

CHAPTER 6

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Part 1

Curfew

§101. Establishment, Times, and Exceptions. From and after the passage of this Part no minor under the age of eighteen (18) years shall be in or upon any of the public streets, alleys, highways, parks, sidewalks, or in automobiles traveling or parked on any street, alley, highway, or in any public or private establishments in this municipality after the hour of 11:00 P.M. on the nights from Sunday to Thursday, inclusive, to the hour of 5:00 A.M. the following day, or after the hour of 12:00 midnight on the nights of Friday and Saturday, to the hour of 5:00 A.M. the following day, prevailing time, unless such minor is accompanied by his or her parent, guardian, or other person having the legal care or custody of any minor under eighteen (18) years of age, or is in the performance of any errand or duty directed by his or her parents, guardian, or legal custodian, or whose legally recognized employment makes it necessary for such minor to be in or upon said streets, alleys, highways, parks, sidewalks, or automobiles traveling or parked on any street, alley, highway, or in public or private establishments in this municipality during the prohibited hours, prevailing time, in which case such minor shall carry a certificate of employment signed by the Chief of Police of the municipality of his residence, or, if not a member of the Council of Governments of Northern Lancaster County, Pennsylvania, then of the municipality where so employed. *[Ord. 19, 10/01/1971, §1]*

§102. Parent, Guardian, Custodian and Legal Responsibility. No parent, guardian, or other person having the legal care or custody of any minor under eighteen (18) years of age shall allow or permit any such minor to be in or upon any of the said streets, alleys, highways, parks, sidewalks, or parked or traveling automobiles, or in public or private establishments in this municipality during the prohibited hours except as specified in Section 101 of this Part, or unless reasonable necessity can be shown therefore. *[Ord. 19, 10/01/1971, §2]*

§103. Notice of First Violation. The policemen of this municipality finding any such minors under the age of eighteen (18) years in or upon any of the said streets, alleys, highways, parks, sidewalks, or parked or traveling automobiles, or in public or private establishments in this municipality in violation of any of the provisions of this Part shall take the name of such minor, and the name and address of the parents, guardian, or other person having the legal care or custody of any minor under eighteen (18) years of age, shall direct such minor to go to his or her home immediately, and shall make a report thereof to the Secretary of the Board of Township Supervisors within twenty-four (24) hours. The said elected official shall promptly send to the parents, guardian, or other person having the legal care or custody of any minor under eighteen (18) years of age, a written notice of the violation of this Part, and shall caution such parents, guardian, or other person having the legal care or custody of any minor under eighteen (18) years of age, that unless the terms of this Part are complied with, the penalty herein provided will be invoked against such parents, guardian, or other person having the legal care or custody of any minor under eighteen (18) years of age. *[Ord. 19, 10/01/1971, §3]*

§104. Penalties. Any parent, guardian or other person having the legal care or custody of any minor under eighteen (18) years of age who shall violate any of the provisions of this Part after notice thereof has been given as provided in Section 103 hereof, shall be prosecuted in the same manner in which summary convictions are now prosecuted, and upon conviction shall be sentenced to pay a fine not exceeding Fifty

(\$50.00) Dollars, and in default of the payment thereof shall be sentenced to undergo imprisonment in the Lancaster County Prison for a period not exceeding thirty (30) days.
[Ord. 19, 10/01/1971, §4]

Part 2

Disorderly Conduct and Noise,
Disturbing the Peace

§201. Disorderly Conduct. A person is guilty of disorderly conduct if, with purpose to cause public inconvenience, annoyance or alarm, or with knowledge that he is likely to cause public inconvenience, annoyance or alarm, he:

- a. Engages in fighting, threatening or violent or tumultuous behavior,
- b. Makes unreasonable noise or coarse or abusive utterance, gesture, or display,
- c. Creates a hazardous or physically defensive condition by any act which serves no legitimate purpose of the actor.

[Ord. 25, 08/07/1972, §1]

§202. Vehicle Requirements for Noise, Mufflers.

- a. No person shall operate a motor vehicle, except authorized fire department and fire patrol apparatus, on any highway, road, street, lane or alley within the limits of the Township of Clay unless such motor vehicle is equipped with a muffler, in good working order, and in constant operation, to prevent excessive or unusual noise.
- b. It shall be unlawful for any person to drive any vehicle or tractor on private property without the consent of the owner or other person in control or possession thereof, unless such vehicle or tractor is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise.

[Ord. 25, 08/07/1972, §2]

§203. Use of Horns, Sirens or Other Warning Devices.

- a. It shall be unlawful, except as hereinafter provided in Subsection (b) for any person, in or on any street, road, highway, alley, driveway, or lane, to use or operate, or cause to be used or operated, a horn, a siren, or other warning device or devices of or on any vehicle otherwise than as a reasonable warning or to make any unnecessary or unreasonably loud or harsh sound by means of such horn, siren, or warning device.
- b. The provision of Subsection (a) shall not apply to police vehicles in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation, nor to fire department or fire patrol vehicles responding to a fire alarm, nor to ambulances when traveling in emergencies.

[Ord. 25, 08/07/1972, §3]

§204. Standards for Disturbing the Peace.

- a. It shall be unlawful for any person to willingly make or continue, or cause to be made or continued, any loud, unnecessary, or unusual noise which disturbs or might disturb the peace or quiet of any neighborhood or which causes or might cause discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area.
- b. The standards which shall be considered in determining whether a violation of the provisions of this Section exists shall include, but not be limited to, the following:
 1. The volume of the noise.
 2. The intensity of the noise.
 3. Whether the nature of the noise is usual or unusual.
 4. Whether the origin of the noise is natural or unnatural.
 5. The volume and intensity of the background noise, if any.
 6. The proximity of the noise to residential sleeping facilities.
 7. The nature and zoning of the area within which the noise emanates.
 8. The density of the inhabitation of the area within which the noise emanates.
 9. The time of the day or night the noise occurs.
 10. The duration of the noise.
 11. Whether the noise is recurrent, intermittent, or constant.
 12. Whether the noise is produced by a commercial or noncommercial activity.
 13. Whether the noise serves any useful purpose.

[Ord. 25, 08/07/1972, §4]

§205. Penalties. Any person violating any of the provisions of this Part shall, upon conviction thereof before a Justice of the Peace of the Township of Clay be sentenced to pay a fine of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00) and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment in the Lancaster County Prison for a period not exceeding five (5) days.

[Ord. 25, 08/07/1972, §5]

§206. Validity. The provisions of this Part shall be severable; and if any provisions hereof shall be held to be invalid, such decision shall not affect the validity of any of the remaining provisions of this Part. It is hereby declared as the intent of the Township Supervisors that this Part would have been enacted and ordained had such invalid provisions not been included herein. *[Ord. 25, 08/07/1972, §6]*