

SHEWSBURY BOROUGH
YORK COUNTY, PENNSYLVANIA

ORDINANCE NO. 1981-1

AN ORDINANCE

ESTABLISHING CURFEW REQUIREMENTS FOR CERTAIN MINORS WITHIN SHREWSBURY BOROUGH; SPECIFYING THE DUTIES AND RESPONSIBILITIES OF PARENTS AND OPERATORS OF ESTABLISHMENTS IN RELATION THERETO; MAKING PROVISIONS FOR THE TIMES DURING WHICH CERTAIN MINORS MAY BE IN OR UPON CERTAIN PUBLIC PLACES OR ESTABLISHMENTS; RELATING GENERALLY TO A CURFEW REQUIREMENT FOR CERTAIN MINORS IN THIS BOROUGH AND TO THE DUTY OF MINORS, PARENTS AND OTHERS IN RELATION THERETO; AND PRESCRIBING PENALTIES FOR VIOLATION OF PROVISIONS THEREOF.

BE IT ORDAINED, by the Borough Council of the Borough of Shrewsbury, York **County, Pennsylvania, and** it is hereby ordained by the authority of the **same as follows:**

SECTION 1. Definitions. The following words and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this Section, except in those instances where the context clearly indicates a different meaning.

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

- (b) "Minor"^s - Any person under the age of 18 years.
- (c) "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 to corporations, shall include the officers thereof.
- (d) "Parent" - Any natural parent of a minor or adoptive parent, guardian, or other adult person 21 years of age or over, responsible for the care and custody of a minor.
- (e) "Public Place" - Any public street, highway, road, alley, park, playground, public building or vacant lot within Shrewsbury Borough.
- (f) "Remain" - To loiter, idle, wander, stroll, play or be in or upon.

SECTION 2. Unlawful Conduct of Minors.

- (a) No minor shall remain in or upon any public place or any establishment between the hours of 12:00 midnight and 6:00 A.M., prevailing
- (b) The provisions of this Section shall not apply to any minor accompanied by a parent, or to a minor upon an errand or other lawful business directed by such minor's parent, or to any minor who is engaged in gainful employment during the curfew hours set forth above.

SECTION 3. Unlawful Conduct of Parents.

- (a) No parent shall knowingly permit any minor to remain in or upon any public place or any establishment between the hours of 12:00 midnight and 6:00 A.M., prevailing time.
- (b) 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 lawful business or to any parent of a minor employed in gainful, lawful employment during the curfew hours set forth above.

SECTION 4. Unlawful Conduct of Owners or Operators of Establishments.

- (a) No operator of an establishment or their agents or employees shall knowingly permit any minor to remain upon the premises of said establishment between the hours of 12:00 midnight and 6:00 A.M., prevailing time.
- (b) The provisions of this Section shall not apply to any operator of an establishment or their agents or employees with regard to a minor employed by the operator and employed in gainful, lawful employment by the operator during the curfew hours set forth above.

SECTION 5. Enforcement and Penalties.

- (c) Any police officer who finds a minor violating any provisions of Section 2 shall obtain information from such minor as to his or her name and address, age, and the name and address of his

or her parents, or those who have legal custody and control of such minor. The minor shall thereupon be instructed to proceed to his or her home forthwith. The information obtained from the minor shall be mailed to the parent or parents or to those individuals who have legal custody and control of such minor advising of the violation of Section 2 hereof.

- (b) Any parents who shall be adjudged in violation of Section 3 of this Ordinance in a summary proceeding before a District Magistrate or Justice of the Peace, after having received notice of a prior violation, shall be sentenced to pay a fine of not less than \$25.00 nor more than \$300.00 for each violation and costs of prosecution, to be collected as other fines and costs are by law collectible, and in default of said fine and costs, shall be imprisoned in the York County Jail for a period not exceeding thirty (30) days.
- (c) Any operator of an establishment or any agents or employees of any said operator who shall be adjudged in violation of Section 4 of this Ordinance in a summary proceeding before a District Magistrate or Justice of the Peace, shall be sentenced to pay a fine of not less than \$25.00 nor more than \$300.00 for each violation and costs of prosecution, to be collected as other fines and costs are by law collectible, and in default of payment of said fine and costs, shall be imprisoned in the York County Jail for a period of not more than thirty (30) days.
- (d) Each violation of the provisions of this Ordinance shall constitute a separate offense.

SECTION 6. The provisions of this Ordinance are severable, and if any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional, the decision of the Court shall not affect or impair any of the remaining sections, clauses, sentences, parts, or provisions of this. Ordinance. It is hereby declared to be the intent of the Borough of Shrewsbury that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included therein.

SECTION 7. All provisions of any previous Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

ENACTED AND ORDAINED this 4th day of February , 1981.

BOROUGH COUNCIL OF THE BOROUGH
OF SHREWSBURY

Attest:

//s// Katherine A. Lang Secretary

By //s// Billy R. Stumbo President

Approved this 4th day of February

, 1981.

By: //s// Norman J. Rohrbaugh Mayor