

CHAPTER VIII

CURFEW

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CHAPTER VIII

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Section 101. Definitions.

(a) Establishment. Any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited.

(b) Minor. Any person seventeen (17) years of age or under.

(c) Official Township Time. Eastern Standard Time except from the first Sunday in April to the last Sunday in October, when it shall be Eastern Daylight Saving Time.

(d) Operator. Any individual, firm, association, partnership or corporation operating, managing or conducting any establishment; and whenever used in any clause prescribing a penalty, the term "operator", as applied to associations or partnerships, shall include the members or partners thereof, and as applied in corporations shall include the officers thereof.

(e) Parent. Any natural parent of a minor, a guardian or any adult person, twenty-one (21) years of age or over, responsible for the care and custody of a minor.

(f) Public Place. Any public street, highway, road, alley, park, playground, public building or vacant lot.

(g) Remain. To be present, idle, wander, stroll or play in or upon.

(h) School-Sponsored Activity. Any dance, class, game or club activity under the supervision of any agents or teachers of any school district.

(i) Returning. The direct route home for a person who has attended or participated in a school-sponsored activity as herein provided.

(j) Weekday. Sunday, Monday, Tuesday, Wednesday and Thursday, excepting therefrom Friday and Saturday.

(k) Weekend Days. Friday and Saturday, excluding therefrom Sunday, Monday, Tuesday, Wednesday and Thursday.

(Ordinance 44, October 20, 1972, Section 3; Ordinance 45, November 17, 1972, Section 3)

Section 102. Unlawful Conduct of Minors.

(a) Weekdays from Nov. 2nd to October 19th. It shall be unlawful for any minor to remain in or upon any public place or any establishment on any weekday from November 2nd of each year to October 19th of the following year between the hours of ten o'clock (10:00) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time.

(b) Weekends from November 2nd to October 19th. It shall be unlawful for any minor to remain in or upon any public place or any establishment on any weekend day from November 2nd of each year to October 19th of the following year between the hours of eleven fifty-nine (11:59) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time.

(c) From October 20th to November 1st. It shall be unlawful for any minor to remain in or upon any public place or in any establishment from October 20th to November 1st of each year between the hours of nine o'clock (9:00) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time.

(d) The provisions of this section shall not apply to any minor accompanied by a parent, or to a minor upon an errand or other legitimate business directed by such minor's parent, or to any minor who is engaged in gainful lawful employment during the curfew hours.

(e) Each violation of the provisions of this section shall constitute a separate offense.

(Ordinance No. 44, November 20, 1972, Section 4; Ordinance 45, November 17, 1972, Section 4; as amended by Ordinance 59, October 18, 1974, Section 10)

Section 103. Unlawful Conduct of Parents.

(a) Weekdays from November 2nd to October 19th. It shall be unlawful for any parent knowingly to permit any minor to remain in or upon any public place or any establishment on any weekend from November 2nd of each year to October 19th of the following year between the hours of ten o'clock (10:00) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time, while this curfew is in effect.

(b) Weekends from November 2nd to October 19th. It shall be unlawful for any parent knowingly to permit any minor to remain in or upon any public place or any establishment on any weekend day from November 2nd of each year to October 19th of the following year between the hours of eleven fifty-nine (11:59) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time.

(c) From October 20th to November 1st. It shall be unlawful for any parent knowingly to permit any minor to remain in or upon any public place or any establishment from October 20th to November 1st of each year between the hours of nine o'clock (9:00) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time, while this curfew is in effect.

(d) The provisions of this section shall not apply to any parent who accompanies a minor or to a parent who directs a minor upon an errand or other legitimate business or to any parent of a minor engaged in gainful lawful employment during the curfew hours, or any parent of a minor who is returning from a school sponsored activity.

(e) Each violation of the provisions of this section shall constitute a separate offense.

(Ordinance 44, October 20, 1972, Section 5; Ordinance 45, November 17, 1972, Section 5; as amended by Ordinance 59, October 18, 1974, Section 10)

Section 104. Unlawful Conduct of Owners or Operators of Establishments.

(a) Weekdays from November 2nd to October 19th. It shall be unlawful for any operator of any establishment or their agents or employees knowingly to permit any minor to remain upon the premises of said establishment on any weekday from November 2nd of each year to October 19th of the following year between the hours of ten o'clock (10:00) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time, while this curfew is in effect.

(b) Weekends from November 2nd to October 19th. It shall be unlawful for any operator of any establishment or their agents or employees knowingly to permit any minor to remain upon the premises of said establishment on any weekend day from November 2nd of each year to October 19th of the following year between the hours of eleven fifty-nine (11:59) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time.

(c) From October 20th to November 1st. It shall be unlawful for any operator of any establishment or their agents or employees knowingly to permit any minor to remain upon the premises of said establishment from October 20th to November 1st of each year between the hours of nine o'clock (9:00) p.m. and six o'clock (6:00) a.m. of the following day, Official Township Time, while this curfew is in effect.

(d) Each violation of the provisions of this section shall constitute a separate offense.

(Ordinance 44, October 20, 1972, Section 6; Ordinance 45, November 17, 1972, Section 6; as amended by Ordinance 59, October 18, 1974, Section 10)

Section 105. Enforcement and Penalties.

(a) Any Police Officer who finds a minor violating the provisions of this Ordinance shall obtain information from such minor as to his name and address, age, and the name and address of his parent, parents or guardian. The minor shall thereupon be instructed to proceed to his home forthwith and, if possible, shall be accompanied by the Police Officer. The Police Officer shall ascertain, if possible, if the parent, parents or guardian are at home and, if so, notify them verbally of the violation of both the parent and child. If the parent, parents or guardian are not found at home, the Police Officer shall make such report to his superior officer. In all cases, whether or not verbal notice has been given, a written notice shall also be mailed to the parent, parents or guardian of the minor advising them of the violation of this Ordinance.

(b) Any parent who shall permit a minor to violate the provisions of this Ordinance after having received notice of a prior violation shall be fined not more than Six Hundred Dollars (\$600.00) for each violation, together with judgment of imprisonment not exceeding thirty (30) days, if any fine is imposed, together with costs, if not paid within ten (10) days of the date of imposition thereof. Prosecutions shall be before any District Justice and all fines imposed and collected shall be paid into the Township treasury for the use of the Township.

(c) Any operator of any establishment and any agents or employees of any operator who shall violate the provisions of this Ordinance shall be fined not more than Six Hundred Dollars (\$600.00) for each violation, together with judgment of imprisonment, not exceeding thirty (30) days if any fine is impose, together with costs, if not paid within ten (10) days of the date of imposition thereof. Prosecutions shall be before any District Justice and all fines imposed and collected shall be paid into the Township treasury for the use of the Township.

(Ordinance 44, October 20, 1972, Section 7; Ordinance 45, November 17, 1972, Section 7)

Section 106. Special Events. Where there are special events, programs or functions by properly organized and supervised organizations to advance legitimate recreation, character development, religious training and school activities in the building of good citizenship in young people, the Amity Township Supervisors will grant special consideration in such cases upon receipt of notice thereof and the children will be permitted to proceed directly from the event to their homes without incident. (Ordinance 44, October 20, 1972, Section 8; Ordinance 45, November 17, 1972, Section 8)

Section 107. Severability. If any section of this Ordinance shall be found to be invalid, the other sections of the Ordinance shall not be affected thereby. (Ordinance 44, October 20, 1972, Section 2; Ordinance 45, November 17, 1972, Section 2).