

Chapter 6

Conduct

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Part 1**Firearms****§6-101. Title.**

This Part shall be known and may be cited as the “Firearms Ordinance.”
(*Ord. 656, 4/9/2015*)

§6-102. Discharge of Firearms Prohibited.

Except in necessary defense of person and property and except as provided in §6-104 of this Part, the use or discharge of any rifle, revolver, shotgun, air gun, slingshot, beanie, or any implement which impales by force any object of any kind, is prohibited within the limits of the Township.

(*Ord. 656, 4/9/2015*)

§6-103. Use of Blank Cartridges Prohibited.

The use or discharge of any blank cartridge in any rifle, revolver, shotgun, pistol, flobert rifle, miniature cannon, or any facsimile of a firearm is prohibited within the limits of the Township with the exception of:

- A. United States military exercises and/or events.
- B. Celebratory cannon at official Robert Morris University events.

(*Ord. 656, 4/9/2015*)

§6-104. Exceptions.

This Part shall not apply to:

- A. Persons licensed to hunt in this Commonwealth while actually engaged in hunting where permitted under the laws of the Commonwealth of Pennsylvania.
- B. Members of any organization incorporated under laws of this Commonwealth engaged in target shooting upon the grounds or property belonging to or under the control of such organization.
- C. Any law enforcement officer when used in the discharge of his official duties or training activities.

(*Ord. 656, 4/9/2015*)

§6-105. Violations and Penalties.

Any person, firm, or corporation who shall violate any provision of this Part, or fails to comply therewith, or with any of the requirements thereof, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$300 nor more than \$1,000 plus costs, including reasonable attorney fees incurred by the Township, and, in default of payment of said fine and costs, to a term of imprisonment to the extent permitted by law for the punishment of summary offenses. A separate offense shall arise for each day

or portion thereof in which a violation of this Part is found to exist and for each section of this Part found to have been violated. The Township may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part. All fines and penalties collected for violations of this Part shall be paid to the Township Treasurer. The initial determination of ordinance violation is hereby delegated to the Township Manager, the Police Department, the Code Official, the authorized designee of the Township Manager, and to any other officer or agent that the Township Manager or the Board of Supervisors shall deem appropriate.

(Ord. 656, 4/9/2015)

Part 2**Fireworks****§6-201. Title.**

This Part shall be known and may be cited as the “Fireworks Ordinance.”
(*Ord. 656, 4/9/2015*)

§6-202. Prohibited Use, Possession, and Display of Fireworks.

The use, possession, discharge and/or display of fireworks is prohibited in the Township unless a permit has been obtained from the Township pursuant to the International Fire Code as implemented by the Township Construction Code [Chapter 5, Part 1].

(*Ord. 656, 4/9/2015*)

§6-203. Violations and Penalties.

Any person, firm, or corporation who shall violate any provision of this Part, or fails to comply therewith, or with any of the requirements thereof, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$300 nor more than \$1,000 plus costs, including reasonable attorney fees incurred by the Township, and, in default of payment of said fine and costs, to a term of imprisonment to the extent permitted by law for the punishment of summary offenses. A separate offense shall arise for each day or portion thereof in which a violation of this Part is found to exist and for each section of this Part found to have been violated. The Township may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part. All fines and penalties collected for violations of this Part shall be paid to the Township Treasurer. The initial determination of ordinance violation is hereby delegated to the Township Manager, the Police Department, the Code Official, the authorized designee of the Township Manager, and to any other officer or agent that the Township Manager or the Board of Supervisors shall deem appropriate.

(*Ord. 656, 4/9/2015*)

Part 3**Public Gathering****§6-301. Title.**

This Part shall be known and may be cited as the “Public Gathering Ordinance.”
(*Ord. 656, 4/9/2015*)

§6-302. Definitions.¹

As used in this Part, the following terms shall have the meanings indicated, unless the context clearly requires otherwise:

Person in charge of property—an agent, occupant, lessee, contract purchaser or person other than the owner, having possession or control of property.

Public gathering—all assemblies of people for the purpose of public amusement reasonably anticipated to number more than 1,000 for a continuous period of 4 hours or more, more than 10 percent of whom will assemble outdoors or in structures specially constructed, erected or assembled for the gathering, whether or not an admission fee is charged.

Sponsor—any natural person, association, partnership firm, corporation, joint venture, or any other legal entity whatsoever, who initiates, organizes, promotes, permits, conducts or causes to be advertised a public gathering.

