

Legislation Text

File #: 220654-A, Version: 2

Amending Chapter 10-300, entitled "Minors," to revise the evening curfew hours, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 10 of The Philadelphia Code is amended to read as follows:

TITLE 10. REGULATION OF INDIVIDUAL CONDUCT AND ACTIVITY

* * *

CHAPTER 10-300. MINORS

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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 *engaged in one or more of the activities listed in subsection (1)(a) (Exceptions), below.* [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
Minors [16] 14 and older	[Midnight] 10:00 pm
[Minors aged 14 - 15]	[10:00 pm]
Minors 13 and under	9:30 pm

(a) *Exceptions. Evening Curfew Time set forth in subsection (1), above, shall not apply if the minor is:*

(i) *accompanied by a parent, guardian or custodian;*

(ii) *engaged in an errand or other legitimate business as directed by a parent, guardian or custodian of the minor;*

(iii) *engaged in gainful lawful employment at the time, or going to or from such employment;*

(iv) *in a vehicle involved in interstate travel;*

(v) *involved in dealing with an emergency;*

(vi) *on the sidewalk that abuts the minor's or the next-door neighbor's residence, if the neighbor has not complained to the police;*

(vii) *in attendance at an official school, religious, or other recreational activity sponsored by the City, a civic organization, or another similar entity that takes responsibility for the minor, or going to or from such an activity supervised by adults; or*

(viii) *exercising First Amendment rights.*

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10-306. Enforcement and Penalties

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(3) [Reserved.] *Notwithstanding anything to the contrary in the Code, if a police officer determines that a minor is homeless, there shall be no penalty associated with the violation.*

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(11) Reporting. Beginning January 1, 2023, the Police Department and Department of Human Services shall each provide a quarterly report to City Council on their implementation of this Chapter. The Police Department shall report the aggregate number of minors who violate curfew; their demographic information, including but not limited to age, race, and gender; the police district where the violation occurred; where the minor was taken; and if a parent or guardian was reached. The Department of Human Services shall report, for each community evening resource center, the aggregate number of minors served; their demographic information, including but not limited to age, race, and gender; and if the minor was brought in by police. If any category reported includes fewer than ten (10) minors, the department may so indicate if it determines that reporting the specific number of minors risks reidentifying one or more minors.

The first report shall include the information set forth above for the time period of July 1, 2022 through December 31, 2022. Thereafter reports shall include information for the three months directly preceding the date the report is submitted to Council.

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Explanation:

[brackets] indicate matter deleted.

Italics indicate new matter added.