

EAST UNION TOWNSHIP BOARD OF SUPERVISORS  
SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA

ORDINANCE NO. 2016- 3

AN ORDINANCE OF EAST UNION TOWNSHIP, SCHUYLKILL COUNTY,  
PENNSYLVANIA, REGARDING UNACCOMPANIED MINORS ON  
PUBLIC STREETS OR AREAS OF THE TOWNSHIP AT CERTAIN SPECIFIC TIMES

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors of East Union Township, as follows:

SECTION 1. Purpose.

The purpose of this ordinance is to protect the health, safety and welfare of all residents of the Township. The ordinance will further help to reduce juvenile crime and thus promote the public welfare. It will also reduce perpetration of crime on minors that may be vulnerable during curfew hours and will also promote and support the parent child relationship and provide an additional layer of supervision when appropriate.

SECTION 2. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

ESTABLISHMENT – any privately owned place or business carried on for a profit or any place to which the public is invited.

MINOR – Any person under the age of 18 years.

OFFICIAL TOWNSHIP TIME – Eastern Standard Time, except when Daylight Savings Time is the prevailing time in the Commonwealth.

OPERATOR – Any individual, firm, association, partnership, or corporation, managing or conducting any establishment, and whenever used in any clause prescribing a penalty, the term "operator" as applied to the associations or partnerships shall include the members or partners thereof, and applied to corporations, shall include the officers thereof.

PARENT – Any natural parent of a minor, guardian, or any adult person 21 years of age or older who is responsible for the care and custody of a minor.

PUBLIC PLACE – Any public street, highway, road, alley, park, parking lot, playground, public building or vacant lot in East Union Township.

REASONABLE EXCUSE – Medical or other similar emergency, activities of junior firefighters, employment, school functions, written reasonable permission of parents or guardian.

### Section 3. Prohibited Conduct.

A. It shall be unlawful for any minor to remain in or upon any public place or any establishment between the hours of 10:00 p.m. and 6:00 a.m. of the following day, Township time, except that on Friday and Saturday evenings the commencement hour shall be extended to 12:00 midnight.

B. The provisions of this section shall not apply to any minor accompanied by a parent and/or legal guardian, or to a minor who is on legitimate business directed by such minor's parent and/or legal guardian, or to any minor who is engaged in gainful lawful employment during the curfew hours.

### Section 4. Prohibited 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 10:00 p.m. and 6:00 a.m. of the following day, Township time, except that on Friday and Saturday evenings the commencement hour shall be extended to 12:00 midnight.

B. The provisions of this section shall not apply to any parent who accompanies a minor or to a parent and/or legal guardian of a minor who is on legitimate business or to any parent and/or legal guardian of a minor engaged in gainful lawful employment during the curfew hours.

### Section 5. Prohibited Conduct of Owners or Operators of Establishments.

A. It shall be unlawful for any operator of any establishment or his agents, servants and employees knowingly to permit any minor to remain upon the premises of said establishment between the hours of 10:00 p.m. and 6:00 a.m. of the following day, Township time, except that on Friday and Saturday evenings the commencement hour shall be extended to 12:00 midnight.

### Section 6. Enforcement.

A. Any police officer who finds a minor violating the provisions of this ordinance shall obtain from the minor his or her name, address, age, phone number, and names of parents and/or legal guardian. The minor shall thereupon be instructed to proceed to his or her home and shall, if necessary, be accompanied by the police officer. The officer shall ascertain whether the parents and/or legal guardians are at home and, if so, to notify them orally of any violation caused by the minor and, if applicable, the violation pertaining to the parent. If neither of the parents and/or legal guardian is at home, the police officer shall take measures to contact the parent or legal guardian to determine a course of action to insure the minor's safety. Such actions shall be included in the officer's official police report. In all cases, whether or not oral notice has been given, a written notice shall also be mailed to the parents and/or legal guardian of the minor advising them of the violation of this ordinance.

Section 7. Violations and Penalties.

A. Any minor, parent, or legal guardian, and/or operator of an establishment or any of his agents, servants or employees, who shall violate the provisions of this ordinance shall, for the first offense, at the discretion of the police officer, be given a verbal warning and/or be fined not more than \$50 plus cost of prosecution; second violations, shall not be fined more than \$150 plus cost of prosecution.

All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the East Union Township Code.

This Ordinance shall be effective five (5) days following its legal enactment.

ENACTED and ORDAINED this 8<sup>th</sup> day of June, 2016.

MOTION Dennis Antonelli

SECOND John Biros

ANTONELLI Yes

BIROS Yes

DETTYER Yes

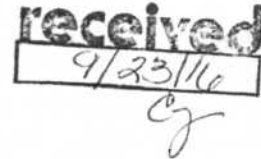
Attest: Lisa Davidson  
Lisa Davidson, Township Secretary

Date: 6/8/16

RECEIVED JUL 11 2016

Recd. \$5.00 Filing Fee  
Ch.# 5983

*Q. L.*



**EAST UNION TOWNSHIP BOARD OF SUPERVISORS  
SCHUYLKILL COUNTY, COMMONWEALTH OF PENNSYLVANIA**

**ORDINANCE NO. 2016- 4**

**AMENDED ORDINANCE OF EAST UNION TOWNSHIP, SCHUYLKILL COUNTY,  
PENNSYLVANIA, REGARDING UNACCOMPANIED MINORS ON  
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**Section 3. Prohibited Conduct.**

A. It shall be unlawful for any minor to remain in or upon any public place or any establishment between the hours of 10:00 p.m. and 6:00 a.m. of the following day, Township time.

B. The provisions of this section shall not apply to any minor accompanied by a parent and/or legal guardian, or to a minor who is on legitimate business directed by such minor's parent and/or legal guardian, or to any minor who is engaged in gainful lawful employment during the curfew hours.

**Section 4. Prohibited 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 10:00 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 and/or legal guardian of a minor who is on legitimate business or to any parent and/or legal guardian of a minor engaged in gainful lawful employment during the curfew hours.

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A. It shall be unlawful for any operator of any establishment or his agents, servants and employees knowingly to permit any minor to remain upon the premises of said establishment between the hours of 10:00 p.m. and 6:00 a.m. of the following day, Township time.

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The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the East Union Township Code.

This Ordinance shall be effective five (5) days following its legal enactment. This Ordinance amends Ordinance No. 2016-3 which was passed on June 8, 2016.

ENACTED and ORDAINED this 14<sup>th</sup> day of September, 2016.

MOTION

John Biros

SECOND

Jon Dettery

ANTONELLI Absent

BIROS Yes

DETTYERY Yes

Attest: Lisa Davidson  
Lisa Davidson, Township Secretary

Date: 9/14/16