

Chapter 6

Conduct

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Part 1**Disorderly Conduct****§6-101. Disorderly Conduct Prohibited.**

Disorderly conduct is hereby prohibited within the Borough. Any person who shall willfully make or cause to be made any loud, boisterous and unseemly noise or disturbance to the annoyance of the peaceable residents nearby, or near to any public street or alley, or public ground within the Borough, whereby the public peace is broken or disturbed, or the traveling public annoyed, shall be guilty of disorderly conduct.

(*Ord. 61, 11/10/1932; as revised by Ord. 7/7/1975, §8-1001*)

§6-102. Disturbance of the Peace Prohibited.

Disturbance of the peace is hereby prohibited within the Borough. Any person who shall be guilty of any willful act causing or tending to cause a disturbance of the peace and good order of the Borough, or causing or tending to cause any, danger, to inhabitants of the Borough or to users of any of the public streets or alleys in the Borough; or who shall fight or quarrel or incite others to fight or quarrel; or who shall congregate upon any of the public streets or alleys or public grounds in the Borough, to the annoyance of peaceable residents nearby or traveling upon any street or alley or being lawfully upon any of the public grounds in the Borough, whereby the public peace is broken or disturbed or the traveling public annoyed shall be guilty of disturbance of the peace.

(*Ord. 61, 11/10/1932; as revised by Ord. 7/7/1975, §8-1002*)

§6-103. Penalty for Violation.

Any person who shall violate any provision of this Part, or who shall cause, help, aid or abet any other person to violate any such provision shall, upon conviction thereof, shall be sentence to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 61, 11/10/1932; as revised by Ord. 7/7/1975, §8-1003; as amended by Ord. 88-1, 2/1/1988; by Ord. 91-6, 6/10/1991; and by Ord. 2006-3, 7/10/2006*)

Part 2**Curfew****§6-201. Purpose.**

The purpose of this Part is to prescribe, in accordance with prevailing community standards, regulations for the conduct of minors on streets or public places at night, for the protection of said minors in North York Borough from each other and from other persons on the streets during nighttime hours, for the enforcement of parental control and responsibility for said minors, for the protection of the public from nocturnal mischief by minors and for the reduction of the incidence of juvenile criminal activity, for the furtherance of family responsibility, and for the promotion of the public good, health, safety, and welfare of the residents of North York Borough.

(Ord. 91-11, 11/4/1991, §1)

§6-202. Definitions and Interpretation.

As used in this Part the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Minor - person under the age of 18 years.

Parent - any natural parent of a minor, as herein defined, or a guardian, or any adult person responsible for the care and custody of a minor. When used in this Part, "parent" shall mean all such persons so defined.

Public place - any public street, alley, sidewalk, park, playground, public building or vacant lot, or in a parked vehicle at any of said locations in North York Borough.

Remain - to stay behind, to tarry and stay unnecessarily in or upon a public place, including the congregation of groups or otherwise interacting minors totaling four or more persons, in which any minor is not using the public place for emergency or ordinary and immediate social or business purposes.

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.

(Ord. 91-11, 11/4/1991, §2)

§6-203. Establishment of Curfew; Exceptions.

It shall be unlawful for any minor to remain in or upon any public place within North York Borough between the hours of 11 p.m. and 5 a.m., on the following day, prevailing time, except as follows:

A. A minor accompanied by a parent, guardian, or other person having legal care or custody of such minor.

B. A minor lawfully employed, making it necessary for him to remain on or in a public place and possessing a letter dated not more than 30 days prior to the date of presentation, certifying the same, signed by an employer or parent.

C. A minor on an emergency errand.

(*Ord. 91-11*, 11/4/1991, §3)

§6-204. Parent Not to Permit Violation.

It shall be unlawful for any parent, guardian, or person having legal care or custody of a minor to allow or permit such minor to violate the provisions of this Part without legal justification therefor.

(*Ord. 91-11*, 11/4/1991, §4)

§6-205. Juvenile Act Proceedings.

In addition, an investigating officer may initiate proceedings under the Juvenile Act, 42 Pa.C.S.A. §6301 *et seq.*, as amended from time to time, against juveniles when appropriate under that Act.

(*Ord. 91-11*, 11/4/1991, §5)

§6-206. Police Discretion in Age Determination.

Police officers in taking minors into custody shall use their discretion in determining age and in doubtful cases may require written documentation for the proof of age. The proof of age at a trial or hearing shall be established by a certificate of birth. If the alleged minor was not born in the United States some other written documentation along with the testimony of the parent or parents shall be required.

(*Ord. 91-11*, 11/4/1991, §6)

§6-207. Penalties.

Any person who shall violate any provision of this Part shall upon conviction thereof be sentenced to pay a fine of not more than \$100 for the first such offense, or a fine of not more than \$300 for the second such offense, or a fine of not more than \$1,000 for the third and each succeeding such offense, plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 91-11*, 11/4/1991, §7; as amended by *Ord. 2006-3*, 7/10/2006)