

Legislation Text

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Amending Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," by amending Chapter 10-300, entitled "Minors," by amending Section 10-303 entitled "Unlawful Conduct of Minors" and Section 10-304, entitled "Unlawful Conduct of Parents," by amending the hours of curfew, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity, " is hereby amended to read as follows:

TITLE 10. REGULATION OF INDIVIDUAL CONDUCT AND ACTIVITY

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§10-303. Unlawful Conduct of Minors.

(1) No minor, *under the age of 14*, shall remain in or upon any public place or any establishment between the hours of [10:30] *10:00 P.M.* and 6 A.M. of the following day, official City time, *beginning on Labor Day and ending on Memorial Day* [except that on Fridays and Saturdays the hours shall be from 12 midnight to 6 A.M. 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].

*(a) No minor, under the age of 14, shall remain in or upon any public place or any establishment between the hours of 11:00 P.M. and 6 A.M. of the following day, official City time, beginning on Memorial Day and ending on Labor Day.*

*(2) No minor, between the ages of 14 and 17, shall remain in or upon any public place or any establishment between the hours of 10:00 P.M. and 6 A.M. of the following day, official City time, beginning on Labor Day and ending on Memorial Day, except that on Fridays and Saturdays the hours shall be from 12 midnight to 6 A.M.*

*(a) No minor, between the ages of 14 and 17, shall remain in or upon any public place or any establishment between the hours of 11:00 P.M. and 6 A.M. of the following day, official City time, beginning on Memorial Day and ending on Labor Day except that on Fridays and Saturdays the hours shall be from 12 midnight to 6 A.M.*

[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.

*(4) The provisions of 10-303 (1), (1) (a), (2), and (2) (a) shall not apply to any minor who is accompanied by a parent, guardian, or any other person 21 years of age or older authorized by the parent to care for the minor; is doing an errand or other legitimate business as directed by the minor's parents, guardian or other person 21*

*years or older authorized by a parent to care for the minor; is engaged in gainful lawful employment or commuting to or from lawful employment; is on active duty in the Armed Service of the United States; is in a vehicle traveling interstate; is involved in an emergency situation; is on the sidewalk abutting the minor's or a next door neighbor's residence, if the neighbor has not complained to police; is attending an official school, religious, or other activity sponsored by the City, a civic organization, or a similar entity that takes responsibility for the minor; or is exercising First Amendment rights, including the freedoms of religion and speech and the right of assembly.*

§10-304. Unlawful Conduct of Parents.

(1) No parent shall knowingly permit any minor, *under the age of 14*, to remain in or upon any public place or any establishment between the hours of [10:30] *10:00 P.M. and 6 A.M. of the following day, official City time, beginning on Labor Day and ending on Memorial Day.* [except that on Fridays and Saturdays the hours shall be from 12 midnight to 6 A.M.]

*(a) No parent shall knowingly permit any minor, under the age of 14, to remain in or upon any public place or any establishment between the hours of 11:00 P.M. and 6 A.M. of the following day, official City time, beginning on Memorial Day and ending on Labor Day.*

*(2) No parent shall knowingly permit any minor, between the ages of 14 and 17 to remain in or upon any public place or any establishment between the hours of 10:00 P.M. and 6 A.M. of the following day, official City time, beginning on Labor Day and ending on Memorial Day, except that on Fridays and Saturdays the hours shall be from 12 midnight to 6 A.M.*

*(a) No parent shall knowingly permit any minor, between the ages of 14 and 17, to remain in or upon any public place or any establishment between the hours of 11:00 P.M. and 6 A.M. of the following day, official City time, beginning on Memorial Day and ending on Labor Day except that on Fridays and Saturdays the hours shall be from 12 midnight to 6 A.M.*

[(2)] (3) The provisions of 10-304 (1), *1(a), (2), and (2) (a)* shall not apply to any parent, guardian, or any person *21 years of age or older authorized by the parent to care for the minor* who accompanies a minor; [or to a parent] who directs a minor upon an errand or other legitimate business [or to any parent of a minor engaged in gainful lawful employment during the curfew hours]; *or who is responsible for a minor who is: engaged in gainful lawful employment or commuting to or from lawful employment; on active duty in the Armed Service of the United States; in a vehicle traveling interstate; involved in an emergency situation; on the sidewalk abutting the minor's or a next-door neighbor's residence, if the neighbor has not complained to police; attending an official school, religious, or other activity sponsored by the City, a civic organization, or a similar entity that takes responsibility for the minor; or exercising First Amendment rights, including the freedoms of religion and speech and the right of assembly.*

SECTION 2. This Ordinance shall take effect immediately.

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.