

MILESBERG BOROUGH
CENTRE COUNTY, PENNSYLVANIA

ORDINANCE NO. ²³²~~277~~

AN ORDINANCE OF THE BOROUGH OF MILESBERG ESTABLISHING A CURFEW, PROSCRIBING REGULATIONS AND PROVIDING PENALTIES FOR THE VIOLATION OF SUCH ORDINANCE.

BE IT ENACTED AND ORDAINED, by the Council of the Borough of Milesburg and it is hereby ordained by authority of the same:

SECTION ONE. All minors under eighteen (18) years of age shall hereafter be prohibited from idling, loafing or remaining on any of the streets, alleys, public places, or in any taproom, club, place of amusement, community center or similar establishments, or in any enclosure or vehicle which is on or in close proximity to any such public place in the Borough of Milesburg, after the hour of ten o'clock P.M., from the first day of October to the first day of April, inclusive, and after the hour of eleven o'clock P.M. from the first day of April to the first day of October, inclusive, unless such minor shall be accompanied by a parent, guardian or other person having the legal care or custody of such minor or unless such minor bears a written statement dated that day and signed by a parent or guardian, stating that said minor is on an emergency errand or unless said minor is lawfully employed during said hours and bears a written statement of parent or guardian, and of the employer, attesting to the employment or unless such minor has been engaged in some activity officially sanctioned by a public school in the Bald Eagle School District and has written parental permission to participate in such activity in his possession. All minors under eighteen (18) years of age shall hereafter be prohibited from idling, loafing or remaining in or about any taxi station, railroad station, bus station or other similar place within said Borough after the hours of nine (9) o'clock P.M., on any day of the year except in company of a parent or adult guardian.

SECTION TWO. UNLAWFUL FOR PARENTS OR GUARDIANS TO PERMIT MINORS TO VIOLATE CURFEW REGULATIONS. It is hereby made unlawful for any parent, guardian or the person having legal care of custody of the minor under the age of eighteen (18) years to allow or permit such minor to violate any of the provisions of this Ordinance.

SECTION THREE. ENFORCEMENT AND PENALTIES. Any minor as above designated found upon any of the Borough streets or alleys or in any of the parks, community center, taprooms, clubs, places of amusement, or similar establishments within the Borough, in violation of Section One of this Ordinance shall be taken into custody by the Borough Police and delivered to his or her parents, guardian or person having the legal custody of such minor and report thereof shall be made immediately to the Mayor, who shall make a record thereof in a book to be kept for that purpose. If said parent, guardian or person having the legal custody of such minor shall again within one (1) year of the first violation allow him or her to be on said streets, alleys, parks or public places in violation of Section One of this Ordinance, said parent, guardian or person having the legal custody of such minor so offending shall, upon conviction thereof before a District Justice BE FINED TWENTY-FIVE (\$25.00) DOLLARS AND FOR EACH SUBSEQUENT PARENTAL OFFENSE THE FINE SHALL BE INCREASED BY AN ADDITIONAL TWENTY-FIVE (\$25.00) DOLLARS, E.G. FIFTY (\$50.00) DOLLARS FOR THE SECOND, SEVENTY-FIVE (\$75.00) DOLLARS FOR THE THIRD, ONE HUNDRED (\$100.00) DOLLARS FOR THE FOURTH, ONE HUNDRED TWENTY-FIVE (\$125.00) DOLLARS FOR THE FIFTH AND SO ON, TO A MAXIMUM OF THREE HUNDRED (\$300.00) DOLLARS AS PERMITTED BY LAW. Each offense after a fine of three hundred (\$300.00) dollars is reached shall be punishable by a fine of three hundred (\$300.00). The District Justice,

upon finding a parent guilty, shall sentence such parent to pay the fine and the costs of prosecution. In addition thereto, or in lieu thereof, the District Justice may order such parent to be imprisoned in the County jail for not more than ten (10) days for any offense or violation of any of the provisions of this chapter or for any subsequent offense or violation of any of the provisions of this chapter. At any time in addition to the penalties hereinbefore provided for, the Mayor may proceed directly to the proper Juvenile Authorities in any case where the imposing of a fine or imprisonment upon a parent will not be effective or where for any other reason the provisions of this chapter cannot be made effective by the imposing of penalties under this section.

SECTION FOUR. CHILD VIOLATION. Any minor violating this Ordinance who does not immediately disclose his or her place of residence, or if the residence be not in the Borough of Milesburg, the police officer shall take such minor to the office of the Mayor or other place of detention for questioning and investigation. Any minor, whether resident or nonresident of the Borough, who shall violate this Ordinance three or more times, shall be reported to the proper juvenile authorities of the County.

SECTION FIVE. DETERMINATION OF AGE OF MINORS TAKEN INTO CUSTODY. The police officers fo the Borough in taking minors 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 SIX. PURPOSE. It is hereby declared that the purpose of this Ordinance is to reduce juvenile delinquency, and it is further declared to be the intent of this Ordinance that its provisions shall be liberally construed so as to effectively cure or reduce juvenile delinquency, either on the part of minors within the Borough, or nonresident minors coming into the Borough.

SECTION SEVEN. All Ordinances or parts of Ordinances inconsistent or conflicting with this Ordinance be and the same is hereby repealed in so far as they may affect this Ordinance.

DULY ENACTED AND ORDAINED this 1st day of October, 1992 by the Council of the Borough of Milesburg in lawful session assembled.

ATTEST:

Paula J. Hall
SECRETARY

BOROUGH OF MILESBURG:

By: Robert B. Paul

AND NOW, to wit this 1st day of October, 1992, the within and above Ordinance is approved.

Walter E. Jordan
MAYOR