

CURFEW ORDINANCE

Ordinance No. 387

AN ORDINANCE PROHIBITING ANY PERSON UNDER EIGHTEEN (18) YEARS OF AGE TO BE OR REMAIN IN OR UPON THE STREETS, ALLEYS, OR PUBLIC PLACES OF THE BOROUGH OF BENTLEYVILLE, WASHINGTON COUNTY, PENNSYLVANIA, AT NIGHT AFTER THE TIMES SET FORTH HEREIN, UNLESS ACCOMPANIED AS HEREIN PROVIDED, AND FIXING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

THE BOROUGH OF BENTLEYVILLE ORDAINS AS FOLLOWS:

SECTION 1. It shall be unlawful for any person under eighteen (18) years of age to be, or remain, in, or upon the streets, alleys or public places of the Borough of Bentleyville at night after the hour of 10.00 P.M., on Sunday Monday, Tuesday, Wednesday and Thursday; and 11.00 P.M., on Friday and Saturday unless such person is accompanied by a parent, or bearing a written statement, dated that day signed by parent or guardian, declaring that the said child is on an emergency errand.

SECTION 2. It is hereby made unlawful for any parent, guardian or other person having the legal care or custody of any person under (18) years of age, 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 streets, alleys or public places in said Borough after the time prohibited in Section 1, of this Ordinance, except as herein provided.

SECTION 3. Any child under the age of eighteen (18) years, found upon the Borough streets, alleys or public places in violation of Section 1 of this Ordinance shall be taken into custody by the Borough Police and his or her parents, guardian or person having legal custody of each child shall be notified to pick-up said child at the Borough Police Department, and report thereof made immediately to the Mayor or District Magistrate who shall make a record thereof in a book to be kept for the purpose. If said parent, guardian or person having legal custody of said child shall again allow him or her to be on said streets, alleys or public places in the Borough 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 Magistrate, shall be sentenced to pay a fine of Twenty-five (\$25.00) Dollars.

and the costs of suit; or on failure of the convicted party to pay said fine and costs, to be imprisoned in the county jail for a period not exceeding five (5) days at the discretion of District Magistrate.

SECTION 4. Any child, under the age of eighteen (18) years, forging or presenting a fraudulent or forged written statement to said police officers, Mayor or District Magistrate may, upon information, arrest, trial and conviction, be fined Twenty-five (\$25.00) Dollars and costs, and, upon failure to pay the same, to be turned over to the Juvenile Court of Washington County, Pennsylvania, and a like fine of \$25.00 shall be imposed on any person aiding or abetting in the violation of the intent and purpose of this Ordinance.

SECTION 5. Said children who shall violate this ordinance more than three (3) times shall be reported to Juvenile Court of Washington County whose purpose is to take charge of incorrigibles and delinquents and proceedings be then taken in the Juvenile Court of Washington County for their permanent welfare, and alike procedure shall be taken in cases where the arrest of the parent or guardian shall not be effective, or where for any other reasons the provisions of Section 1 of this Ordinance cannot be made effective by fines and penalties imposed thereunder.

SECTION 6. The Police Officers of the Borough in taking children into custody shall use their discretion in determining age, and in doubtful cases may require positive proof, and until such proof is furnished, the officer's judgement shall prevail.

SECTION 7. Any Ordinance or parts of Ordinances inconsistent herewith are hereby repealed.

ORDAINED AND ENACTED this 7<sup>th</sup> day of October 1986.

ATTEST:

Lena Greenfield  
Borough Secretary

Joseph J. Gano Sr.  
President of Council

(BOROUGH SEAL)

APPROVED this 7<sup>th</sup> day of October 1986.

Mayor. Jack Green  
Mayor