

AN ORDINANCE DEFINING DISTURBING THE PEACE WITHIN THE LIMITS OF THE TOWNSHIP, PROHIBITING ALL ACTIVITY TENDING TO DISTURB THE PEACE AND QUIET OF THE TOWNSHIP, INCLUDING THE PREVENTING OF IMMORAL OR IMPROPER APPEARANCES AND THE UTTERING OF PROFANE, IMMORAL OR ABUSIVE LANGUAGE AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION HEREOF.

The Board of Supervisors of the Township of Honey Brook DOES ORDAIN:

SECTION 1. Disturbing the Peace Defined and Prohibited. Disturbing the peace within the meaning of this Ordinance shall constitute the making, causing or permitting to be made, anywhere in Honey Brook Township, any unnecessary noise, clamor, din, or other sounds tending to disturb the peace and quiet of the community and the carrying on of any business, trade, transportation, recreation or amusement at any time, in a place, or in a manner which causes any unnecessary noise or disturbance. Any and all such noises and disturbances are hereby prohibited. All noises or other sounds shall be considered to be unnecessary and to constitute disorderly conduct, even though they are no louder than is customary and are the unavoidable sounds or noises attendant upon the ordinary use or occupation of premises, or attendant upon the ordinary operation or performance of business, trade, transportation, recreation or other amusement, if they are made on Sunday or weekdays during hours other than the usual and customary hours for such work or activity. Except in cases of emergency, no person shall carry on any activity at a time or in a manner which causes unnecessary annoyance or disturbs the peace and quiet of the immediate neighborhood.

SECTION 2. Particular Conduct Prohibited. Without in any manner intending to limit or restrict the generality of the above definition of, and prohibition against, disturbing the peace, the following are hereby declared to constitute disturbing the peace:

(a) The unnecessary sounding of automobile horns, sirens, bells, whistles or other warning devices. The operators of motor vehicles shall at all times exercise due care and foresight in their operation and shall not substitute the sounding or warnings for careful driving and the maintenance of proper control over their respective vehicles. It is not intended hereby to prohibit the use of such warning devices in emergencies or at times when, in the exercise of good judgment, a prudent operator would use such devices.

(b) The operation of radios, phonographs or other mechanical instruments, or singing, shouting or playing of musical instruments in a manner and at a time which is generally considered to be inappropriate and which unnecessarily disturbs the peace and quiet of the immediate neighborhood.

(c) The loading, unloading and delivery of coal or other materials, merchandise or commercial products at a time of the day or night which unnecessarily disturbs the peace and quiet of the immediate neighborhood.

(d) The discharging on or across the streets or highways of air guns, spring guns, rifles or firearms of any kind or character whatsoever.

(e) Loitering, lounging or congregating on the street corners or in front of any place of business in the Township.

(f) Acting in and about the streets or other public places of the Township in a noisy, loud, boisterous and unseemly manner, or in such a manner as to disturb the peace and quiet of the community.

(g) Acting in and about the streets or other public places of the Township while visibly under the influence of intoxicating liquor or otherwise acting or conducting oneself so as to present any unruly, immoral or improper appearance.

(h) The uttering in a loud or audible fashion upon the streets or in other public places of vulgar, profane, immoral or abusive language.

SECTION 3. Penalty. Any person violating any of the provisions of this Ordinance shall be guilty of the offense of disturbing the peace, and, upon conviction hereof in a summary proceeding, shall be sentenced to pay the costs of prosecution and a fine not exceeding Twenty-Five Dollars (\$25.00), and in default of the payment thereof, shall be imprisoned for a period not exceeding thirty (30) days. All fines paid under this Ordinance shall be to the Township Treasurer for the use of the Township.

SECTION 4. Repeal of Ordinance. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed, but nothing herein shall be deemed to repeal or affect any existing Ordinance or Resolution of the Township declaring certain acts or conduct not lawful or herein provided for to constitute disturbing the peace and prohibiting the same.

SECTION 5. If any part of this Ordinance shall be declared unconstitutional, or in any other way inconsistent with enabling legislation, or violative of the same, passed by the legislature of the Commonwealth of Pennsylvania, the remaining portions of this Ordinance shall remain in full force and effect.

Nov. 6. 1968

James A. Amble

Walter B. Peber

Robert C. Bachman