

Chapter 6

Conduct

Part 1

Curfew

- §6-101. Purpose
- §6-102. Definitions and Interpretation
- §6-103. Establishment of Curfew; Exceptions
- §6-104. Parent Not to Permit Violation
- §6-105. Penalties
- §6-106. Juvenile Act Proceedings
- §6-107. Police Discretion in Age Determination

Part 1**Curfew****§6-101. Purpose.**

The purpose of this Part is to prescribe, in accordance with prevailing community standards, regulations for the conduct of minors on streets or public places at night, for the protection of said minors in this Township from each other and from other persons on the streets during nighttime hours, for the enforcement of parental control and responsibility for said minors, for the protection of the public from nocturnal mischief by minors and for the reduction of the incidence of juvenile criminal activity, for the furtherance of family responsibility, and for the promotion of the public good, health, safety, and welfare of the residence of this Township.

(Ord. 92-2, 1/27/1992, §1)

§6-102. Definitions and Interpretation.

As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Minor - a person under the age of 18 years.

Parent - any natural parent of a minor, as herein defined, or a guardian, or any adult person responsible for the care and custody of a minor. When used in this Part, "parent" shall mean all such persons so defined.

Public place - any public or private street, alley, sidewalk, park, playground, public building or vacant lot, or in a parked vehicle at any of said locations in this Township.

Remain - to stay behind; to tarry and to stay unnecessarily in or upon a public place, as herein defined, including the congregation of groups or otherwise interacting minors totaling four or more persons, in which any minor is not using the public place for emergency or ordinary and immediate educational, political, religious or business purposes.

In this Part, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

(Ord. 92-2, 1/27/1992, §2)

§6-103. Establishment of Curfew; Exceptions.

It shall be unlawful for any minor to remain in or upon any public place within this municipality between the hours of 12 a.m. and 5 a.m., prevailing time, except as follows:

A. A minor accompanied by a parent, guardian, or other person having legal care or custody of such minor.

B. A minor lawfully employed, making it necessary for him to remain on or in a public place and possessing a letter dated not more than 30 days prior to the date of presentation, certifying the same, signed by an employer or parent.

C. A minor on an emergency errand.

(*Ord. 92-2, 1/27/1992, §3*)

§6-104. Parent Not to Permit Violation.

It shall be unlawful for any parent, guardian, or person having legal care or custody of a minor to allow or permit such minor to violate the provisions of this Part without legal justification therefor. A first violation of this Section by parent or guardian shall result in a written warning to the parent or guardian, to be sent by certified mail, return receipt requested. Thereafter, citations may be issued for violations occurring.

(*Ord. 92-2, 1/27/1992, §4*)

§6-105. Penalties.

For a violation of any provision of this Part, enforcement shall be brought before a magisterial district judge in the same manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure. Upon conviction thereof, a violator shall be subject to a criminal fine not to exceed \$100 for the first such offense, or a fine of not more than \$300 for the second such offense, or a fine of not more than \$600 for the third and each succeeding such offense, plus costs, to a term of imprisonment to the extent allowed by law for the punishment of summary offenses, or to a term of imprisonment for the failure to pay a fine pursuant to the Pennsylvania Rules of Criminal Procedure.

(*Ord. 92-2, 1/27/1992, §5; as amended by Ord. 2005-08, 10/24/2005*)

§6-106. Juvenile Act Proceedings.

In addition, an investigating officer may initiate proceedings under the Juvenile Act, 42 Pa.C.S.A. §6301 *et seq.*, as amended from time to time, against offending juveniles when appropriate under that Act.

(*Ord. 92-2, 1/27/1992, §6*)

§6-107. Police Discretion in Age Determination.

Police officers in taking minors into custody shall use their discretion in determining age and in doubtful cases may require positive proof of age. Until such proof is furnished, the judgment of the police officer shall prevail.

(*Ord. 92-2, 1/27/1992, §7*)