

Part 2

Curfew

§201. Curfew Established. It shall be unlawful for boys and girls under eighteen (18) years of age (such persons being defined for the purpose of this Part as children) to be or remain in or upon any of the streets, alleys, parks or public places in the Borough at night, after the hour of 10:00 p.m., unless such child is accompanied by a parent, guardian or other persons having the legal custody of such child. (Ord. 108, 8/2/1954, §1; as amended by Ord. 216, 9/5/1980, §1)

§202. Responsibility of Those Having Legal Care or Custody. It is hereby made unlawful for any parent, guardian or other person having the legal care or custody of any of the children of the age herein designated, to allow or permit any such child, ward or other person under said age, while in such legal custody, to go or be in or upon any of the streets, alleys, parks or public places in said Borough after the time prohibited in §201 of this Part, except as therein provided. (Ord. 108, 8/2/1954, §2)

§203. Violation and Penalty. Any child as designated in this Part found upon the Borough streets, alleys, parks or public places within the Borough, in violation of §201 of this Part, shall be taken into custody by the Borough police and delivered to his or her parents, guardian, or person having the legal custody of said child, and report thereof made immediately to the Mayor, who shall make a record thereof in a book to be kept for that purpose. If said parent, guardian or person having the legal custody of said child shall again allow him or her to be on said streets, alleys, parks or public places in violation of §201 of this Part, said parent, guardian, or person having legal custody of said child so offending shall, upon conviction thereof, be sentenced to pay a fine not exceeding six hundred (\$600.00) dollars and costs and, in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense. (Ord. 108, 8/2/1954, §3; as amended by Ord. 216, 9/5/1980, §2; and by Ord. 263, 4/7/1992)

§204. Repeated Violations. Said children who shall violate this Part more than three (3) times shall be reported to a society or organization whose purpose is to take charge of incorrigibles and delinquents and proceedings be then taken to the Court of Common Pleas for their permanent welfare, and a like procedure shall be taken in cases where the arrest of the parent, guardian or legal custodian shall not be effective, or where for any other reason the provisions of §201 of this Part cannot be made effective by fines and penalties imposed thereunder. (Ord. 108, 8/12/1954, §4; as amended by Ord. 263, 4/7/1992)

§205. Discretion of Police Officers. The police officers of the Borough in taking children into custody under this Part shall use their discretion in determining guilt and in doubtful cases may require positive proof, and until such proof is furnished, the officer's judgment shall prevail. (Ord. 108, 8/2/1954, §5)