

Chapter 6

Conduct

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Part 1**Nighttime Curfew for Minors****§6-101. Curfew Established.**

It shall be unlawful for any person under the age of 18 years to be or remain in or upon the streets, alleys, or public places in the Borough of Hunker, between the hours of 9 p.m. and 6 a.m., during the month of October of each year.

(*Ord. 39, 10/27/1977, §I*)

§6-102. Exemptions.

The provisions of this Part shall not apply to any person under the age of 18 under the following circumstances:

A. When such person is accompanied by a parent, guardian or other person having legal custody of such minor.

B. When such person is going directly home from a school, church or organizational sponsored activity or to a school, church or organizational sponsored activity from his home.

C. When such person is engaged in gainful employment during the curfew hours or is traveling to or from such employment so as to make it necessary to use the public streets during such time in going to and from his place of employment.

(*Ord. 39, 10/27/1977, §II*)

§6-103. Parental Responsibility.

It is hereby made unlawful for any parent, guardian or legal custodian of any such person to allow or permit any such child, ward or other person under such age, while in such legal custody to go or be in or upon any street, alley or public place in said Borough after the time prohibited in §6-101 of this Part, unless exempt as provided under §6-102 thereof.

(*Ord. 39, 10/27/1977, §III*)

§6-104. Penalties.

Any child as above designated found upon any streets, alleys or public places within the Borough in violation of §6-101 of this Part shall be taken into custody and delivered to his parents, guardians, or legal custodians, and a report thereof shall be made to the Mayor, who shall keep a record of the same. If the parent or guardian or legal custodian of any such child shall again permit such child to violate §6-101 of this Part, such parent, guardian or legal custodian shall upon conviction thereof, shall be sentenced to a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(*Ord. 39, 10/27/1977, §IV; as amended by Ord. 2014-01, 10/2/2014*)

Part 2**Littering****§6-201. Littering Prohibited.**

It shall be unlawful for any person to litter any sidewalk, street, alley, public property, park or playground within the Borough of Hunker, or upon the shores or margins or near the limits of any of the streams within the Borough, by casting, depositing, or dropping thereon any garbage, refuse, rubbish or discarded material or substance whatever, regardless of the amount or quantity thereof except in properly designated receptacles.

(Ord. 40A, 4/3/1978, §I)

§6-202. Penalties.

Any person who shall violate any provision of this Part shall, for each and every violation, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense. Provided: if any violation of any provision of this Part shall also constitute a violation of a specific provision in the laws of the Commonwealth of Pennsylvania, such violation shall be prosecuted under such law and not under this Part.

(Ord. 40A, 4/3/1978, §II; as amended by Ord. 2014-01, 10/2/2014)

