**§6-501. Noise Restricted.**

It shall be unlawful for any person to make, continue or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise which either annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others, within the limits of the Borough.

*(Ord. 793, 12/14/1998, §1)*

**§6-502. Application.**

This Part shall apply:

- A. To all types of vehicles, appliances and equipment, whether privately or publicly owned.
- B. To sounds of any time duration.
- C. To both the owner and operator of vehicles, appliances, equipment, devices, animals or any other object creating noises.

*(Ord. 793, 12/14/1998, §2)*

**§6-503. Exemptions.**

The following devices are exempt from the provisions of these regulations:

- A. Aircraft (except model aircraft).
- B. Police, fire, ambulance and other governmental emergency vehicles.
- C. Governmental warning devices (i.e., civil defense or fire sirens).

*(Ord. 793, 12/14/1998, §3)*

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### §6-504. Noise Limitations.

1. **General.** No person shall make, permit or cause to be made, any excessive noise of any kind by crying, calling or shouting, or by means of any whistle, rattle, bell, gong, clapper, hammer, drum, horn, hand organ, mechanically operated piano, other musical instrument, wind instrument, mechanical device, radio, phonograph, sound amplifying or other similar electronic device unless said person has obtained a special permit from the Borough of East McKeesport.
2. **Musical Instruments.** No person shall use or perform any hand organ or other musical instrument or device, for pay or in expectation of payment, in any public way or public open space of the Borough before 8 a.m. or after 6 p.m. of the day unless said person has obtained a special permit from the Borough of East McKeesport.
3. **Noise from Premises.** No persons owning, or in possession or control of any building or premises, shall use the same, permit the use of the same or rent the same to be used for any business or employment or residential use, or for any purpose of pleasure or recreation, if such use shall, by its boisterous nature, disturb or destroy the peace of the neighborhood as measured at the property line in which such building or premises is situated, or be dangerous or detrimental to health.
4. **Equipment Noise.** It shall be unlawful for any person to use any pile driver, shovel, hammer, derrick, hoist, tractor, roller or other mechanical equipment operated by fuel or electric power in building or construction operations from 9 p.m. to 8 a.m. of the following day, except for emergency work on public improvements, work of public service utilities and municipal services unless such equipment has been manufactured or modified for sound control and meets the provisions of this Part.
5. **Noise in Handling Refuse Cans.** No person shall make any unnecessary noise in the handling of ash, trash and garbage cans, either in loading or unloading, whether full or empty.
6. **Noise in Vicinity of Hospitals, Schools and Churches.** No person shall make any unnecessary noise in the vicinity of any hospital or church during the hours of public worship or school during school hours.
7. **Unlawful to Keep Noisy Animals.** No persons shall keep, or permit to be kept, harbor or otherwise maintain any animal which shall disturb the quiet of any public street or other public place, or of any neighborhood. Provided, however, that a noisy animal shall be defined as one or more animals which makes noises habitually, so as to constitute annoyance to a person of ordinary sensibilities.
8. **Noise by Peddlers.** No peddler or other person who plies a trade or calling of any nature on the stress of the Borough shall use any horn, bell or other sound instrument to make any noise tending to disturb the peace and quiet of the neighborhood, for the purpose of directing attention to his wares, trade or calling.

9. **Use of Horns and Other Devices or Vehicles.** No person, operating any vehicle, other than police, fire, public service or ambulance operators shall sound any horn, bell, gong, siren or whistle, except for the ordinary horn installed on such vehicle by the manufacturer, or sound any type of horn except when reasonably necessary to prevent accidents or to otherwise comply with the law of motor vehicles.
10. The operational performance standards established by this Part shall not apply to any public performance being conducted in accordance with provisions of a special permit obtained from the Borough of East McKeesport for the conduct thereof.
11. **Vehicles.** No person shall operate either a motor vehicle of a type subject to registration, except in police, fire equipment, ambulances or other government emergency vehicles at any time or under any condition of grade, load, acceleration or declaration in such a manner as to be excessive, unnecessary or unusually loud.

(*Ord. 793, 12/14/1998, §4*)

**§6-505. Violations and Penalties.**

A police officer or Enforcement Officer of the Borough shall be authorized to issue a warning to persons considered in violation of these regulations, a warning which may allow an appropriate time not to exceed 30 calendar days for correction to bring the offending vehicle, appliance, animal, equipment or other device within the provisions of these regulations before enforcement by prosecution. Any person, firm or corporation who shall violate any provision of this Part shall, 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 shall constitute a separate offense.

(*Ord. 793, 12/14/1998, §5; as amended by Ord. 828, 6/12/2003, §1*)



**PART 6**

**BUSINESS DOOR AJAR**

**§6-601. Prohibiting Open Business Doors.**

It shall be unlawful for any business owner to permit or allow any door of entry or exit to stand open or ajar when the noise level inside the business establishment due to loud or offensive sounds is at such a level to constitute a disturbance. By “door” is meant a door of solid construction, capable of defusing or diminishing loud and offensive sounds. A screened or a lower door does not qualify under this definition.

