

NOTICE OF ORDINANCE

NOTICE IS HEREBY GIVEN That at the regular meeting of the Board of Supervisors of East Norriton Township, to be held on Monday, February 4, 1963, at 8:00 o'clock P.M., E.S.T., at the East Norriton Township Building, 2828 Swede Road, in East Norriton Township, the said Supervisors propose to enact the following ordinance:

ORDINANCE NO. 38

ORDINANCE TO REGULATE THE PRESENCE OF MINORS UNDER THE AGE OF EIGHTEEN YEARS IN PUBLIC PLACES AND IN PRIVATE ESTABLISHMENTS BETWEEN CERTAIN HOURS: DEFINING DUTIES AND RESPONSIBILITIES OF SUCH MINORS, PARENTS, AND PROPRIETORS OF ESTABLISHMENTS; AND PROVIDING PENALTIES FOR VIOLATORS.

WHEREAS a substantial increase in the number and in the seriousness of crimes committed by minors against persons and property within the Township of East Norriton has created a menace to the preservation of public peace, safety, health, morals and welfare, which has partly been caused by the large number of minors who are permitted to remain in public places and in certain establishments during night hours without adult supervision, and that regulation of the same will reduce such juvenile delinquency, now

BE IT ORDAINED AND ENACTED, by the Supervisors of the Township of East Norriton, 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. "Official Township Time" means Eastern Standard Time except from the last Sunday in April to the last Sunday in October, when it shall be Eastern Daylight Saving Time;

D. "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

applied to corporations, shall include the officers thereof;

E. "Parent" means any natural parent of a minor, a guardian, or any adult person, twenty-one years of age or over, responsible for the care and custody of a minor;

F. "Public Place" means any public street, highway, road, alley, park, playground, public building, public ground or vacant lot;

G. "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 between the hours of ten-thirty (10:30) o'clock P.M. and six thirty (6:30) o'clock A.M. of the following day, Official Township Time, except that on Fridays and Saturdays the hours shall be from twelve (12) o'clock midnight to six (6) o'clock A.M.;

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;

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 ten-thirty (10:30) o'clock P.M. and six-thirty (6:30) o'clock A.M. of the following day, Official Township Time, except that on Fridays and Saturdays the hours shall be from twelve (12) o'clock midnight to six (6) o'clock A.M.;

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.

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 operator of any establishment or their agents or employees knowingly to permit any minor to remain upon the premises of said establishment between the hours of ten-thirty (10:30) o'clock P.M. and six-thirty (6:30) o'clock A.M. of the following day, Official Township Time, except that on Fridays and Saturdays the hours shall be from twelve (12) o'clock midnight to six (6:00) o'clock A.M.

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

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 and address, age, and the name and address of his parents or parent. 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 the 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 be fined not less than five (5) dollars and not more than one hundred (100) dollars for each violation, together with judgment of imprisonment not exceeding ten days if any fine is imposed, together with costs, and is not paid within ten days of the date of imposition thereof, Prosecutions shall be before any Justice of the Peace in the Township of East Norriton, and all fines imposed and collected shall be paid into the Township treasury for the use of the Township.

C. Any operator of any establishment and any agents or employees of any operator who shall violate the provisions of this Ordinance shall be fined not less than five (5) dollars nor more than one hundred (100) dollars for each violation, together with judgment of imprisonment, not exceeding thirty days if any fine imposed, together with costs, is not paid within ten days of the date of imposition thereof. Prosecutions shall be before any Justice of the Peace in the Township of East Norriton, and all fines imposed and collected shall be paid into the Township treasury for the use of the Township.

SECTION VI. 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 East Norriton 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.

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. It is hereby declared to be the intent of the Supervisors 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 4 day of February 1963.

BOARD OF SUPERVISORS OF
EAST NORRITON TOWNSHIP

By: Henry K. Standbridge
Henry K. Standbridge

Theodore R. Streeper
Theodore R. Streeper

James B. Beerer
James B. Beerer