Bill No. 8-2010

Ordinance No. 1338-2010

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 92 – CURFEW, SECTION 92-4 TO ESTABLISH CURFEW HOURS OF 10:00 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 City Council has decided that Section 92-4 should be amended to modify the curfew to establish a curfew between 10:00 p.m. and 6:00 a.m. for every day of the week.

NOW THEREFORE, in consideration of the foregoing, 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 9:00 p.m. prevailing time and 6:00 a.m. prevailing time, Sunday through Thursday and between 10:00 p.m. prevailing time and 6:00 a.m. prevailing time, Friday and Saturday except when the curfew hours established hereunder are temporarily suspended or modified by proclamation of the City Council of the City of Coatesville. In addition, for those children under the age of twelve, the foregoing prohibition against remaining in or upon any street, public place or establishment in the city, shall be effective between 9:00 p.m. prevailing time and 6:00 a.m. prevailing time Sunday through Saturday."

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 thirty (30) days after publication following final adoption in accordance with the City Charter and the Third-Class City Code.

ENACTED AND ORDAINED this 27th day of September 2010.

Edward Simpson, President
City Council

ATTEST:

Wayne G. Reed

Wayne G. Reed
Interim City Manager

CERTIFICATION:

I HEREBY CERTIFY that the foregoing Ordinance was introduced on the 13th day of September 2010, and was duly enacted by the Council of the City of Coatesville, Chester County, Pennsylvania on the 27th day of September, 2010, 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.

Wayne G. Reed

Wayne G. Reed
Interim City Manager/Council Secretary