

ORDINANCE NO. \_\_\_\_\_

An ordinance of the Borough of Montrose, Susquehanna County, PA prohibiting loitering and prescribing penalties for violation.

The Montrose Borough Council hereby ordains:

Section 1. Definitions. As used in this ordinance, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

LOITERING - remaining idle essentially in one location; lingering; spending time idly; loafing or walking about aimlessly in one vicinity or neighborhood; or "hanging around."

PUBLIC PLACE - any place to which the public has access including any public street or public sidewalk, the front of and the area immediately adjacent to any school, parking lot, store, restaurant, tavern or other place of business.

Section 2. Certain Types of Loitering Prohibited. No person shall loiter in a public place in such manner as to:

1. Create or cause to be created a danger of a breach of the peace.
2. Create or cause to be created any annoyance to any person or persons.
3. Obstruct the free passage of pedestrians or vehicles.
4. Obstruct, molest or interfere with any person lawfully in any public place as defined in section 1 of this ordinance. This 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.

Section 3. Request to Leave. Whenever the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in section 2 of this ordinance, 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.

Section 4. Penalties. Any person, who shall violate any provision of this ordinance 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 exceed ninety (90) days.

Section 5. Repealer. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed. The following ordinances or parts thereof are specifically repealed:

Section 6. Severability. If any sentence, clause, section, or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent

*True & attested  
May 20, 1986  
Robert L. Deo  
Solicitor*

of the Montrose Borough Council that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section 7. Effective Date. This ordinance shall become effective on June 15, 1986.

Duly ordained this 2nd day of June, 1986.

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PRESIDENT OF MONTROSE BOROUGH  
COUNCIL

ATTEST:

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SECRETARY

Approved this 2nd day of June, 1986.

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MAYOR