

**CHAPTER 6**

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CHAPTER 6

CONDUCT

Part 1

Disorderly Conduct

**§101. Disorderly Conduct Prohibited.** Disorderly conduct is hereby prohibited within the Township of East Buffalo. A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he: (1) engages in fighting or in threatening, violent or tumultuous behavior; (2) makes unreasonable noise; (3) uses obscene language, or makes obscene gesture; (4) or 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. (Ordinance 6A, March 14, 1960; as revised by Ordinance 63, June 13, 1983)

**§102. Penalties.** Violations of this Part shall be enforced by an action brought before a District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required by Pennsylvania Rule of Criminal Procedure No. 83 (c). The fine for a violation of this Part shall not exceed \$1,000.00 and/or imprisonment to the extent allowed by law for the punishment of summary offenses. (Ordinance 289, December 14, 2006)

CHAPTER 6

CONDUCT

Part 2

Alcoholic Beverages

**§201. Definitions.** As used in this Part, the following words or terms shall have the meanings and shall be construed according to the definitions indicated hereinbelow, unless a different meaning clearly appears from the context of this Part:

ALCOHOLIC BEVERAGES - Any spirits, wine, beer, ale or other liquid containing more than one-half of a percent (.5%) of alcohol by volume which is fit for beverage purposes.

CONTAINER - Any bottle, can or other vessel in which alcoholic beverages are contained.

(Ordinance 90, October 13, 1986)

**§202. Consumption.** No person shall consume any alcoholic beverage in any quantity upon any street, avenue, alley, sidewalk, thoroughfare, parking lot or other public property within the Township of East Buffalo, whether such person is on foot or is in or on a motor vehicle and whether such vehicle is moving or is stationary, nor shall any person consume any alcoholic beverage within five (5) feet of any public street, alley, way or thoroughfare while on a private stairway, doorway or other private property open to public view without the express or implied permission of the owner, his agent or other party in lawful possession thereof. (Ordinance 90, October 13, 1986)

**§203. Possession.** No person shall possess any container of alcoholic beverage, whether wrapped or unwrapped, which is subject to public view and which has been opened or on which the seal has been broken in any manner, on any public street, avenue, alley, sidewalk, thoroughfare, parking lot or other public property within the Township of East Buffalo, whether such person is on foot or is in or on a motor vehicle and whether such vehicle is moving or is stationary, nor shall any person possess any container of alcoholic beverage within five (5) feet of any public street, alley, way or thoroughfare while on a private stairway, doorway or other private property open to public view without the express or implied permission of the owner, his agent or other person in lawful possession thereof. (Ordinance 90, October 13, 1986)

**§204. Exceptions.** The provisions of §202 and §203 of this Part shall not apply to interior portions of any private dwelling, habitat or building; to the consumption or possession by persons in the areas herein designated of any lawfully prescribed and dispensed medication having an alcoholic content as set forth in §201 hereof; or to premises duly licensed by the Pennsylvania Liquor Control Board and to persons then and there patrons of said licensee.  
(Ordinance 90, October 13, 1986)

**§205. Penalties.** Violations of this Part shall be enforced by an action brought before a District Judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. The Township Solicitor may assume charge of the prosecution without the consent of the District Attorney as required by Pennsylvania Rule of Criminal Procedure No. 83 (c). The fine for a violation of this Part shall not exceed \$1,000.00 and/or imprisonment to the extent allowed by law for the punishment of summary offenses. (Ordinance 289, December 14, 2006)

**§206. Severability.** If any section, paragraph, subdivision, subsection, clause or provision of this Part shall be judged invalid, unconstitutional or illegal by any court of competent jurisdiction, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause or provision so adjudged, and the remainder of this Part shall be deemed valid and effective. (Ordinance 90, October 13, 1986)