

**BOROUGH OF MILLERSBURG
COUNTY OF DAUPHIN
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE NO. 4-26

**AN ORDINANCE AMENDING CHAPTER 6 CONDUCT, PART 6 DISORDERLY
CONDUCT, OF THE CODE OF ORDINANCES FOR MILLERSBURG BOROUGH**

WHEREAS, the Borough Council finds that maintaining the safety, security, and welfare of persons using public streets, parks, sidewalks, and other public property is a legitimate and important governmental interest; and

WHEREAS, the Borough has determined that its existing loitering ordinance does not provide sufficient authority or clarity to effectively address circumstances involving suspicious conduct occurring on public property that may warrant further investigation by law enforcement; and

WHEREAS, the Borough Council further finds that clarifying and strengthening the ordinance will promote public safety while preserving the lawful use of public spaces by residents and visitors.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Millersburg, Dauphin County, Pennsylvania, that Borough Code Chapter 6, Part 6 is amended as follows:

§6-602. Disorderly Conduct. No. 3 Definition.

Public Place is defined as any place to which the public has access and includes any street, highway, road, alley or sidewalk. It also includes the front or the surrounding area of any store, shop, restaurant, tavern or other place of business and public grounds area to include parks, as well as parking lots or other vacant properties, private or otherwise.

§6-602. Disorderly Conduct. No. 4 Prowling.

Prowling, which is prohibited under this section, is the act of moving about a place slowly, stealthily, and suspiciously.

§6-603. Loitering and Prowling.

No person shall loiter in a public place. It shall also be unlawful for a person to loiter in a public place in such a manner as to create or cause to be created a danger of a breach of the peace.

It is made unlawful for anyone at any time to remain idle or prowl around, essentially in or about one location; lingering; remaining or waiting at one location; spending time idly; loafing or walking about aimlessly in one vicinity or neighborhood; or hanging around without a clear and lawful purpose.

Exception is taken to property owners or tenants at their residences or at their places of business.

Exception is also taken to normal recreational activities in public parks or gatherings for legal or permitted activities or events.

§6-605. Violations and Penalties.

Any person who shall violate any provisions of this Part shall, at the option of the Millersburg Police Department, be issued a citation based on the appropriate Pennsylvania criminal statutes, or alternatively, be issued a citation under this Borough regulation,. In the case of a minor or juvenile, enforcement will be processed through the Dauphin County Probation Department. Upon conviction of a violation of this Part, a fine of \$500.00 plus costs and, in default of payment of said fine and costs, a term of imprisonment of 30-120 days may be issued. Each day that a violation continues shall constitute a separate offense.

All other provisions of Borough Code Chapter 6, Part 6 shall remain in full force and effect.

EFFECTIVE DATE

This Ordinance shall take effect immediately upon enactment.

ENACTED AND ORDAINED this _____ day of _____, 20____.

ATTEST:

MILLERSBURG BOROUGH
DAUPHIN COUNTY, PENNSYLVANIA

Secretary

President

Mayor

S E A L