

**SHIPPENSBURG TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA
ORDINANCE NO. 2011-01**

**AN ORDINANCE TO AMEND THE SHIPPENSBURG TOWNSHIP
ORDINANCE 82-3, REGULATING PUBLIC GATHERINGS, PROVIDING FOR PUBLIC
GATHERING PERMITS, PROHIBITING CONSUMPTION OF ALCOHOLIC
BEVERAGES AND POSSESSION OF OPEN CONTAINERS THEREOF ON PUBLIC
PROPERTY, PROHIBITING PUBLIC DRUNKENESS, FIGHTING, INDECENT
CONDUCT, AND GATHERINGS FOR UNLAWFUL PURPOSES, AND PRESCRIBING
PENALTIES FOR VIOLATIONS.**

It is hereby enacted and ordained by the Board of Supervisors of Shippensburg Township, Cumberland County, Pennsylvania that the Shippensburg Township Ordinance 82-3 is amended to read as follows:

Section 1 It shall be unlawful to hold, manage, or conduct any public gathering, entertainment, or party of any kind in the Township except in compliance with the provisions of this Ordinance.

Section 2 It shall be unlawful to collect, gather, or be a member of any disorderly crowd, or any crowd gathered for an unlawful purpose.

Section 3 It shall be unlawful for any person to commit any indecent act, or to appear in any public place not properly or decently clothed.

Section 4 It shall be unlawful for any person to be in an intoxicated condition in or on any street, highway, sidewalk, or public place within the Township.

Section 5 It shall be unlawful for any person to knowingly start a fight, or to fight, or to commit any assault or battery in any public place within the Township.

Section 6 Any public gathering or event not held in a building shall be terminated not later than 11:00 p.m., and it shall be unlawful for any person to remain on the premises between the hours of 12:00 a.m. and 6:00 a.m., except that employees of the holders, managers or conductors of such gathering or event whose duties necessitate it, may remain on the premises for the performance of such duties.

Section 7 No such gathering, entertainment or party shall be held or presented in any premises unless such premises have been examined by a Codes Enforcement Officer of the Township not more than three days in advance of the date of such gathering and found free of any fire hazard and found to be suitable for the purpose.

Section 8 It shall be unlawful for any person to drink, consume, transport, carry or possess any alcohol, liquor or malt or brewed beverages, except in the original package and with the seal unbroken, on the public streets, sidewalks, parkways, public parking lots, or semipublic parking lots. The term "semipublic parking lots" shall include any area wherein motor vehicles are parked by the public in conjunction with any business, enterprise, commercial establishment, office building or apartment building.

Section 9 The following words or phrases, unless the context clearly indicates otherwise, shall have the meaning ascribed to them in this section:

“Liquor” and “Malt or Brewed Beverages” and “Container” and “Official Seal” shall mean the same as those words and phrases are defined in the “Liquor Code” of the Commonwealth of Pennsylvania, and shall include those designer-type alcoholic beverages such as Four Loco that appear in the Pennsylvania Bulletin.

“Open” when used in connection with a container shall mean any container which has been perforated in the case of a can or similar container or a container on which the cap has been loosened or the cork displaced and the official seal torn or mutilated.

Section 10 It shall be unlawful to hold, manage or conduct any public gatherings, entertainment or party within Shippensburg Township without providing for adequate sanitary facilities. There must be separate facilities or units for males and females. All facilities, except where public water and public sewer service is available, shall be of the chemical type. All facilities during the operation of the public gathering, entertainment or party, must be serviced at least daily.

Section 11 Any person, corporation or firm desiring to hold, manage or conduct a public gathering of a type covered by this Ordinance must submit an application for a permit with its associated fee to the Township Secretary at least ten days in advance of the said gathering. The application and fee shall be established by resolution of the Board of Supervisors. Upon compliance with this section and with the provisions of this Ordinance, the Township Secretary may issue the appropriate permit.

Section 12 The Township may require the posting of cash bond or surety bond with two or more sureties satisfactory to the Township, or with a corporate surety, in an amount which will reimburse the Township for its costs of clean-up, maintenance, and repair following the conduct of any public gathering within the township contrary to the provisions of this Ordinance, prior to the issuance of the appropriate permit.

Section 13 This Ordinance will apply to any public gathering of 20 or more individuals, but is not intended to apply to any public gathering where all persons in attendance are related by blood or marriage. Furthermore, nothing in this Ordinance should be construed as prohibiting Shippensburg University of Pennsylvania from holding University sponsored functions, such as tailgating, or allowing reasonable celebrations after University sponsored functions, on University property.

Section 14 Provisions of this Ordinance shall be enforced by the Township Codes Enforcement Officials, with the assistance of the Pennsylvania State Police or any outside police or enforcement agency or individuals with whom the Township has a contract.

Section 15 Any person, firm or corporation violating any provision of this Ordinance shall, upon conviction for the summary offense, be sentenced to pay a fine of not more than One Thousand (\$1,000.00) Dollars, and costs of prosecution, and, in default of payment of such fines and costs, to imprisonment to the extent allowed by law for the punishment of summary offenses.

Section 16 If any sentence, clause, paragraph, section or portion of this Ordinance is declared by any court of competent jurisdiction to be illegal, invalid or unconstitutional, such declaration shall not affect the remaining provisions of this Ordinance.

This Ordinance shall become effective thirty (30) days after enactment.

ENACTED AND ORDAINED by the Board of Supervisors of Shippensburg Township, Cumberland County, Pennsylvania, this 2nd day of April, 2011, in session duly assembled.

SHIPPENSBURG TOWNSHIP
BOARD OF SUPERVISORS

By: _____
Chairman

ATTEST

By: _____
Supervisor

Secretary

By: _____
Supervisor