

**CODE OF THE BOROUGH OF MALVERN, PENNSYLVANIA / PART II, GENERAL
LEGISLATION / Chapter 93, DISORDERLY CONDUCT**

Chapter 93, DISORDERLY CONDUCT

[HISTORY: Adopted by the Borough Council of the Borough of Malvern 1-17-1989 by Ord. No. 89-1 (Part 8, Ch. 1, Art. A, of the 1975 Code of Ordinances). Amendments noted where applicable.]

**CODE OF THE BOROUGH OF MALVERN, PENNSYLVANIA / PART II, GENERAL
LEGISLATION / Chapter 93, DISORDERLY CONDUCT / § 93-1. Disorderly conduct
prohibited.**

§ 93-1. Disorderly conduct prohibited.

Disorderly conduct, as herein defined, is prohibited within the Borough.

**CODE OF THE BOROUGH OF MALVERN, PENNSYLVANIA / PART II, GENERAL
LEGISLATION / Chapter 93, DISORDERLY CONDUCT / § 93-2. Definition of
disorderly conduct.**

§ 93-2. Definition of disorderly conduct.

- A. Disorderly conduct shall include the doing of any act, using any word or employing any conduct causing or tending to cause a disturbance of the peace and good order of the Borough, or causing or tending to cause any danger to the inhabitants of the Borough or users of the Borough's thoroughfares.
- B. In addition, disorderly conduct shall include any act, word or conduct tending to willfully obstruct, wholly or partially, any public or private street, sidewalk, parking area or lot, including the right-of-way and any unpaved portions thereof, any private walk to entrance or public access to public facilities or to business establishments, either personally or by vehicles or in any other manner. Loitering shall constitute such obstruction. The Borough Manager is hereby authorized to post notice that loitering is prohibited in Borough parking lots. Loitering shall include, but is not limited to, staying or being on the parking lot property for longer than is reasonably necessary to park or remove a vehicle or for a reason unrelated to parking. Arrests and fines under this subsection shall be confined to cases where the offender refuses to comply with the officer's lawful direction to discontinue such unlawful

conduct.

- C. Disorderly conduct shall include fighting, drunkenness, the use of profane, indecent or inflammatory language, except language recognized to be within the realm of protected speech of the First Amendment of the United States Constitution; making of unnecessary and avoidable noise; spitting or expectorating upon places or areas resorted to by the public; casting, throwing or placing upon any portion of any sidewalk, public street, alley, vacant lot, park, lake or playground any material or paper, ashes, dirt, rubbish, litter or refuse substance; or any word, act or conduct prejudicial to the health of the Borough and its inhabitants or tending toward the destruction of good morals as measured by the commonly accepted moral standard prevailing throughout the Borough.

CODE OF THE BOROUGH OF MALVERN, PENNSYLVANIA / PART II, GENERAL LEGISLATION / Chapter 93, DISORDERLY CONDUCT / § 93-3. Violations and penalties.

§ 93-3. Violations and penalties.

Any person violating any of the provisions of this chapter or any persons aiding or abetting in the violation of this chapter shall, upon summary conviction thereof, for every such violation, be sentenced to pay a fine of not less than \$10 nor more than \$100 and costs of prosecution or shall be sentenced to imprisonment for a period not less than one day or more than 30 days as now or hereafter provided by law.