

DRAFT

ORDINANCE NO. 2003-00

AN ORDINANCE PROHIBITING JUVENILES AGED SEVENTEEN AND UNDER TO BE ON, REMAIN IN OR UPON ANY OF THE STREETS, HIGHWAYS, ALLEYS, PARKS, PLAY GROUNDS, SIDEWALKS, PRIVATE PARKING LOTS OPEN TO THE PUBLIC OR OTHER PUBLIC PLACES IN THE BOROUGH OF STEWARTSTOWN BETWEEN THE HOURS OF ELEVEN O'CLOCK P.M. AND FIVE O'CLOCK A.M. THE NEXT DAY, UNLESS ACCOMPANIED AS HEREIN PROVIDE; PRESCRIBING THE MANNER OF ENFORCEMENT AND FIXING THE PENALTY FOR VIOLATION THEREOF

The Borough of Stewartstown, York County, Pennsylvania, hereby ordains as follows:

Section 1- It shall be unlawful for juveniles aged seventeen year and under to be on, remain in or upon any of the streets, highways, alleys, parks, playgrounds, sidewalks, private parking lots open to the public, or other public places in Stewartstown at night between Eleven o'clock p.m. and Five o'clock a.m. the next day, unless said juvenile is accompanied by any parent, guardian, or any person having legal custody of said juvenile. The hours set forth herein shall be in accordance with whatever local time is observed by the Borough of Stewartstown at the time of the enforcement of this Ordinance.

Section 2 - It shall be unlawfully for any parent, guardian, or person having legal custody of any juvenile under the age of seventeen years, to allow said juvenile to violate Section 1 of this Ordinance.

Section 3 - It shall be lawful for juveniles as set forth herein to be upon streets, sidewalks, highways, or parks or other public places after the hours set forth herein, provided the juvenile is going to or returning from their place of legal employment, and in which event such children shall present proof of said employment to any law enforcement officer.

Section 4 - Penalties

a. - Any juvenile violating any provisions of this Ordinance shall be subject to a fine of \$ 25.00 (twenty-five dollars) plus court costs for the first offense. \$50.00 (fifty dollars) plus court costs for the second offense. \$100.00 (one hundred dollars) plus court costs for the third or subsequent offense.

b. - Any parent, guardian, or person having legal custody of any juvenile violating this Ordinance shall be subject to a fine of \$50.00 (fifty dollars) plus court costs for the first offense. \$100.00 (one hundred dollars) plus court costs for the second offense. \$300.00 (three hundred dollars) for the third or subsequent offense and/or up to 90 days in the York County Prison.

Section 5 - That any prior Curfew Ordinance or part of any Curfew Ordinance, conflicting with this Ordinance shall be repealed.

Section 6 - The provisions of this Ordinance are severable and the invalidation of one section shall not make the remaining sections thereof invalid.

Section 7 - This Ordinance shall take effect and be in force 30 (thirty) days after it has been signed by the Mayor.

ENACTED AND ORDAINED this _____ day of _____ 2003

BOROUGH COUNCIL OF THE
BOROUGH OF STEWARTSTOWN

BY _____
COUNCIL PRESIDENT

APPROVED this _____ day of _____ 2003

BY _____
MAYOR

ATTEST:

BOROUGH SECRETARY