

ORDINANCE NO. 596

AN ORDINANCE OF THE TOWNSHIP OF PENN, YORK COUNTY, PENNSYLVANIA AMENDING ORDINANCE NO. 445, A CURFEW ORDINANCE, FOR MINORS, REGULATING THE USE OF STREETS DURING NOCTURNAL HOURS AND PROVIDING FOR RELATED MATTERS SUCH AS PERMITS, REGULATIONS, PARENTAL RESPONSIBILITIES, POLICE PROCEDURES, CONSTRUCTION AND ADVISORY OPINIONS AS WELL AS IMPLEMENTATION FOR THE PREVENTION OF JUVENILE DELIQUENCY.

BE IT ENACTED AND ORDAINED, by the Penn Township Board of Commissioners, York County, Pennsylvania, and it is hereby enacted by the authority of the same that Ordinance No. 445 is amended as follows:

SECTION 4. Curfew for Minors

which currently reads:

"It shall be unlawful for any minor to be or remain in or upon the streets within the Township during the period ending at 6:00 A.M. and beginning:

- (a) At 11:00 P.M. Sunday through Thursday; and
- (b) At 12:00 midnight on Friday and Saturday."

shall be amended to read:

"It shall be unlawful and a violation of this Ordinance for any minor to be or remain in or upon the streets within the Township during the period ending at 6:00 A.M. and beginning:

- (a) At 11:00 P.M. Sunday through Thursday; and
- (b) At 12:00 midnight on Friday and Saturday. "

SECTION 6. Parental Responsibility

which currently reads:

"It shall be unlawful for a parent of a minor knowingly to permit or, by inefficient control, to allow such minor to be or remain upon any Township street in violation

of this Curfew Ordinance. The term “knowingly” includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent’s custody.”

shall be amended to read:

“It shall be unlawful and a violation of this Ordinance for a parent of a minor knowingly to permit or, by inefficient control, to allow such minor to be or remain upon any Township street in violation of this Curfew Ordinance. The term “knowingly” includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent’s custody.”

SECTION 7. Police Procedures

which currently reads:

- (c) “In the case of a first violation by a minor, the Chief of Police shall send to a parent written notice of said violation with a warning that any subsequent violation will result in full enforcement of the Curfew Ordinance.”

shall be deleted in its entirety.

SECTION 8. Penalties

which currently reads:

“Penalties for violation of this ordinance shall be those set forth in Section 101 of the Penn Township Code, and shall be imposed upon the parent of the minor who violates Section 7 hereof.”

shall be amended to read:

- (a) “In the case of a first violation by a minor, the Chief of Police shall send to a parent written notice of said violation with a warning that any subsequent violation will result in full enforcement of the Curfew Ordinance. The Chief of Police shall retain a copy of the letter, or the identifying information pertaining to the minor, for reference in the event of a subsequent violation.”
- (b) “In the case of a second or subsequent violation by a minor, the penalties for violation of this Ordinance shall be those set forth in Section 101 of the Penn Township Code. The penalties shall be imposed upon the parent of the minor and/or upon any minor who is fourteen (14) years of age or older at the time of the violation.”

(c) "As used in this Section 8, the word "violation" shall mean any incident of unlawful conduct as defined in Section 4 of this Ordinance and not excepted under Section 5, and which resulted in the sending of the letter described in Section 8(a) above."

ENACTED AND ORDAINED this 16th day of June 2003.

Board of Commissioners of Penn Township

By: Charles A. Stauffer
Charles A. Stauffer, President

Attest:

Joseph A. Klunk
Joseph A. Klunk, Assistant Township Secretary