

## **Chapter 6**

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**Part 1****Littering****A. Definitions and Word Usage****§6-101. Definitions.**

1. *Word Usage.* When not inconsistent with the context, words used in the present tense include the future; words used in the plural numbers include the singular numbers; and the words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

2. *Terms Defined.* For the purpose of this Part, the following terms, phrases, words and their derivatives shall have the meanings given herein:

*Authorized private receptacle*—a little storage and collection receptacle as authorized by Northampton Township and the National Sanitation Foundation.

*Commercial handbill*—any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper booklet or any other printed or otherwise reproduced original or copies of any matter or literature which:

(1) Advertises for sale any merchandise, product, commodity or thing.

(2) Directs attention to any business or mercantile or commercial establishment or other activity for the purpose of, either directly or indirectly, promoting the interest thereof by sales.

(3) Directs attention to or advertises any meeting, theatrical performance, exhibition or event of any kind for which an admission fee is charged for the purpose of private gain or profit, but the terms of this subsection shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition or event of any kind when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order, provided that nothing contained in this subsection shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition or event of any kind without a license where such is or may be required by any law of Pennsylvania or under any ordinance of Northampton Township.

(4) While containing reading matter other than advertising matter, is predominantly and essentially an advertisement and is distributed or circulated for advertising purposes or for the private benefit and gain of any person so engaged as advertiser or distributor.

*Garbage*—putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

*Litter*—garbage, refuse and rubbish, as defined herein, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to the public health, safety and welfare.

*Newspaper*—any newspaper of general circulation as defined by general law, any newspaper duly entered with the Post Office Department of the United States in accordance with Federal statute or regulations and any newspaper filed and recorded with a recording officer as provided by general law and, in addition thereto, any periodical or current magazine regularly published with not less than four issues per year and sold to the public.

*Noncommercial handbill*—any printed or written matter, any sample or device, dodger, leaflet, pamphlet, newspaper, circular, magazine, paper booklet or any other printed or otherwise reproduced original or copies of any matter or literature not included in the aforesaid definitions of “commercial handbill” or “newspaper.”

*Park*—a park, playground, recreation center or any other public area in the Township, owned or used by the township and devoted to active or passive recreation.

*Person*—any person, firm, partnership, association, corporation, company or organization of any kind.

*Private premises*—any dwelling, house, building or other structure designed to be used, in whole or in part, for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, grounds, walks, driveway, park steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

*Public place*—any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds and buildings.

*Refuse*—all putrescible and nonputrescible solid waste, except body waste, including garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles and solid market and industrial wastes.

*Rubbish*—nonputrescible solid wastes consisting of both combustible and noncombustible waste, such as paper, wrappings, cigarettes, cardboard, tin cans, grass, leaves, yard clippings, wood, glass, bedding, crockery and similar materials.

*Township*—the Township of Northampton, Bucks County, Pennsylvania.

*Vehicle*—every device in, upon or by which any person or property is or may be transported or drawn upon a highway, including devices used exclusively upon stationery rails or tracks.

(Ord. 202, 8/10/1983)

**B. General Regulations and Restrictions****§6-111. Deposits in Public Places.**

No person shall throw or deposit litter in or upon any street, sidewalk or public place within the township, except in public receptacles or in authorized private receptacles for collection.

*(Ord. 202, 8/10/1983)*

**§6-112. Receptacles for Litter Deposits.**

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or public property.

*(Ord. 202, 8/10/1983)*

**§6-113. Sweeping Litter into Gutters; Maintenance of Sidewalks.**

No person shall sweep into or deposit in any gutter, street or other public place within the Township the accumulation of litter from a building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

*(Ord. 202, 8/10/1983)*

**§6-114. Maintenance of Business Premises.**

No persons owning or occupying a place of business shall sweep into or deposit in any gutter, street or other public place within the Township the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying places of business within the Township shall keep the sidewalk in front of their business premises free from litter.

*(Ord. 202, 8/10/1983)*

**§6-115. Litter Thrown from Vehicles.**

No person while a driver or passenger in a vehicle shall throw or deposit litter upon any street or other public place within the township or upon private property.

*(Ord. 202, 8/10/1983)*

**§6-116. Trucks Causing Litter.**

No person shall drive or move any truck or other vehicle within the Township unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place, nor shall any person drive or move any vehicle or truck within the Township, the wheels or tires of which carry onto or deposit in any street, alley or other public place mud, dirt, sticky substances, litter or foreign matter of any kind.

*(Ord. 202, 8/10/1983)*

**§6-117. Litter in Parks.**

No person shall throw or deposit litter in any park within the Township except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere as provided herein.

*(Ord. 202, 8/10/1983)*

**§6-118. Litter in Ponds, Streams and Other Bodies of Water.**

No person shall throw or deposit litter in any pond, stream or any other body of water in a park or elsewhere within the Township.

*(Ord. 202, 8/10/1983)*

**§6-119. Litter in Sewers.**

No person shall throw or deposit litter in any storm or sanitary sewer, including rights-of-way.

