

City of Philadelphia



(Bill No. 110633)

AN ORDINANCE

Amending Chapter 10-300 of The Philadelphia Code, entitled “Minors,” by amending Section 10-303, entitled “Unlawful Conduct of Minors,” and Section 10-307, entitled “Parental Responsibility for Minor Children,” to provide for earlier curfew hours for minors, to provide for different curfew hours for additional age groups among minors, and to provide for parental liability, establishment liability, and for penalties and enforcement, for violations of Chapter 10-300 or any expanded curfew under the Mayor’s emergency powers, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-300 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 10-300. MINORS.

* * *

§ 10-303. Unlawful Conduct of Minors.

(1) No minor shall remain in or upon any public place or any establishment from the Evening Curfew Time indicated in the following chart until 6 A.M. the following day, unless said minor is accompanied by a parent, is doing an errand or other legitimate business as directed by the minor's parents, or is engaged in gainful lawful employment during the curfew hours or is on active duty in the Armed Service of the United States.

Evening Curfew Time				
	School Year		Summer	
	[Weekday] <i>Monday-Sunday</i>	[Weekend Day]	[Weekday] <i>Monday-Sunday</i>	[Weekend Day]
Minors [13] 16 and older	[10:30] <i>10:00 PM</i>	[midnight]	[10:30] <i>11:00 PM</i>	[midnight]
<i>Minors 14-15</i>	<i>9:00 PM</i>		<i>10:00 PM</i>	
Minors[under 13]	[9:00] <i>8:00</i>	[10:00 PM]	[9:30] <i>9:00</i>	[10:00 PM]

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<i>13 and under</i>	PM		PM	
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(2) *To the extent the Mayor, pursuant to his emergency powers under Section 10-819, extends or expands these curfew hours, the parental liability provisions of Sections 10-304 and 10-307; the establishment liability provisions of Section 10-305; and the enforcement and penalty provisions of Section 10-306, shall apply to violations of this Section 10-303 and to such extended or expanded curfew.*

[(2)] (3) No minor shall commit a willful tortious act which results in injury to any person or which results in the theft, destruction or loss of property to another.

* * *

§ 10-307. Parental Responsibility for Minor Children.

(1) The parent, legal guardian or other legally responsible adult of any child under the age of eighteen (18) years who violates any provision of *this Chapter 10-300, relating to "Minors,"* Chapter 10-500 relating to "Property – Damaging, Defacing and Interfering With", Chapter 10-600 relating to "Public Places – Prohibited Conduct", or Chapter 10-700 relating to "Refuse and Littering" shall be in violation of this Section.

(2) [The] *Where the underlying violation by the minor was a curfew violation under Section 10-303(1) or (2), the penalty for a violation of this Section may be a fine not to exceed five hundred dollars (\$500). In all other cases, the penalty for a violation of this Section shall be a fine not to exceed three hundred dollars (\$300). Any person authorized to enforce ordinances who becomes aware of a violation by a minor of any provision of Chapter 10-300, 10-500, 10-600 or 10-700 shall attempt to determine the whereabouts of the minor's parent, legal guardian or other legally responsible adult and shall serve upon such adult, by mail or in person, a notice of violation of this Section, pursuant to the provisions of Section 10-718 of this Code. The recipient of such notice of violation may, within ten [(10)](30) days of [receipt]date of such notice, pay, where the underlying violation by the minor was a curfew violation under Section 10-303(1) or (2), seventy-five dollars (\$75), and otherwise, twenty five dollars (\$25), admit the violation and waive a hearing, all pursuant to the procedures set forth in Section 10-718.*

* * *

SECTION 2. Sunset provision.

(1) The changes to The Philadelphia Code as authorized by this Ordinance, shall lapse on December 15, 2013.

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Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on October 27, 2011. The Bill was Signed by the Mayor on November 14, 2011.



Michael A. Decker
Chief Clerk of the City Council