(*Ord. 656, 4/9/2015*)

§6-303. Restrictions; Exemption.

1. It shall be unlawful for any sponsor, owner of property or person in charge of property to initiate, organize, promote, permit, conduct, or cause to be advertised a public gathering, unless a permit has been obtained pursuant to this Part. A separate permit shall be required for each public gathering for the period of time designated by the permit.

2. This Part shall not apply to a public gathering held at a permanent facility that is constructed, maintained and used for public gatherings (such as an amphitheater, place of worship, and stadium, as such terms are defined by the Zoning Ordinance [Chapter 27]), provided that:

A. Such facility has permanent restrooms of a sufficient number to handle the occupancy level of the public gathering.

B. Such facility has permanent off-street parking facilities to handle the occupancy level of the public gathering.

C. Attendance at the public gathering does not exceed the facility’s permitted occupancy level under the Township Construction Code [Chapter 5, Part 1].

D. Such facility has all necessary State, County and Township permits and

¹Editor’s Note: see also the general definitions contained in Chapter 1, Part 1, of this Code.

approvals for the use of the subject facility including, but not limited to, the zoning and occupancy permit required by the Zoning Ordinance [Chapter 27].

(*Ord. 656, 4/9/2015*)

§6-304. Permit Requirement.

No public gathering shall be held within the boundaries of the Township, unless the sponsor, the owner of property, and the person in charge of property upon which the gathering will be conducted, jointly apply for and be granted a permit as herein provided.

A. No permit shall be available for an extent of more than 48 hours duration unless permit and application specifically allow for an extension of that period.

B. No applicant shall be under 21 years of age.

C. No permit shall be transferred or assigned.

D. In case of dispute over the number of people reasonably anticipated to attend the public gathering, the decision of the Board of Supervisors shall control.

(*Ord. 656, 4/9/2015*)

§6-305. Application.

1. Written application for each public gathering shall be made to the Township Manager according to the following schedule:

A. A gathering numbering 1,000–2,000 persons, 20 days prior to the first days upon which the public gathering is to commence.

B. A gathering numbering 2,000–3,500 persons, 30 days prior to the first day upon which the public gathering is to commence.

C. A gathering numbering 3,500–5,000 persons, 45 days prior to the first day upon which the public gathering is to commence.

D. A gathering numbering over 5,000 persons, 60 days prior to the first day upon which the public gathering is to commence.

2. Application shall be made on forms specified by the Township Manager and shall contain at least the following information:

A. The full legal name, address and telephone numbers of all sponsors.

B. The full legal name and address of the owner and person in charge of the property to be utilized for the public gathering.

C. If the sponsor-applicant is a partnership or joint venture, then all parties thereto shall sign as applicants. If the sponsor-applicant is a corporation, copies of the articles of incorporation, bylaws and resolution authorizing the application may be required.

D. The location and address of the property to be utilized for the public gathering.

E. The program for the public gathering, or if no program is prepared, a narrative statement as to the purpose, date or dates for or during which the public gathering is to be conducted.

F. A diagrammatic sketch plan of the proposed site of the mass gathering

showing the locations and dimensions of the proposed service roads, portable water facilities, sanitary facilities, sewage disposal facilities, medical service facilities, distribution of security personnel, and provisions for food storage, as well as camping facilities and projected plans for enclosure, if necessary, of the proposed site.

G. Evidence that all permits and licenses as required by State and County statutes and rules and regulations enacted thereunder have been obtained, or will be obtained.

H. A statement of the number of persons expected to attend such event and the duration of such attendance.

I. The specific details relating to:

(1) Food and drink.

(2) Sanitary facilities.

(3) Transportation and parking facilities.

(4) Security and protection of surrounding areas, including specific reference to the number of marshals assisting in the control of traffic and supervision of those attending.

(5) Onsite medical facilities and hospital care.

(6) Janitorial services and post gathering trash removal.

J. A certified copy of the bond or verified evidence of other suitable financial arrangements, as hereinafter required, must be attached to the application.

K. A statement containing the names and addresses of licensed ticket printers to be used and the plans for assuring the return of monies upon the termination or cancellation of the event as well as the means of notifying potential and existing ticket holders of such cancellation, where the anticipated number of people attending is over 5,000 persons.

L. Examples of proposed advertising of the event, if any.

M. Applicants' statement that they shall abide by the terms and provisions of this ordinance, and all laws, rules and regulations of the Commonwealth of Pennsylvania, County of Allegheny and the Township.

