

Chapter 133

CURFEW

§ 133-1. Curfew established.

§ 133-2. Exceptions.

§ 133-3. Unlawful for parents to permit violations.

§ 133-4. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Beech Creek 9-6-1977 by Ord. No. 73 (Ch. VI, Part 2, of the 1978 Code of Ordinances). Amendments noted where applicable.]

§ 133-1. Curfew established.

It shall be unlawful for any person under 16 years of age to be or remain in or upon the streets, alleys, parks, athletic fields, business places, or any other public places within the Borough of Beech Creek between the hours of 11:00 p.m. and 6:00 a.m. of the following day.

§ 133-2. Exceptions.

The provisions of this chapter shall not apply to any person under 16 years of age 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 Borough-sponsored activity.
- C. When such person is engaged in gainful employment during the curfew hours or traveling to or from such employment.

§ 133-3. Unlawful for parents to permit violations.

It shall be unlawful for any parent, guardian or other person having legal custody of a person under 16 years of age to allow or permit such to be, or remain in or upon the streets, alleys, parks, athletic fields, business places or other public places within the Borough in violation of § 133-1 of this chapter, except as provided under § 133-2 hereof.

§ 133-4. Violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. D)]

Any person who violates or permits a violation of this chapter shall, upon conviction in a summary proceeding under the Pennsylvania Rules of Criminal Procedure, be guilty of a summary offense and shall be punishable by a fine of not more than \$1,000, plus court costs and reasonable attorneys' fees incurred by the Borough in the enforcement proceedings. Upon judgment against any person by summary conviction, or by proceedings by summons on

default of the payment of the fine or penalty imposed and the costs, the defendant may be sentenced and committed to the county correctional facility for a period not exceeding 90 days. Each day that such violation exists shall constitute a separate offense, and each section of this chapter that is violated shall also constitute a separate offense. In addition to or in lieu of enforcement under this section, the Borough may enforce this chapter in equity in the Court of Common Pleas of Clinton County.