

**BOROUGH OF FAIRCHANCE
FAYETTE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 1 of 2024

**AN ORDINANCE TO PROHIBIT THE UNLAWFUL LOITERING OF PERSONS ON PUBLIC
PROPERTY, PUBLIC PLACES OR BUSINESS PROPERTY IN THE BOROUGH OF
FAIRCHANCE, FAYETTE COUNTY, PENNSYLVANIA**

WHEREAS, Pennsylvania Borough Code as amended, boroughs are authorized to adopt all or any portion of standard recognized codes as an ordinance of the Borough; and;

WHEREAS, the Borough Council of The Borough of Fairchance desires to enact an ordinance prohibiting the unlawful loitering of persons on public property, public places or business property which impedes, obstructs or otherwise interferes with access to places open to the public or public rights-of-way, for the Borough of Fairchance, repealing any and all Ordinances inconsistent therewith.

NOW THEREFORE, BE IT ENACTED and ORDAINED and it is hereby ENACTED and ORDAINED by the Borough Council of The Borough of Fairchance as follows:

Section One: Definitions

- A. Borough: The Borough of Fairchance, Fayette County, Pennsylvania
- B. Loitering: lingering, staying, remaining or waiting at one location
- C. Public Place: Any place to which the public has access and includes any street, highway, road, alley, or sidewalk. It also includes the front of the surrounding area of any store, shop, restaurant, tavern, or other place of business and public grounds, areas, parks, public building, public library, as well as parking lots or other vacant private property not owned by or under control of the person, or in the case of a minor, not owned or under the control of his or her parent or guardian.

Section Two: Purpose

The unlawful loitering of persons on public property, public places or business property which impedes, obstructs or otherwise interferes with access to places open to the public or public rights-of-way. This ordinance also prohibits loitering for the purpose of engaging in drug-related activity. Nothing in this ordinance is intended to prohibit orderly picketing, demonstrating or other forms of free speech.

Section Three: Violations

Any person who shall violate any provision of Section One of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than \$100 nor more than \$600 and costs and, in default of payment of said fine and costs, to be imprisoned for a term not to exceed 30 days.

Section Four: Repealer

This Ordinance shall repeal any and all Ordinances or portions of Ordinances inconsistent herewith.

