

Chapter 101

CURFEW

§ 101-1. Definitions.

§ 101-2. Hours of curfew; exceptions.

§ 101-3. Unlawful conduct of business operators; exceptions.

§ 101-4. Enforcement; violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Dallastown 4-10-2000 by Ord. No. 452.¹ Amendments noted where applicable.]

§ 101-1. Definitions.

The following words shall have the following meanings as used in this chapter, unless the context clearly indicates otherwise, to wit:

ESTABLISHMENT — Any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited.

MINOR — Any person under the age of 18 years.

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.

PUBLIC PLACE — Any public street, highway, road, alley, park, playground, public building or vacant lot.

REMAIN — To loiter, idle, wander, stroll, play or be in or upon.

§ 101-2. Hours of curfew; exceptions.

- A. No minor shall be or remain in or upon any public place or any establishment between the hours of 11:00 p.m. to 6:00 a.m., prevailing time, on any day unless such minor is accompanied by such minor’s parent or guardian or by another person having the legal custody of such child.
- B. The provisions of § 101-2A of this chapter shall not apply to any minor involved or engaged in activities sponsored or approved by any duly authorized and licensed public or private school system or program thereof, or any municipality or duly organized governmental entity, or any duly organized and existing charitable or religious entity, including but not limited to church, temple, boy scouts, girl scouts, YMCA or YWCA, nor

¹ Editor’s Note: This ordinance also repealed former Ch. 101, Curfew, adopted 7-13-1987 by Ord. No. 383.

travel directly from the home of such minor to such activity or from such activity directly to the home of such minor, nor to any minor with valid work permits or certificates for traveling directly from the home of such minor to his or her place of employment or traveling from his or her place of employment directly to such minor's home, or engaged in the delivery of newspapers pursuant to an established newspaper route of such minor.

§ 101-3. Unlawful conduct of business operators; exceptions.

No operator of an establishment or such operator's agents or employees shall knowingly permit any minor to remain upon the premises of said establishment between the hours of 11:00 p.m. through 6:00 a.m., prevailing time, on any day. The provisions of this section shall not apply to any operator of an establishment or such operator's agents or employees with regard to a minor employed by the operator and engaged in gainful lawful employment by the operator during the curfew hours.

§ 101-4. Enforcement; violations and penalties.

- A. Any minor found by any police officer to be in or upon any public place or establishment in violation of this chapter may, in addition to any other lawful actions or procedures, be taken to the minor's home, if feasible, or taken to Police Headquarters and kept there until such minor's parent or guardian picks up such minor.
- B. Any person, corporation, partnership, company, firm, association or other entity who shall violate the provisions of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$600, together with the costs of prosecution, and, in default thereof, be sentenced to imprisonment in the York County Prison for a period of not more than 30 days.
- C. In lieu of immediate enforcement of any fine imposed pursuant to this chapter upon a minor, such minor may be referred, upon recommendation of the police, to a Youth Aid Panel, or similar program operated, administered or coordinated by the York County Probation Department, and if such minor does not successfully comply with such Youth Aid Panel or similar program, then the District Justice and police may enforce the fine imposed pursuant to this chapter.