

ORDINANCE NO. 11

AN ORDINANCE OF THE TOWNSHIP OF SOUTH HEIDELBERG, BERKS COUNTY, PENNSYLVANIA, PROVIDING FOR THE PUBLIC PEACE AND ORDER AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ENACTED AND ORDAINED by the Township of South Heidelberg, Berks County, Pennsylvania, and it is hereby enacted and ordained by authority of the same, that:

SECTION 1. It shall be unlawful and shall constitute disorderly conduct for any person:

(a) To commit a breach of peace, to be guilty of vagrancy, riotous or disorderly conduct; to engage in fighting, assault or quarrel, or to engage in any other unlawful act tending to imperil the personal security of any person or to endanger or injure property within the Township.

(b) To use loud, boistrous, profane, blasphemous, indecent or immoral language upon or near any of the public highways or public places or in any manner so as to annoy residents in the neighborhood, or to make any unseemly noise or disturbance to the annoyance of the residents near by.

(c) To commit any act of lewdness or public indecency of exposure of person, or to become intoxicated.

(d) To loaf, loiter or stand upon any of the public highways or places, so as to interfere with the free and full passage of residents or travelers.

(e) To set up, maintain, open or conduct any gambling place or device; immoral show, entertainment or exhibition; unlawful drinking place, resort or house of prostitution; or be gathered in or participate in the operation of the same, or to be a patron thereof.

(f) To carry concealed any deadly weapon, air rifle, air pistol or spring gun of any type whatsoever, except as authorized by State law; to sell, offer for sale or possess any knife where the blade is released by a spring mechanism including knives known as switchblades; to throw on or into any highway any stones, snowballs or other material or to raise any false alarm of fire.

(g) To falsely impersonate a police officer or any other officer belonging to the Police Department of the Township; to deceive, use or imitate any sign, signal or device thereof; to obstruct or resist any of said officers in the performance of official duty; to, in any manner, aid any prisoner in custody to escape or to attempt to escape.

→ (h) To deposit, dump or permit to accumulate upon any public or private property within the Township, any accumulations of garbage, rubbish or junk.

(i) To cast upon or discharge into or upon any of the highways, alleys or public places in the Township, any garbage, waste, objects or material calculated to wound, bruise or maim man or beast or to impair property; or to discharge into or upon any of the highways, alleys or public places in the Township any vegetables, garbage, ashes, dirt, rubbish of any kind, pasteboard boxes, paper, advertisements and handbills, show bills, wastepaper or sweepings; or suffer the same to be or remain deposited in any location in any of the said highways, alleys or any other public place in the Township adjoining or adjacent to the premises of each owner, tenant or occupier.

(j) To affix any show bill, placard or poster upon any utility pole or tree within the Township without first obtaining the consent of the owner thereof.

(k) To obstruct, with any vehicle or any other obstruction, except for the purpose of immediate loading or removing, any of the public highways or alleys in this Township.

(l) To deface, disfigure or write upon or in any manner cause to be placed on any vehicle or house, wall or building of any kind whatsoever or any part thereof or upon fences, any marks, lines, figures, letters or caricatures of any kind.

(m) To sell, use or discharge fireworks, firecrackers, sparklers or other pyrotechnics, in any public or private place, except as authorized by State law.

(n) To fix, put up, or erect upon the pavement, sidewalk, curb or gutter in front of, or along any dwelling house, store or other building or premises, any signboard, bulletin board or any obstruction of any type whatsoever, which will interfere with the complete and full use, at all times, by the public of said pavement, sidewalk, curb and gutter.

(o) To transport any ashes, dust, leaves, wastepaper, trash, rubbish or other materials likely to be scattered by the wind, in any open vehicle without wetting or covering the same, so as to prevent the scattering thereof.

(p) To use any drum, loud speaker or other instrument or device for the purpose of attracting attention by the creation of noise to any place of business or amusement. The use of any such device outside of, or near an open door or window of any such place shall be presumed to be for such purpose.

(q) To play any radio, phonograph or musical instrument in such a manner or with such volume as to annoy or disturb the quiet comfort or repose of any person in the vicinity.