*(Ord. 737, 7/11/1991, §1)*

**§6-602. Noise.**

Loud or offensive sounds shall include, but not be limited to, raucous conversations, loud and profane utterances, disturbing noises from a television set, record player, radio, juke box or other electrical transcription devices and loud and boisterous singing and shouting which disturb and intrude on the tranquility and peace of the immediate neighborhood and which are offensive to a passerby.

*(Ord. 737, 7/11/1991, §2)*

**§6-603. Alcoholic Beverages.**

It has be unlawful at any time for any person to possess, display or drink from any open container having therein any alcoholic beverage in public view or on any sidewalk, street, parking lot, shopping mall or in or on any moving vehicle within the Borough.

*(Ord. 737, 7/11/1991, §3)*

**§6-604. Penalty.**

Any person, firm or corporation who shall violate any provision of this Part shall, 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 shall constitute a separate offense.

*(Ord. 737, 7/11/1991, §4; as amended by Ord. 828, 6/12/2003, §1)*





**PART 7**  
**LOITERING**

**§6-701. Definitions.**

For the purposes of this Part, the following words shall have the meaning ascribed thereto:

**LOITERING** - to loaf, linger, remaining idle in essentially one location or lingering or standing around without purpose either alone or in concert with others.

**PARENT OR GUARDIAN** - any adult person having the care or custody of a minor, whether by reason of blood relationship, the order of any court or otherwise.

**PUBLIC PLACE** - any place to which the public has access including any public street or alley, or public sidewalk, or areas designated for public parking by the Borough of East McKeesport Council.

**SEMI-PUBLIC PLACE** - private property that is customarily used by the public as an integral part of a commercial business, such as the front or the neighborhood of any store, shop, restaurant, tavern or other place of business, as well as parking lots or other vacant private property not owned by or under the control of the person charged with violating this chapter, or, in the case of a minor, not owned or under the control of his parent or guardian.

*(Ord. 936, 11/10/2016, §1)*

**§6-702. Loitering in Public Places.**

1. No person shall loiter in a public place, as defined above, in such a manner so as to:
  - A. Obstruct any public street, public sidewalk, public bridge (foot or vehicle) or public building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles or pedestrians.
  - B. Create or cause to be created any annoyance to the comfort and repose of any person any person or persons.
  - C. Create or cause to be created a danger of a breach of the peace or otherwise engage in disorderly conduct such as by making unreasonable noise, engaging in tumultuous behavior, using profane language or creating a physically offensive condition that causes or is likely to cause public inconvenience, annoyance or alarm.
  - D. Obstruct, molest or interfere with any person lawfully in any public place. This subsection shall include the making of unsolicited remarks of an offensive, disgusting

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or insulting nature, or which are calculated to annoy or disturb the person to or in whose hearing they are made.

2. Nothing in this section shall be construed to prohibit peaceful picketing or free speech, provided that such picketing does not obstruct free and uninterrupted passage of vehicles or pedestrians.

*(Ord. 936, 11/10/2016, §2)*

### **§6-703. Loitering in Semi-Public Places.**

No person shall at any time loiter in a semi-public place, as defined in §6-701 above, in such a manner so as to:

- A. Obstruct the free, unadulterated passage of vehicles.
- B. Obstruct or interfere with any person lawfully seeking access to use of the commercial business.
- C. Make unreasonable noise, engage in tumultuous behavior, use profane language or create a physically offensive condition that causes or is likely to cause public inconvenience, annoyance or alarm.

*(Ord. 936, 11/10/2016, §3)*

### **§6-704. Enforcement.**

Whenever any police officer or a duly appointed Borough Code Enforcement Officer shall, in the exercise of reasonable judgment, decide that the presence of any person in any public place or semi-public place an individual is causing or is likely to cause any of the conditions enumerated in §§6-702 or 6-703 above, he may, if he deems it necessary for the preservation of the public peace and safety, order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by such an officer shall be guilty of a violation of this Part.

*(Ord. 936, 11/10/2016, §4)*

### **§6-705. Loitering by Minors.**

1. No parent or guardian of a minor under the age of 18 years shall knowingly permit that minor to loiter in violation of this chapter.

2. Whenever any minor under the age of 18 years is charged with a violation of this chapter, his parent or guardian shall be notified of this fact by any police officer or a duly appointed Borough Code Enforcement Officer.
3. If at any time within 90 days following the giving of notice, as provided in subsection 2. above, the minor to whom such notice relates again violates this chapter, it shall be presumed in the absence of evidence to the contrary that the minor did so with the knowledge and permission of his parent or guardian.

*(Ord. 936, 11/10/2016, §5)*

**§6-706. Penalty.**

Any person who violates any provision of this Part, upon conviction in a summary proceeding, shall be sentenced to pay a fine of not more than \$600 to be paid for the use of the Borough of East McKeesport, together with costs of prosecution which shall include reasonable attorney's fees.

*(Ord. 936, 11/10/2016, §6)*