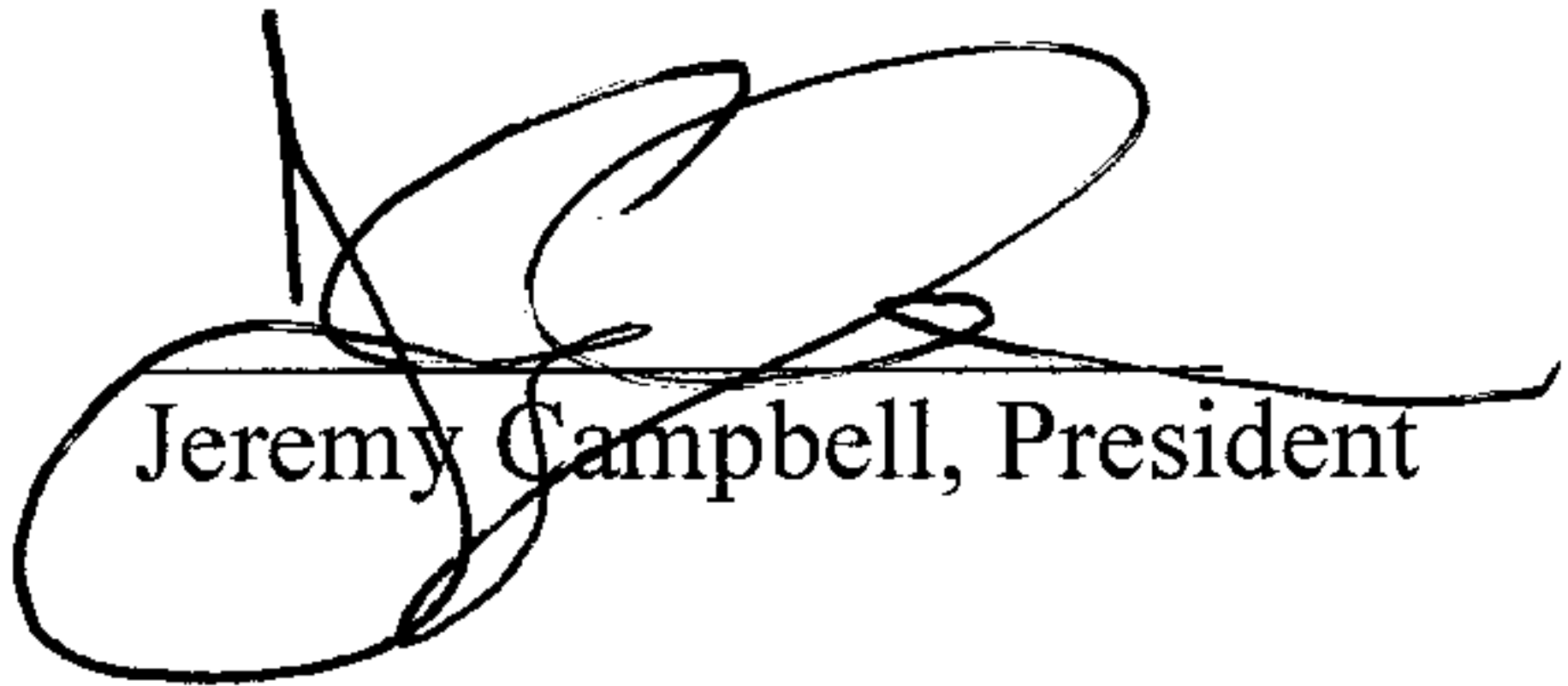
Section Five: Severability

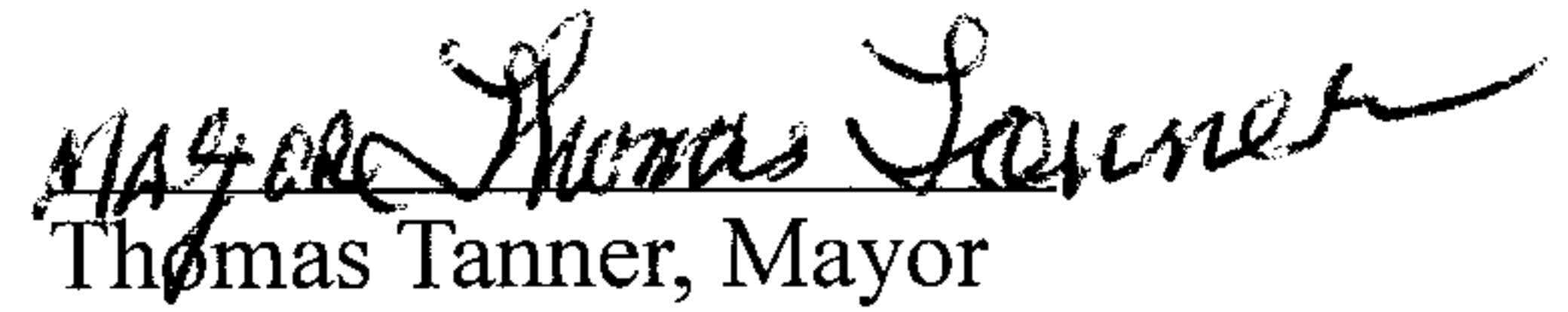
In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance. The Council of The Borough of Fairchance hereby declare that it would have enacted this Ordinance and each section, subsection, sentence, clause or phrase be declared illegal, invalid or unconstitutional.

Section Six: Effective Date

This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect five days after adoption.

ENACTED and ORDAINED this the 14th day of Feb., 2024, by the Council of
The Borough of Fairchance, Fayette County, Pennsylvania.


Jeremy Campbell, President


Thomas Tanner, Mayor

ATTEST:


Anjelica Carr, Executive Secretary

NOTICE TO ALL RESIDENTS OF FAIRCHANCE BOROUGH

Notice is hereby given that the Borough Council of Fairchance, will consider at its regular meeting to be hold on February 14, 2024, at 6:30 P.M. at the Fairchance Borough Building, 125 West Church Street, Fairchance, Fayette County, Pennsylvania, together with such other business as may come before Council, the enactment of the following Ordinance.

AN ORDINANCE PROHIBITING UNLAWFUL LOITERING WITHIN THE BOROUGH OF FAIRCHANCE

The full text of the Ordinance may be examined by any citizen in the Borough Office located at 125 West Church Street, Fairchance, Fayette County, Pennsylvania, on any business day during normal business hours.

Interested persons or their agents may appear at the aforesaid meeting to offer public comment in favor of or in opposition to the Proposed Ordinance.

Douglas Sholtis
Borough Solicitor