

CHAPTER 6

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Part 1
Disorderly Conduct

§101. Disorderly Conduct Prohibited. Disorderly conduct, as defined in the Pa. Crime Code of 1972 [18 CP S.A. §5503], is hereby prohibited within the Borough. A person is guilty of disorderly conduct if they:

1. engage in fighting or in threatening, violent or tumultuous behavior;
2. make unreasonable noise;
3. use obscene language, or makes an obscene gesture; or
4. create 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. 234, 11/16/1936; as revised by Ord. 675, 11/17/1986)

§102. Penalty for Disorderly Conduct. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00) and/or to imprisonment for a term not to exceed ninety (90) days. (Ord. 234, 11/16/1936; as revised by Ord. 675, 11/17/1986)

Part 2

Crossing of Police Lines

§201. Definition. A "police line" is defined as the boundary of an area which has been temporarily isolated or set apart by ropes, barricades, or other reasonable methods in the pursuance of official duties by the Mayor, Chief of Police, Fire Chief, Fire Police Captain, Building Official, or such other official as Borough Council may designate, and which boundary or line is plainly marked by a sign bearing the inscription "Police Line" - "Do Not Cross." (Ord. 503, 12/26/1973, §1)

§202. Unlawful to Cross "Police Line". It shall be unlawful for any person to cross a "police line" without the express permission of the designated authority of the Borough of Emmaus. (Ord. 503, 12/26/1973, §2)

§203. Penalties. Any person, firm or corporation who shall violate any provision of this Part 2 shall, upon conviction thereof, be sentenced to pay a fine of not more than three hundred dollars (\$300.00); and/or to imprisonment for a term not to exceed ninety (90) days. (Ord. 503, 12/26/1973, §3; as amended by Ord. 675, 11/17/1986)

Part 3

Alarms and Automatic Protection Devices

§301. Definitions. As herein used, the following terms shall have the following meanings:

AUDIBLE ALARM - Any bell, horn, siren or other device which is attached to the interior or exterior of a building and emits a warning signal audible outside the building which is designed to attract attention when activated by a criminal act, fire or other emergency requiring police or fire department to respond.

AUTOMATIC PROTECTION DEVICE - An electronically operated instrument composed of sensory apparatus and related hardware which automatically transmits a prerecorded voice alarm or other signal over regular telephone lines, cellular connections, radio or other communication medium by direct or indirect connection to the Lehigh County Communication Center upon receipt of a stimulus from a sensory apparatus that has detected a physical force or condition inherently characteristic of an intrusion, fire or other emergency. [Ord. 947]

BOROUGH - The Borough of Emmaus, Lehigh County, Pennsylvania.

FALSE ALARM/FALSE DISPATCH - Any alarm or other signal activated by an automatic protection device and given to the Lehigh County Communication Center, or any audible alarm, to which police and/or fire department respond and which is not the result of a burglary, robbery, fire or similar type of emergency. [Ord. 947]

(Ord. 698, 7/5/1988, §1; as amended by Ord. 947, 7/1/2002)

§302. Registration of Existing Alarm. Within ninety (90) days from the date of passage of this Part, every owner and lessee of an alarm in the Borough shall register the existence of said alarm with the Borough. Burglar alarms shall be registered with the Borough of Emmaus Police Department and fire alarms shall be registered with the Borough of Emmaus Fire Department, and the following information shall be furnished: [Ord. 947]

1. The name, residence address, and telephone number of the property owner, and, if different from the owner, the lessee of the alarm. [Ord. 947]

2. The address in the Borough where the alarm is installed. [Ord. 947]

3. The name, address and telephone number of at least one other person other than the owner or lessee of the alarm who is authorized to respond to and have authority and means to enter the building in which the alarm is installed. [Ord. 947]

4. The name, address and telephone number of anyone who monitors the alarm. [Ord. 947]

All information furnished pursuant to these sections shall be kept confidential and shall be for the sole use of the Borough of Emmaus Police Department and Borough of Emmaus Fire Department.

