

ORDINANCE NO. 163

AN ORDINANCE REPEALING ORDINANCE NO. 134 APPROVED MARCH 5, 1957, AND PROVIDING FOR A CURFEW PROHIBITING PERSONS UNDER EIGHTEEN YEARS OF AGE FROM BEING, AND THE PARENTS, GUARDIANS, OR PERSONS IN CONTROL OF SUCH MINORS FROM BEING OR PERMITTING SUCH MINORS TO BE OR REMAIN IN OR UPON ANY OF THE STREETS, ALLEYS, PARKS OR PUBLIC PLACES IN THE BOROUGH OF ELDRED AFTER THE HOUR OF TEN O'CLOCK P.M. UNLESS ACCOMPANIED BY THEIR PARENTS OR GUARDIANS OR OTHER PERSONS ENTITLED TO LAWFUL CUSTODY; PROVIDING FOR A CURFEW WHISTLE; PRESCRIBING THE MANNER OF ENFORCEMENT AND FIXING THE PENALTY FOR VIOLATION OF THIS ORDINANCE.

The Borough of Eldred hereby ordains as follows:

SECTION ONE: It shall be unlawful for any person under eighteen years of age to be or remain in or upon any of the streets, alleys, parks, or public places in the Borough of Eldred at night after the hour of ten o'clock P. M., unless such person is accompanied by a parent, guardian or other person having the legal custody of such person. As a warning, a whistle or siren to be blown as a curfew whistle, shall be sounded at ten o'clock each evening after which all such minor persons shall be required to be at home and off the streets, alleys, parks or public places as hereinbefore provided.

SECTION TWO: It is hereby made unlawful for any parent, guardian or any other person having the legal care or custody of any person of the age above designated to allow or permit such person while in legal custody, to go or be upon any of the streets, alleys, parks, or public places in said Borough after the time prohibited in Section One, except as herein provided.

SECTION THREE: Any minor person as above designated found upon the Borough Streets, alleys, parks or public places within the Borough in violation of Section One of this ordinance may be taken into

custody by the Borough Police and delivered to his or her parents, guardians or person having the legal custody of said minor person. Thereafter, the said parent, guardian, or person haveing the legal custody of said minor person and the minor person himself, shall upon conviction thereof before a Justice of the Peace, be sentenced to pay a fine of not more than Ten (\$10.00) Dollars and costs, 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 Justice of the Peace, 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. Upon a second conviction as hereinbefore provided, of any person violating Section One of this Ordinance, a fine of at least Ten (\$10.00) Dollars and not more than (\$100.00) One hundred Dollars shall be imposed.

SECTION FOUR: This Ordinance shall take effect as soon as advertised pursuant to law.

Passed the 7th day of September, 1971.

V. James Leffler

President of the Council

ATTEST:

Justin H. Walch

Borough Secretary

Approved this 7th day of September, 1971.

Gino L. Baldoni

Mayor