*(Ord. 202, 8/10/1983)*

**§6-120. Litter on Occupied Private Property.**

No person shall throw or deposit litter on any occupied private property within the Township, whether owned by such person or not, except that the owner or person in control of private property may maintain authorized private receptacles for collection in such a manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

*(Ord. 202, 8/10/1983)*

**§6-121. Property Owner to Maintain Premises Free of Litter.**

The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this Section shall not prohibit the storage of litter in authorized private receptacles for collection.

*(Ord. 202, 8/10/1983)*

**§6-122. Notice to Remove Litter from Open or Vacant Private Property.**

Northampton Township is hereby authorized and empowered to notify the owner of any open or vacant private property within the Township or the agent of such owner to properly dispose of litter located on such owner's property which is dangerous to public health, safety or welfare. Such notice shall be by certified mail, addressed to said owner at his last known address.

*(Ord. 202, 8/10/1983)*

## C. Handbills

### §6-131. Distribution in Public Places.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any sidewalk, street or other public place within the Township nor shall any person hand out or distribute or sell any commercial handbill in any public place; provided, however, that it shall not be unlawful on any sidewalk, street or other public place within the Township for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill to any person willing to accept it.

*(Ord. 202, 8/10/1983)*

### §6-132. Placement in or upon Vehicles.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any vehicle; provided, however, that it shall not be unlawful in any public place for a person to hand out or distribute, without charge to the receiver thereof, a noncommercial handbill to any occupant of a vehicle who is willing to accept it.

*(Ord. 202, 8/10/1983)*

### §6-133. Deposit on Vacant Premises.

No person shall throw or deposit any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

*(Ord. 202, 8/10/1983)*

### §6-134. Distribution on Posted Property.

No person shall throw, deposit or distribute any commercial or noncommercial handbill upon any premises if requested by anyone thereon not to do so if there is placed on said premises in a conspicuous position near the entrance thereof a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Advertisements" or any similar notice indicating in any manner that the occupants of said premises do not desire to be molested or have their right of privacy disturbed or to have any such handbills left upon such premises.

*(Ord. 202, 8/10/1983)*

### §6-135. Distribution at Inhabited Private Premises.

No person shall throw, deposit or distribute any commercial or noncommercial handbill in or upon private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant or other person then present in or upon such private premises; provided, however, that in case of inhabited private premises which are not posted, as provided in this Part, such person, unless requested by anyone upon such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or sidewalks, streets or other public places, and except that mailboxes may not be so used when so prohibited by Federal postal law or regulation.

*(Ord. 202, 8/10/1983)*

**§6-136. Mail and Newspapers.**

The provisions of §6-135 shall not apply to the distribution of mail by the United States nor to newspapers as defined herein, except that newspapers shall be placed on private property in such a manner as to prevent their being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

*(Ord. 202, 8/10/1983)*

**D. Enforcement****§6-141. Designation of Enforcement Authorities.**

It shall be the duty of the Code Enforcement Department and the Police Department to enforce the provisions of this Part.

*(Ord. 202, 8/10/1983)*

**§6-142. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, 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 more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 202, 8/10/1983; as amended by Ord. 285, 2/22/1989; and by Ord. 561, 4/25/2012)*



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**Part 2****Discharge of Firearms and Other Weapons****§6-201. Definitions.**

As used in this Part, the following terms shall have the meanings indicated:

*Bow and arrow*—all bows and arrows capable of causing personal injury or property damage.

*Firearm*—an instrument used in the propulsion of shot, shell, bullet or any other object by the action of gun powder exploded, explosive powder or the expansion of gas therein.

(*Ord. 287, 4/12/1989*)

**§6-202. Prohibited Activities.**

The use or discharge of any bow and arrow or firearm within the Township is prohibited.

(*Ord. 287, 4/12/1989*)

**§6-203. Exemptions.**

The provisions of this Part shall not apply to the following uses or activities involving firearms and/or bows and arrows where otherwise legal:

A. Authorized law enforcement officers acting in their line of duty or in training.

B. Discharging of firearms in the defense of persons or property.

C. Discharging of firearms or bow and arrow by members of a duly organized gun, rifle or archery club, or their bona fide guests, or of military organizations, upon the ranges of such clubs or organizations under the control and supervision of the duly constituted officers of such clubs or organizations, or by the patrons of commercial ranges.

D. A private target practice or archery range constructed entirely within the confines of an individual residential property and on which the projectile expended shall be confined to said individual property.

E. Firearm or archery instruction operated by an established civic, church or school program.

F. Farmers protecting their property from predators.

G. Uses or activities, regulated by and conducted in accordance with the Pennsylvania Game and Wildlife Code, 34 Pa.C.S.A. §101 *et seq.*

(*Ord. 287, 4/12/1989*)

**§6-204. Violations and Penalties.**

Any person, firm or corporation who shall violate any provision of this Part, 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

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Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

*(Ord. 287, 4/12/1989; as amended by Ord. 561, 4/25/2012)*