UNIFORM CURFEW ORDINANCE

PEQUEA TOWNSHIP ORDINANCE # 076

AN ORDINANCE TO REGULATE THE PRESENCE OF MINORS UNDER THE AGE OF EIGHTEEN (18) YEARS IN PUBLIC PLACES AND PRIVATE ESTABLISHMENTS IN PEQUEA TOWNSHIP BETWEEEN CERTAIN HOURS; DEFINING THE DUTIES AND RESPONSIBILITIES OF MINORS, PARENTS, AND PROPRIETORS OF ESTABLISHMENTS IN THIS CONNECTION; AND PROVIDING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED AND ENACTED by the Pequea Township Board of Supervisors as follows:

SECTION I NAME

This Ordinance shall be known as the Pequea Township Curfew Ordinance.

SECTION II LEGISLATIVE INTENT

The Board of Supervisors of Pequea Township, being cognizant of the problem of juvenile delinquency and believing that it can be dealt with more effectively by regulating the hours during which minors less than eighteen (18) years of age may remain in public places and certain establishments without adult supervision, and by defining more clearly certain duties and responsibilities upon those who have the custody and responsibility for the care of such minors, directs that in the administration and enforcement of this ordinance the fundamental purpose of reducing juvenile delinquency shall be foremost.

SECTION III DEFINITIONS

In this ordinance the following definitions shall apply:

AFTER HOURS — The period of time between the hours of 10 p.m. and 6:00 a.m. on Sunday through Thursday evenings and 12:00 midnight and 6:00 a.m. on Friday and Saturday evenings.

ESTABLISHMENT– Any privately owned place of business carried on for profit, any place of amusement or entertainment to which the public is invited, and any similar place.

MINOR – Any person less than eighteen (18) years of age. For the purpose of this ordinance any person shall be deemed to be eighteen (18) years of age on the date of his or her eighteenth (18th) birthday and not before this time.

OPERATOR– Any individual, firm, association, partnership, or corporation owning, operating, managing, or conducting any establishment. Whenever used in any clause prescribing penalty, the word "operator" shall include the members, partners, officers, and managers of any firm, association, partnership or corporation.

PARENT - A parent; a guardian; or an adult person twenty one (21) years of age or over responsible, either temporary or permanently, for the custody or care of any minor or for the control of such minor.

PUBLIC PLACE – Any public street, highway, road, alley, park, playground, vacant lot, public building or ground, railway station, bus terminal or similar place.

REMAIN - Loiter, idle, wander, play, or be.

SECTION IV UNLAWFUL CONDUCT OF MINOR

No minor twelve (12) years of age or older shall remain in or upon any public place or establishment in Pequea Township after hours unless accompanied by a parent; or unless upon an errand or other legitimate business directed by a parent, in which case the minor shall carry written identification and dated evidence of such parental direction, including a statement of the applicable date and time; or unless engaged in gainful, lawful employment after hours, in which case the minor shall carry written identification and dated evidence of such employment, including a statement of the applicable date and time. Furthermore, no minor or parent shall falsify such documents as mentioned above.

SECTION V UNLAWFUL OF PARENTS

No parents shall knowingly permit or by inefficient control allow any minor under the age of twelve (12) years to remain in or upon any place or establishment after hours unless the parent shall accompany the minor; or unless the parent shall direct the minor in a dated, written statement to perform an errand or engage in other legitimate business, in which case said statement, including the applicable date and time, shall be kept in the possession of such minor; or unless such minor is engaged in gainful, lawful employment after hours, in which case said minor shall carry written identification and dated evidence of such employment, including a statement of the applicable date and time. Furthermore, no parent or minor shall falsify such documents as mentioned above.

SECTION VI UNLAWFUL CONDUCT OF OPERATORS OF ESTABLISHMENTS

No operator of an establishment shall knowingly permit any minor to remain upon the premises of such establishment after hours.

SECTION VII RULES AND REGULATIONS

The Chief of Police is hereby authorized from time to time to promulgate such rules and regulations, including the extension of hours for special occasions, as in his opinion shall be necessary or useful in the enforcement of this ordinance. Such rules and regulations shall, however, be subject to the approval of the Board of Supervisors of Pequea Township.

SECTION VIII OFFENSES

Each violation of the provisions of this ordinance shall constitute a separate offense.

SECTION IX PENALTIES

Violation of the provisions of this ordinance shall be a summary offense.

Any minor or parent convicted of violating the provisions of this ordinance for the first time shall be fined five dollars ($5.00). Any minor or parent convicted of violating the provisions of this ordinance for the second tine shall be fined fifty dollars ($50.00) and/or imprisonment for a term not to exceed ninety (90) days. Any minor or parent convicted of violating the provisions of this ordinance for the third time shall be fined one hundred dollars ($100.00) and/or imprisoned for a term not to exceed ninety (90) days. Any minor or parent convicted of violating the provisions of this ordinance for the fourth or subsequent tine shall be fined three hundred dollars ($300.00) and/or imprisoned for a term not to exceed ninety (90) days.

Any operator convicted of violating the provisions of this ordinance for the first time shall be fined fifty dollars ($50.00) and/or imprisoned for a term not to exceed ninety (90) days. Any operator convicted of violating the provisions of this ordinance for the second or subsequent time shall be fined three hundred dollars ($300.00) and/or imprisoned for a term not to exceed ninety (90) days.

SECTION X SEVERABILITY

It is the intention of the Pequea Township Supervisors that each separate provision of this ordinance shall be independent of all other provisions herein, and it is further the intention of the Pequea Township Supervisors that if any of the provisions of the ordinance shall be declared to be invalid, all other provisions herein shall remain valid and in force.

SECTION XI REPEALS

All other ordinances or parts of ordinances contrary to the provisions of this ordinance are hereby repealed, including Curfew Ordinance #013 passed May 5, 1969.

SECTION XII EFFECTIVE DATE

This Ordinance shall become effective immediately.

TOWNSHIP OF PEQUEA

BY: Chester L. Eshleman

ATTEST:

Patsy L Davis
Secretary