

**WRIGHTSVILLE BOROUGH
YORK COUNTY, PENNSYLVANIA**

ORDINANCE 2013-1

**AN ORDINANCE OF WRIGHTSVILLE BOROUGH, YORK COUNTY, PENNSYLVANIA,
AMENDING CHAPTER 6 (CONDUCT), PART 1 (PROHIBITING DISORDERLY CONDUCT)
SECTION 102 (DISTURBANCE OF THE PEACE PROHIBITED) OF THE WRIGHTSVILLE
BOROUGH CODE OF ORDINANCES TO PROHIBIT LOITERING**

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of Wrightsville Borough, York County, Pennsylvania, as follows:

SECTION 1. Chapter 6 (Conduct), Part 1 (Prohibiting Disorderly Conduct), Section 102 (Disturbance of the Peace Prohibited) of the Wrightsville Borough Code of Ordinances shall be revised to delete Section 102 in its entirety and replace it with the following:

§102 A. Disturbance of the Peace Prohibited.

Disturbance of the peace is hereby prohibited within the Borough. Any person who shall be guilty of any willful act causing or tending to cause a disturbance of the peace and good order of the Borough or causing or tending to cause any danger, discomfort or annoyance to the inhabitants of the Borough or to users of any of the public streets or alleys in the Borough; or who shall fight or quarrel in public or incite others so to fight or quarrel or who shall publicly make use of obscene, profane or indecent language shall be guilty of disturbance of the peace.

§102 B. Loitering Prohibited.

1. It shall be unlawful for any person to loiter at, on, or in a public place or place open to the public in such manner:

a. to interfere with, impede, or hinder the free passage of pedestrian or vehicular traffic;

b. to interfere with, obstruct, harass, curse or threaten or to do physical harm to another member or members of the public; or

c. that by words, acts, or other conduct, it is clear that there is a reasonable likelihood a breach of the peace or that disorderly conduct shall result.

2. It shall be unlawful for any person to loiter at a public place or place open to the public and to fail to obey the direction of a uniformed police officer or the direction of a properly identified police officer not in uniform to move on, when not to obey such direction shall endanger the public peace.

3. It is unlawful for any person who is standing or loitering within 100 feet of a licensed establishment which sells alcoholic beverages in such a manner as to obstruct free passage on or along the street or sidewalk, to disobey a request by a police officer to move on. For purposes of this section, distances are to be measured along the street or other public way in both directions from the center of the main entrance, or any other entrance used by the patrons of the licensed establishment.

4. Scope.

a. No person shall be charged with a violation of this section unless and until the arresting officer has first warned the person of the violation and the person has failed or refused to stop the violation.

b. Nothing herein shall be construed to prohibit the orderly picketing or other lawful assembly.

5. Definitions.

a. "Loitering" means:

1. to stand around or remain or to park or remain parked in a motor vehicle
at a public place or place open to the public and to engage in any conduct prohibited under this law,

2. to collect, gather, congregate or to be a member of a group or a crowd
of people who are gathered together in any public place or place open to the public and to
engage in any conduct prohibited under this law.

b. "Place open to the Public" means:

1. any place open to the public or any place to which the public is invited
and in, on or around any privately owned place of business, private parking lot or private
institution, including places of worship, cemetery or any place of amusement and entertainment, whether or not a charge of admission or entry thereto is made.

2. includes the elevator, lobby, halls, corridors and areas open to the public
of any store, office or apartment building.

c. "Public place" means:

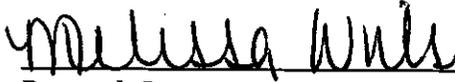
- 1. any public street, road or highway, alley, lane, sidewalk, crosswalk
or
other public way or any public resort, place of amusement, park, playground, public building or grounds appurtenant thereto, public parking lot or any vacant lot.

SECTION 2. This Ordinance shall be effective five (5) days after adoption.

SECTION 3. Any Ordinance conflicting or inconsistent with this Ordinance is repealed to the extent of such conflict or inconsistency.

ENACTED AND ORDAINED, this 3RD day of June, 2013, by the Borough Council of the Borough of Wrightsville.

ATTEST:



 Borough Secretary

BOROUGH COUNCIL OF THE BOROUGH OF WRIGHTSVILLE:

By: 

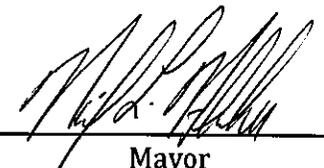
 Borough Council President VICE

APPROVED, this 3rd day of June,, 2013, by the Mayor of the Borough of Wrightsville.

ATTEST:



 Borough Secretary



 Mayor

