

ORDINANCE NO. 1996-01

AN ORDINANCE OF THE CITY OF PARKER, COUNTY OF ARMSTRONG AND STATE OF PENNSYLVANIA ESTABLISHING A CURFEW FOR MINORS UNDER THE AGE OF SIXTEEN (16).

BE IT ORDAINED AND ENACTED by the Mayor and City Council of the City of Parker, County of Armstrong, and State of Pennsylvania, and it is hereby ordained and enacted by Authority of the same:

SECTION 1 - DEFINITIONS AND INTERPRETATION

(a) In this ordinance the following words and terms shall have the meanings ascribed to them in this subsection:

(1) Curfew Period: Any time on any day of the year, between the hours of 12:00 A.M. and 6:00 A.M.

(2) 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.

(3) Minor: Any individual under the age of sixteen (16) years.

(4) Operator: Any person 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 its members or partners and as applied to corporations shall include its officers.

(5) Parent: Any natural parent of a minor; a guardian or any adult person, 21 years of age or over, responsible for the care and custody of a minor.

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

(7) Remain: To loiter, idle, wander, stroll or play in or upon.

(b) In this ordinance, the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and the neuter. This heading and the headings of Sections 2 to 6 of this chapter, are part of this ordinance as enacted.

## SECTION 2: UNLAWFUL CONDUCT OF MINORS

(a) It shall be unlawful for any minor to be or remain in or upon any public place or any establishment at any time in the curfew period.

(b) The provisions of this section shall not apply to any minor accompanied by his parent.

(c) Each violation or any provision of this section shall constitute a separate offense.

## SECTION 3: UNLAWFUL CONDUCT OF PARENTS

(a) It shall be unlawful for any parent knowingly to permit a minor to be or remain in or upon any public place or any establishment at any time in the curfew period.

(b) The provisions of this section shall not apply to a parent who accompanies a minor.

(c) Each violation of any provision of this section shall constitute a separate offense.

## SECTION 4: UNLAWFUL CONDUCT OF OWNERS OR OPERATORS OF ESTABLISHMENTS

(a) It shall be unlawful for any owner or operator of an establishment, or any of his agents or employees, knowingly to permit any minor to be or remain upon the premises of that establishment at any time in the curfew period.

(b) Each violation of any provision of this section shall constitute a separate offense.

## SECTION 5: ENFORCEMENT AND PENALTIES

(a) Any police officer who finds or observes a minor violating any provision of this ordinance shall obtain information from that minor as to his name and address, his age and the name and address of his parent or parents, and shall direct that minor to proceed to his home immediately. The police officer shall make a report of every such incident, and the Chief of Police shall transmit all such reports to the Mayor within 72 hours. In all cases, the Mayor shall mail a written notice to the parents of the minor of the violation of this ordinance by that minor.

(b) Any parent who permits any minor to violate any provision of this ordinance, after having received notice of a prior violation, shall be guilty of an offense, and, upon conviction, shall be sentenced to pay a fine of not more than \$600 and costs of

prosecution, and, in default of payment of fine and costs, to undergo imprisonment for not more than 30 days.

(c) Any owner or operator of an establishment, and any agent or employee of an operator, who violates any provision of this ordinance shall, for every such violation, upon conviction, be sentenced to pay a fine of not more than \$600 and costs of prosecution, and, in default of payment of fine and costs, to undergo imprisonment for not more than 30 days.

(d) The Mayor shall report to Armstrong County Children and Youth Services or to Juvenile Court any minor who violates this ordinance more than three (3) times, and a like procedure shall be followed in cases where the arrest of a parent shall not be effective, or where for any other reason, the provisions of this ordinance cannot be made effective by the imposition of fines and penalties as authorized by this section.

#### SECTION 6: 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 Mayor shall grant special consideration in those cases upon receipt of advance notice of the event, and minors will be permitted to proceed directly home from the event without incident.

DONE, ENACTED and ORDAINED at a regular meeting by the Council of the City of Parker, this 14th day of October, 1996.

CITY OF PARKER

s/ Richard Lauer  
RICHARD LAUER, MAYOR

ATTEST:

s/ Carol Bowser  
CAROL BOWSER