(r) To permit weeds to grow on their property, particularly Canada Thistles, Chickery or Marihuana, so as to prevent them from going to seed and the seed thereof from ripening.

(s) To permit trees to grow on their property, with limbs extending over streets, highways or any public way at a height of less than eight feet from the surface of said street, highway or public way.

(t) To own or harbor a dog and permit the same to run at large or bark unduly.

SECTION 2. Any person or persons violating any of the provisions of this ordinance, or neglecting to comply with any order or notice issued pursuant to a violation of any section hereof, shall, upon conviction before any Justice of the Peace, be sentenced to pay a fine not exceeding One Hundred Dollars (\$100.00) for each offense with costs to be recovered in the name of the Township of South Heidelberg, Berks County, Pennsylvania, and if the amount of said judgment and costs shall not be paid, said person or persons shall suffer imprisonment in the Berks County Prison not exceeding thirty (30) days.

SECTION 3. The word person used in this ordinance, shall in all cases, include any individual or individuals, partnership, association or corporation, singular or plural, including the responsible officers of any such association or corporation.

SECTION 4. The provisions of this ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, invalid or beyond the power of the Township of South Heidelberg to prohibit the decision so holding, it shall not be construed to affect the validity of any of the remaining portions of this ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township of South Heidelberg

that this ordinance would have been adopted had such unconstitutional, invalid or unauthorized provision or provisions not been included therein.

ENACTED and ORDAINED this 10 day of July,
1962.

BOARD OF SUPERVISORS OF THE TOWNSHIP
OF SOUTH HEIDELBERG, BERKS COUNTY,
PENNSYLVANIA

By *John A. ...*
President

Attest: *Paul S. Blatt*
Secretary

AN ORDINANCE AMENDING ORDINANCE NO. 11 OF
THE TOWNSHIP OF SOUTH HEIDELBERG ADOPTED
JULY 12, 1962 AND ENTITLED "AN ORDINANCE
OF THE TOWNSHIP OF SOUTH HEIDELBERG, BERKS
COUNTY, PENNSYLVANIA, PROVIDING FOR THE
PUBLIC PEACE AND ORDER AND PROVIDING
PENALTIES FOR THE VIOLATION THEREOF"

BE IT ENACTED AND ORDAINED by the Board of Supervisors
of the Township of South Heidelberg, Berks County, Pennsylvania,
and it is hereby enacted and ordained by authority of the same,
that the previous ordinance passed on July 12, 1962 providing
for the public peace and order and providing penalties for the
violation thereof, is hereby amended as follows:

SECTION 1. Section (s) of said ordinance is hereby
amended to read:

(s) To permit trees to grow on their property,
with limbs extending over streets, highways or any public
way, at a height of less than sixteen feet (16') from
the surface of said street, highway or public way, and
to permit trees to grow on their property, with limbs
extending over sidewalks used by the public at a height
of less than twelve feet (12').

SECTION 2. Said ordinance shall include Section (u)
which shall read as follows:

(u) It shall be unlawful to loiter or congregate
upon any of the streets, alleys or public grounds, or
private grounds, within the Township of South Heidelberg,
Berks County, to the annoyance of any peaceful residents,
or to travel upon any streets, alleys or public or
private grounds in the said Township whereby the public

peace is broken or disturbed or property, private or public, is jeopardized, and it is further unlawful to trespass upon any private property within the said Township without the consent of the owner, express or implied.

SECTION 3. The provisions of this ordinance shall be severable and shall not invalidate the sections of the previous ordinance except as herein specified where they are totally substituted for pre-existing sections.

SECTION 4. This ordinance shall be considered as part of Ordinance No. 11 in all other respects including the penal clause thereof.

ENACTED and ORDAINED this 11 day of JUNE,

1963.

BOARD OF SUPERVISORS OF THE TOWNSHIP
OF SOUTH HEIDELBERG, BERKS COUNTY,
PENNSYLVANIA

By

James Ruston
President

Attest:

Paul S. Blatto
Secretary