(Ord. 698, 7/5/1988, §2; as amended by Ord. 947, 7/1/2002)

§303. Registration of New Alarm. Within ten (10) days of any new installation of an audible alarm in the Borough, the owner and lessee of said audible alarm shall register the same with the Borough. The Police Department and Fire Department shall be furnished with such information as that required by §302 of this Part. (Ord. 698, 7/5/1988, §3)

§304. Alarm Operation Requirements. The following requirements shall be placed on all alarms:

1. No more than three (3) calls shall be made to the Lehigh County Communication Center as a result of a single activation of an automatic protection device. [Ord. 947]

2. The sensory mechanism used in conjunction with an automatic protection device must be adjusted to suppress false indications of intrusion or other emergencies, so that the device will not be actuated by impulses due to fleeting pressure changes in water pipes, short flashes of light, the rattling or vibrating of doors and windows, vibrations to the premises caused by the passing of vehicles, cigarette or non-fire emergency related smoke, certain weather extremes, or any other similar force not related to emergencies requiring protection.

3. All components comprising an automatic protection device must be maintained by the owner or lessee in good repair to assure maximum reliability of operation.

4. All existing audible alarms, within ninety (90) days after the passage of this Part, as well as all future audible alarm installations, shall be equipped with a timing mechanism that will automatically disengage the audible alarm or signal given off thereby after fifteen (15) minutes.

(Ord. 698, 7/5/1988, §4; as amended by Ord. 947, 7/1/2002)

§305. Alarm Service. Each installer who sells or leases an automatic protection device in the Borough after the effective date of this Part, shall furnish the owner or lessee: operating instructions, a circuit diagram, maintenance manual, and written information as to how service may be obtained, including the telephone number of the installer or agent responsible for service. (Ord. 698, 7/5/1988, §5)

§306. Disconnection of Alarms. Messages evidencing failure to comply with the operational requirements set forth in any section of this Part are received through the Lehigh County Communication Center. These automatic protection devices place burdens on the Borough of Emmaus Fire Department and Police Department. Inasmuch as all fire alarms are tied into the Borough system, any automatic protection devices not in compliance with the requirements of this Part may not be disconnected. However, the Chief of Police is hereby granted the authorization to demand that the owner or lessee, or his representative, of any burglar alarm not in compliance with this Part disconnect said device until such time as the device has been made to comply with the operational requirements of this Part. [Ord. 947]

The Chief of Police and the Fire Chief of the Borough shall each possess the power to disconnect false alarms within the scope of their jurisdiction. These waivers shall be limited to incidences of extreme weather conditions or malfunctions in the operation of the electric system of the Pennsylvania Power and Light Company or other isolated events which, in the opinion of the Chief of Police or the Fire Chief warrant an exemption.

(Ord. 698, 7/5/1988, §6)

§307. Penalties for False Alarm. Response to alarms given off by audible alarms and automatic protection devices involve the time of and danger to members of the Borough Police Department and Fire Department, and false alarms are therefore to be discouraged. If more than three (3) false alarms are given from any such alarms in a given twelve (12) month period, the property owner, upon conviction, shall be guilty of a summary offense and shall be sentenced to pay a fine in accordance with the following:

- 1. For the 1st offense. \$50.00
- 2. For the 2nd offense. \$100.00
- 3. For the 3rd offense. \$200.00
- 4. For the 4th offense and thereafter. . \$300.00

(Ord. 698, 7/5/1988, §7)

§308. Penalty for Failure to Register Alarm. Every owner and/or lessee of an audible alarm who fails to register said alarm pursuant to §302, as hereinabove mandated, shall be subject to a \$25.00 fine. (Ord. 698, 7/5/1988; as added by Ord. 947, 7/1/2002)

Part 4

Loitering

§401. Definitions. As used in this Section, "loitering" shall mean remaining idle in essentially one location and shall include the concepts of spending time idly, loafing, or walking about aimlessly, and shall also include the colloquial expression "hanging around." (Ord. 733, 4/2/1990, §1)

§402. Certain Types of Loitering Prohibited.

1. No person shall loiter in a public place in such manner as to:

A. Create or cause to be created a danger of a breach of the peace;

B. Create or cause to be created any disturbance or annoyance to the comfort and repose of any person;

C. Obstruct the free passage of pedestrians or vehicles;

D. Obstruct, molest, or interfere with any person lawfully in any public place.

2. This Section shall include the making of unsolicited remarks of an offensive, disgusting, or insulting nature or which are calculated to annoy or disturb the person to, or in whose hearing, they are made.

(Ord. 733, 4/2/1990, §2)

§403. Request to Leave. Whenever the presence of any person in any public place is causing any of the conditions enumerated in §402, any police officer may order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this Section. (Ord. 733, 4/2/1990, §3)

§404. Penalty. Any person, firm, or corporation violating the provisions of this Part shall be fined not less than five dollars (\$5.00) or more than two hundred dollars (\$200.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. (Ord. 733, 4/2/1990, §4)

