

SOUTH MIDDLETON TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 96-02

ORDINANCE ENACTING A CURFEW IN SOUTH MIDDLETON TOWNSHIP

SECTION 1 Definitions and Interpretation

As used in this Ordinance the following words and terms shall have the meanings hereby ascribed to them, except where the context clearly indicates a different meaning:

1. Child: a person under the age of eighteen (18) years, whether a resident or a nonresident of the South Middleton Township, and whether married or unmarried.
2. Curfew Period: the entire period between 11:00 o'clock in the evenings and 5:30 o'clock in the following morning.
3. Parent: the father, the mother, or the guardian or other legal custodian of the child.

In this Part, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine and the neuter.

SECTION 2 Prohibitions and Exceptions.

1. It shall be unlawful for any child to be in or upon, any of the streets, alleys, sidewalks, parks or other public places in South Middleton Township during the curfew period. It shall also be unlawful for any child to be in any place of public business outside the premises of his/her home at any time during the curfew period. For purposes of this Ordinance, riding in, or being an occupant of any motor vehicle on the streets, alleys or parking areas within South Middleton Township shall be considered a violation when occurring during the curfew period.
2. It shall be unlawful for any parent to permit a child under their control to violate this Ordinance. It shall also be unlawful for a parent to fail to prevent a child under their control from violating the provisions of this Ordinance.
3. The prohibitions set forth in this Ordinance shall not apply in the following situations:
 1. In the case of a child accompanied by his parent or another responsible person of good repute who is at least twenty-one (21) years of age.

2. In the case of a child who is in the performance of an errand for his parent, and who bears a written note, from such parent, giving the date, time and nature of the errand.

3. In the case of a child who is returning from a community-or-school sponsored function or activity, in which case such child shall be allowed one (1) hour after the conclusion of such function or activity to reach his home, but in no case later than midnight.

SECTION 3 Penalties for Violations.

Any persons violating this Ordinance shall be subject to a fine of One Hundred (\$100.00) Dollars upon conviction thereof before any District Justice having jurisdiction of offenses within the Township of South Middleton, said fines to be collected for the use of the Township as similar fines are now collected by law.

SECTION 4 Enforcement.

The Board of Supervisors shall, by resolution, designate those people who shall have the authority to enforce violations of the provisions of this Ordinance. The designation of one such person shall not be construed so as to prevent the designation of others and shall not be construed so as to preclude several individuals contemporaneously having such authority.

SECTION 5

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such decision shall not affect the validity of any other remaining provisions of this Ordinance. It is hereby declared as legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision not been included therein.

TO BE ENACTED AND ORDAINED this 16th day January, 1996.

Board of Supervisors
South Middleton Township

By Terry T. Rickert
Chairman

ATTEST:
Barbara A. Wilson, Secretary