3. Each application shall be accompanied with a cash fee to cover the cost of inspection, investigation, issuance, and administration of the permit in an amount as established from time to time by resolution of the Board of Supervisors. No part of the permit fee is refundable.

4. The Township Manager shall either grant or deny the application for permit according to the following schedule:

A. A gathering numbering 1,000–2,000 persons, 5 days prior to the first day upon which the public gathering is to commence.

B. A gathering numbering 2,000–3,500 persons, 10 days prior to the first day upon which the public gathering is to commence.

C. A gathering numbering 3,500–5,000 persons, 15 days prior to the first day upon which the public gathering is to commence.

D. A gathering numbering over 5,000 persons, 20 days prior to the first day

upon which the public gathering is to commence.

(Ord. 656, 4/9/2015)

§6-306. Bond of Indemnity; Insurance.

The applicants shall submit with their application a corporate bond of indemnity in a form approved by the Township Solicitor, and in compliance with the requirements of the Financial Security Ordinance [Chapter 1, Part 7] to save and protect Township streets, pavements, bridges, road signs and all other township property from any and all damage that might be caused by vehicles, employees, or participants in the public gathering, and to be used, if necessary, to restore the premises where such public gathering is held to a sanitary and neat condition and pay all charges and losses to the Township for damages to the streets, pavements, bridges and all other Township property.

A. Should the permitted public gathering necessitate that the Township deploy or employ additional personnel as a direct result of the public gathering, such added expense shall be recoverable from the principals and/or their indemnitor. The cash deposit or its balance will be returned to the applicants upon final audit of the Township as to what damages, if any, occurred and what deployment and employment of personnel, if any, was necessitated.

B. The property owner or person in charge of the property making application shall sign as an additional indemnitor, to insure against damage to streets, pavements, bridges, road signs, and all other township property, to meet costs of the Township for deploying or employing personnel directly attributable to the conduct of the public gathering, and to insure that the property will be restored to a sanitary condition.

(Ord. 656, 4/9/2015)

§6-307. Conditions of Approval.

1. No permit shall be issued by the Township Manager unless all of the conditions recited herein have been satisfactorily concluded according to the following schedule:

A. A gathering numbering 1,000–2,000 persons, 6 days prior to the first day upon which the public gathering is to commence.

B. A gathering numbering 2,000–3,500 persons, 11 days prior to the first day upon which the public gathering is to commence.

C. A gathering numbering 3,500 to 5,000 persons, 16 days prior to the first day upon which the public gathering is to commence.

D. A gathering numbering over 5,000 persons, 21 days prior to the first day upon which the public gathering is to commence.

2. *Sanitary Facilities.* Written approval of the Pennsylvania Department of Health, the Pennsylvania Department of Environmental Protection and the Allegheny County Health Department, indicating that applicant's plan for water supply, toilet facilities, washing facilities, and food preparation and service, if applicable, the type of food preparation and food facilities to be provided, conform with applicable State and County laws, rules and regulations relating to the public health.

3. *Public Safety.* Written statement of the Police Department indicating that

plans have been made to meet the following conditions:

A. Applicants have provided for adequate traffic control and crowd control personnel, i.e., one marshal for every 50 motor vehicles reasonably anticipated to be at the location and one marshal for each 150 persons reasonably anticipated to be in attendance.

B. Applicants have completely enclosed the ground where the public gathering is to be held with snow fencing or other similar material of equivalent strength of not less than 4 feet in height.

C. Adequate lighting must be provided subject to approval of the Township Manager.

4. *Medical Services.* Written approval by the Pennsylvania Department of Health or its designee and the Township Emergency Management Coordinator and/or Township Fire Marshal that all requirements for providing emergency medical services for crowds or gatherings of the size contemplated as provided by State law or rule or regulation and as may be contained in any local emergency management plan and as may be required in the sound discretion of the chief officer of the Township emergency medical services provider or providers.

5. *Parking Facilities.* Proof that parking is available within or adjacent to the premises upon which the public gathering is to be conducted as herein provided:

A. Such parking facilities shall provide parking space for one vehicle for every four persons reasonably anticipated to be in attendance at the public gathering.

B. Adequate ingress and egress shall be provided from such parking area to facilitate the movement of any vehicle at any time to or from the parking area; provided, however, that should buses be used to transport the public to the public gathering, it shall be shown that public parking, as described above, is available at any site from which buses are scheduled to pick up persons to transport them to the public gathering.

