

EMERGENCY ORDINANCE

AN ORDINANCE AMENDING CHAPTER 92 – CURFEW, SECTION 92-4 TO ESTABLISH CURFEW HOURS OF 8:00 P.M. TO 6:00 A.M.

WHEREAS, the City of Coatesville is a Third Class City governed by a Home Rule Charter and the Third Class City Code with a business address of 1 City Hall Place, Coatesville, Chester County, Pennsylvania (hereinafter the “City”);

WHEREAS, the City of Coatesville is a chartered third class city in the Commonwealth of Pennsylvania, located in Chester County, Pennsylvania; and

WHEREAS, the City’s code under Chapter 92 thereof addresses issues of curfew, defining a minor as being a person under the age of 18 years and providing under Section 92-4 certain specified times of curfew for minors “except when the curfew hours established hereunder are temporarily suspended or modified by proclamation of the City Council of the City of Coatesville.”; and

WHEREAS, the recent arson fires have created a continuing threat to public safety, and the Coatesville Police Department has recommended a more restrictive curfew for minors; and

WHEREAS, the recent arson fires have created a substantial public emergency affecting the life, health, property and peace of the citizens of Coatesville; and

WHEREAS, the City Council has decided that Section 92-4 should be amended to modify the curfew to establish a curfew between 8:00 p.m. and 6:00 a.m. for every day of the week.

NOW THEREFORE, in consideration of the foregoing, and pursuant to the authority of City Council under Section 2-309 of the Charter and Section 92-4 of the Code, it is hereby enacted and set forth that Chapter 92 of the City Code entitled Curfew is amended and the current language of Section 92-4 thereof is removed and in its place is established the following language:

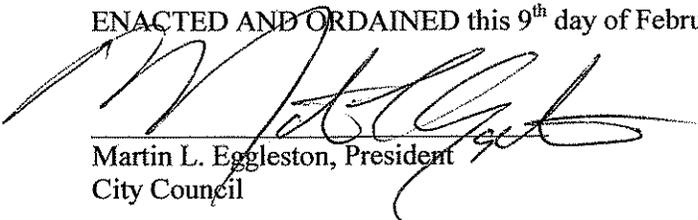
“It shall be unlawful for any person under the age of eighteen (18) to remain in or upon any street, public place or establishment in the city between 8:00 p.m. prevailing time and 6:00 a.m. prevailing time. Prior curfew hours in effect under this section are temporarily suspended or modified by this proclamation of the City Council of the City of Coatesville, during the time period when this ordinance is in effect.”

All other provisions of the City Code shall remain in full force and effect.

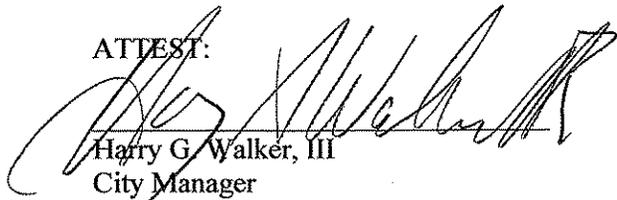
If any portion of the Ordinance shall be determined to be unconstitutional, illegal or unenforceable, then the portion and only that portion of this Ordinance, which is deemed to be unconstitutional, illegal or unenforceable, shall be severed from the remainder of this Ordinance and all other terms thereof shall remain in full force and effect.

This Ordinance shall be effective immediately upon adoption and shall automatically stand repealed as of the thirty-first day following the date of its adoption but may be reenacted by City Council if the emergency still exists. Council directs that this ordinance be advertised as soon as possible after adoption.

ENACTED AND ORDAINED this 9th day of February 2009.

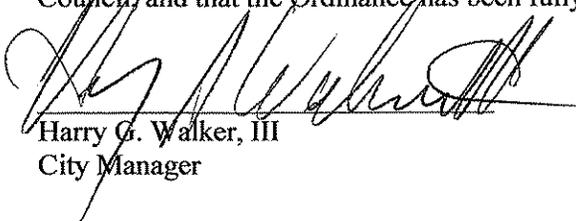

Martin L. Eggleston, President
City Council

ATTEST:


Harry G. Walker, III
City Manager

CERTIFICATION:

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 9th day of February 2009, and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania on the 9th day of February, 2009, that the vote upon the said Ordinance has been recorded in the Minutes of the City Council, and that the Ordinance has been fully recorded.


Harry G. Walker, III
City Manager