

ARTICLE 748
Disorderly Houses

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748.01 DEFINITIONS

As used in this article, the following terms shall have the stated meanings:

- (a) "Disorderly house" means any house, room or premises where frequent requests for police service for noise, assaults, batteries, drinking of intoxicating beverages, illegal drug usage and/or sale, loitering, gaming or other misbehavior can be documented.
- (b) "Frequent requests for police service" means more than three responses to the same address in any sixty-day period. (Ord. 8-2007. Passed 6-13-2007.)

748.02 PROHIBITION AGAINST MAINTENANCE OF A DISORDERLY HOUSE.

It shall be unlawful for any property owner, lessee, tenant, or occupant to maintain, keep, lease or allow a disorderly house, room or other premises in the City of Chester. (Ord. 8-2007. Passed 6-13-2007.)

748.03 DECLARATION OF PUBLIC NUISANCE.

Any such disorderly house, room, or other premises that shall be disruptive to the peace and well-being of the surrounding and greater community is declared to be a public nuisance. (Ord. 8-2007. Passed 6-13-2007.)

748.04 NOTIFICATION.

After the third incident of frequent police response as defined in Section 748.01(b), the Chief of Police or his designee shall, within thirty days, notify the property resident and owner, in writing, by either certified mail, posting at the property, or personal service, of the City's intent to initiate charges with the Magisterial District Justice, and further, to notify said property resident and owner that they may have an additional five day period, commencing on the date of service of the notice, to notify the Police Chief, in writing, of said property resident/owner's desire to meet with the Police Chief to rectify the conditions to be cited. The Police Chief shall have the discretion to either attempt an accommodated resolution or initiate charges immediately with the court. The Police Chief shall meet with the property resident/owner within a reasonable time thereafter and attempt to reach an accommodated resolution. If an accommodated resolution is not reached, the Police Chief shall initiate charges with the Magisterial District Justice. (Ord. 8-2007. Passed 6-13-2007.)

748.05 SEVERABILITY.

If any provision or part of this article is found to be unconstitutional or invalid for any reason by a court of competent jurisdiction, such finding shall not affect or impair the validity of the remaining provisions which shall remain in full force and effect.
(Ord. 8-2007. Passed 6-13-2007.)

748.99 PENALTY.

(a) Any person and/or legal entity including, but not limited to, the owner of the property, the resident of the property, all persons connected with the maintenance of the disorderly house, and all persons patronizing or frequenting the same, found guilty under the provisions of this article shall be fined not less than \$100.00 or more than \$300.00 for each offense and, in default of payment, be imprisoned for not more than thirty days.

(b) Upon a conviction under the terms of this article the City may revoke the occupancy certificate or license of any premises found to be a disorderly house.
(Ord. 8-2007. Passed 6-13-2007.)