(Ord. 656, 4/9/2015)

§6-308. Structures.

All facilities, including stage, to be specially assembled, constructed, or erected for the public gathering must be in place at least 24 hours before the commencement of the public gathering and be approved by the Township Code Official.

(Ord. 656, 4/9/2015)

§6-309. Conduct of Public Assembly.

1. No permittee, or persons having control of the public gathering shall condone the presence of intoxicating liquor or the consumption of intoxicating liquor on the property and no person during the public gathering shall take or carry onto the property, or drink thereon, intoxicating liquor, except as licensed or permitted by state law.

2. The burden of preserving order during the public gathering is upon the permittees of the public gathering. Any violation of the laws of the Commonwealth of Pennsylvania, or its rules and regulations, or of the terms and conditions of this ordinance, or other ordinances of Allegheny County or the Township, or the permit

granted hereunder may be cause for immediate revocation of the permit by the Township Manager upon notification to the person in charge that a violation exists and the failure of the person in charge to take immediate action to correct the violation. Upon revocation of any permit, the permittees of the public gathering shall immediately terminate the assembly and provide for the orderly dispersal of those in attendance.

3. The Township Manager and the representative of the County and Township departments having responsibility for approval under this Part shall be granted access to the public gathering at all times for the purpose of inspection and enforcement of the terms and conditions imposed herein.

4. No musical entertainment, either live or recorded, utilizing sound amplification equipment, shall be operated in a location which is less than 500 feet from any school, church, dwelling unit, or any other place of permanent human habitation, and there will be no programmed entertainment provided between the hours of 11 p.m. and 10 a.m.

5. If at any time during the conduct of the public gathering the number of persons in attendance exceeds by 10 percent the number of persons represented by the applicants for the permit anticipated to be in attendance, the Township Manager, the Pennsylvania Department of Health, the Pennsylvania Department of Environmental Protection, the Allegheny County Health Department, or the Police Department have the authority to require the applicants to limit further admissions until all conditions and provisions recited herein are met.

6. Any applicant with more than a 10 percent proprietary interest, if any, in the public gathering, and the owner of property or person in charge of the property, or their designated agents or representatives, shall be required to be in attendance at the public gathering and shall be responsible for insuring that no person shall be allowed to remain on the premises who is violating any State, County or Township laws, rules or regulations or any provision of this Part.

7. Public gatherings operating without a permit under this Part based on a reasonable anticipation of less than 1,000 persons in attendance, shall limit attendance therein to 999 persons, and printed tickets, if utilized, cannot number more than 999.

8. The permit under this Part shall be conditioned upon an inspection by the Township Manager, or his duly appointed representative, the Township Emergency Management Coordinator and/or the Township Fire Marshal to determine the suitability of the site and facilities thereon for the proposed use. In the event of such inspection, a record shall be made indicating the time and date of the inspection, the findings of the Township official authorized to conduct the inspection in regard to conformance with this Part and other Township ordinances, and the opinion of such Township official in regard to the suitability of the site for the proposed use. After such inspection, if the Township official determines that the site and any facilities thereon are unsuitable for the particular use, such determination shall be grounds for the revocation of the permit.

(Ord. 656, 4/9/2015)

§6-310. Violations and Penalties.

Any person, firm, or corporation who shall violate any provision of this Part, or fails to comply therewith, or with any of the requirements thereof, upon conviction thereof

in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not less than \$300 nor more than \$1,000 plus costs, including reasonable attorney fees incurred by the Township, and, in default of payment of said fine and costs, to a term of imprisonment to the extent permitted by law for the punishment of summary offenses. A separate offense shall arise for each day or portion thereof in which a violation of this Part is found to exist and for each section of this Part found to have been violated. The Township may also commence appropriate actions in equity or other to prevent, restrain, correct, enjoin, or abate violations of this Part. All fines and penalties collected for violations of this Part shall be paid to the Township Treasurer. The initial determination of ordinance violation is hereby delegated to the Township Manager, Police Department, the Code Official, the authorized designee of the Township Manager, and to any other officer or agent that the Township Manager or the Board of Supervisors shall deem appropriate.

(Ord. 656, 4/9/2015)

§6-311. Conformance with Other Law.

This Part shall in no way be a substitute for, nor eliminate the necessity of, complying with any and all state laws, rules and regulations, County and Township ordinances which are now, or may in the future be, in effect which pertain to the conduct of public gatherings.

(Ord. 656, 4/9/2015)

