

TOWNSHIP OF EAST BETHLEHEM

ORDINANCE NO. 85- 7

AN ORDINANCE PROHIBITING ANY PERSON UNDER EIGHTEEN (18) YEARS OF AGE, UNLESS ACCOMPANIED AS HEREIN PROVIDED, TO BE IN PUBLIC PLACES AND IN PRIVATE ESTABLISHMENTS IN EAST BETHLEHEM TOWNSHIP, WASHINGTON COUNTY, PENNSYLVANIA, BETWEEN THE HOURS OF 11:00 P.M. AND 6:00 A.M., DEFINING THE DUTIES AND RESPONSIBILITIES OF SUCH MINORS, PARENTS AND LEGAL GUARDIANS OF SUCH CHILDREN, AND THE RIGHTS AND RESPONSIBILITIES OF OPERATORS OF PRIVATE ESTABLISHMENTS, AND PROVIDING PENALTIES FOR VIOLATIONS.

BE IT ORDAINED AND ENACTED, by the Commissioners of the Township of East Bethlehem, Washington County, Pennsylvania, as follows:

SECTION I. DEFINITIONS:

A. "Establishment" means any privately owned place or business carried on for a profit or any place of amusement or entertainment to which the public is invited;

B. "Minor" means any person under the age of eighteen (18) years;

C. "Operator" means 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

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applied to corporations, shall include the officers and managers thereof;

D. "Parent" means 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;

E. "Public Place" shall mean any public street, highway, road, alley, park, playground, public building, or a vacant lot, and, any other place owned by the Township or regularly maintained by the Township;

F. "Remain" means to loiter, idle, wander, stroll or play in or upon.

## SECTION II. UNLAWFUL CONDUCT OF MINORS:

A. It shall be unlawful for any minor to remain in or upon any public place or any establishment or in any enclosure or vehicle which is on or in close proximity to any such place, between the hours of 11:00 p.m. and 6:00 a.m. of the following day.

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 legitimate business directed by such minor's parent, or to any minor who is engaged in gainful, lawful employment during the curfew hours. In the event that said minor is engaged in lawful employment, then said minor shall carry written iden-

tification and evidence of such employment in accordance with this section.

C. Each violation of the provisions of this section shall constitute a separate offense.

SECTION III. UNLAWFUL CONDUCT OF PARENTS:

A. It shall be unlawful for any parent knowingly to permit any minor to remain in or upon any public place or any establishment between the hours of 11:00 p.m. and 6:00 a.m. of the following day.

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 legitimate business or to any parent of a minor engaged in gainful, lawful employment during the curfew hours.

C. Each violation of the provisions of this section shall constitute a separate offense.

SECTION IV. UNLAWFUL CONDUCT OF OWNERS OR OPERATORS OF ESTABLISHMENTS:

A. It shall be unlawful for any owner or operator of any establishment, or their agents or employees, to knowingly permit any minor to remain upon the premises of said establishment between the hours of 11:00 p.m. and 6:00 a.m. of the following day.

B. Each violation of the provisions of this section shall constitute a separate offense.

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SECTION V. 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, address, age, and the name and address of his parent or parents. 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 or parents are at home and, if so, notify them verbally of the violation of both parent and the child. If the parent or parents 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 or parents 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, upon conviction thereof before a Magistrate, be sentenced to pay a fine of not less than Five (\$5.00) Dollars and not more than One Hundred (\$100.00) Dollars for each violation, and, in default of payment of such fine and costs, to be imprisoned in the County Jail for a period not to exceed ten (10) days at the discretion of the Magistrate.

C. Any operator of any establishment, and any agents or employees of any operator who shall violate the provisions of

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this Ordinance, shall upon conviction thereof before a Magistrate, be sentenced to pay a fine of not less than Five (\$5.00) Dollars and not more than One Hundred (\$100.00) Dollars for each violation, and, in default of payment of such fine and costs, to be imprisoned in the County Jail for a period not to exceed ten (10) days at the discretion of the Magistrate.

SECTION VI. SPECIAL EVENTS AND EXCEPTIONS:

A. 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 within East Bethlehem Township, the East Bethlehem Township Police Department will grant special consideration in such cases upon receipt of notice thereof and the children will be permitted to proceed directly home from the event without incident.

B. The East Bethlehem Township Chief of Police is hereby authorized from time to time to promulgate such rules and regulations including, but not limited to, the extension of that period of time at night herein defined as within the hours of curfew, as in his discretion shall be deemed necessary in the enforcement of this Ordinance or where, owing to special conditions, a literal enforcement of this Ordinance would result in unnecessary hardship.

SECTION VII. SEVERABILITY:

The provisions of this Ordinance are severable and if any provision shall be held illegal, invalid or unconstitutional, such illegality, invalidity or unconstitutionality shall not affect or impair any of the remaining provisions of this Ordinance. It is hereby declared to be the intent of the Commissioners of East Bethlehem Township that this Ordinance would have been adopted if such illegal, invalid or unconstitutional provisions had not been included herein.

SECTION VIII. All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed.

ORDAINED AND ENACTED this 14<sup>th</sup> day of August,  
1985.

ATTEST:

Susan B. Morgan  
Secretary

BOARD OF COMMISSIONERS OF  
EAST BETHLEHEM TOWNSHIP

BY: [Signature]  
Chairman

*John J. Chunko*

TOWNSHIP OF EAST BETHLEHEM

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C. Each violation of the provisions of this section shall constitute a separate offense.

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A. It shall be unlawful for any parent knowingly to permit any minor to remain in or upon any public place or any establishment between the hours of 11:00 p.m. and 6:00 a.m. of the following day.

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 legitimate business or to any parent of a minor engaged in gainful, lawful employment during the curfew hours.

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A. It shall be unlawful for any owner or operator of any establishment, or their agents or employees, to knowingly permit any minor to remain upon the premises of said establishment between the hours of 11:00 p.m. and 6:00 a.m. of the following day.

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C. Any operator of any establishment, and any agents or employees of any operator who shall violate the provisions of

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Chairman