

Carl Booth

MILLCREEK TOWNSHIP

ORDINANCE NO. FEBRUARY 20, 1980-B

AN ORDINANCE OF THE TOWNSHIP OF MILLCREEK, LEBANON COUNTY, PENNSYLVANIA ESTABLISHING A CURFEW AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Millcreek, County of Lebanon, and Commonwealth of Pennsylvania, and IT IS HEREBY ENACTED AND ORDAINED by the authority of the same, as follows:

SECTION 1. It shall be unlawful for boys and girls under eighteen (18) years of age to be or remain in or upon any of the streets, alleys, parks or public places in the Township of Millcreek at night after the hour of 10:00 P.M. and until 6:00 A.M. unless such said child is accompanied by any parent, guardian or any person having legal custody of said child.

SECTION 2. It is hereby made ~~unlawful~~ for any parent, guardian, or person having the legal care and custody of any child of the age hereinbefore designated to allow or permit such child, ward, or other person under such age, while in such legal custody to go or be in or upon any of the streets, alleys, parks or public places in said township after the time prohibited in Section 1 of this ordinance except as hereinafter provided.

SECTION 3. Any child as above designated found upon the streets, alleys, parks or public places within the township in violation of Section 1 of this ordinance shall be taken into custody by the police and delivered to his or her parents, guardian or person having the legal custody of said child, and report thereof shall be made immediately to the Board of Supervisors of the Township of Millcreek who shall make a record thereof in a book to be kept for that purpose, and who shall notify the parents, guardian or person having legal custody of said child in writing, by registered or certified mail, that the violation has occurred and the number of times said child has violated this ordinance in the past.

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 Section 1 of this ordinance, said parent, guardian or person, having legal custody of said child so offending shall, upon conviction thereof before the district justice, be sentenced to pay a fine of not more than fifteen dollars (\$15.00) nor less than five dollars (\$5.00) and costs of prosecution and, in default of payment of such fine and costs, to be imprisoned in the county jail for not more than five (5) days at the discretion of the district justice, and a like fine or imprisonment shall be imposed upon any person aiding or abetting in the violation of the intent and purpose of this ordinance.

SECTION 4. Said child who shall violate this ordinance more than three (3) times is to be reported to the County Juvenile Parole authorities whose purpose is to take charge of incorrigibles and delinquents, and proceedings be then taken in the Court of Common Pleas of Lebanon County, Juvenile Court Division, for their permanent welfare, and a like proceeding 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 Section 1 of this ordinance cannot be made effective by fines and penalties imposed thereunder.

SECTION 5. The police officers in taking children into custody under this ordinance shall use their discretion in determining age, and in doubtful cases may require proof, and until such proof is furnished, the officer's judgment shall prevail.

SECTION 6. Special permits, permitting children to stay out during curfew hours may be issued by the said Board of Supervisors to such persons who are employed and whose employment requires them to be available during these hours and the said Board of Supervisors may issue permits under other special exceptions.

SECTION 7. Any ordinance or part of any ordinance inconsistent with the provisions of this ordinance shall be and the same is hereby repealed.

SECTION 8. This ordinance shall become effective immediately upon adoption.

ENACTED AND ORDAINED this 20th day of February, 1980.

BOARD OF SUPERVISORS OF
MILLCREEK TOWNSHIP

Eugene R Hoffmann, Sr

Howard A Miller

Attest:

Fay Mollmann
Secretary