

ORDINANCE 2020-08

AN ORDINANCE OF THE NEWVILLE BOROUGH COUNCIL, CUMBERLAND COUNTY, PENNSYLVANIA, ESTABLISHING A CURFEW FOR CHILDREN UNDER 18 YEARS OF AGE; PROVIDING CERTAIN ACTS BY PARENTS OR GUARDIANS TO BE UNLAWFUL; PROVIDING FOR PROSECUTION OF VIOLATORS; PROVIDING PENALTIES FOR VIOLATION OF THIS ORDINANCE; PRESCRIBING DUTIES FOR POLICE OFFICERS; AND PROVIDING FOR THE REPEAL OF ANY INCONSISTENT ORDINANCES OF THIS BOROUGH.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby adopted by the Newville Borough Council as follows:

SECTION 1. CURFEW ESTABLISHED FOR CHILDREN UNDER 18 YEARS OF AGE:

It shall be unlawful for any child or children under the age of 18 years to be or remain in or upon any public street, alley, highway or property in the Borough of Newville after the hour of ten o'clock p.m., prevailing time, until the following morning's sunrise, unless said child or children shall be accompanied by a parent, legal guardian, or other person having legal custody of said child or children under a valid Order of Court, or unless the employment of such child requires him to be upon said public street, highway or property at such time; provided, however, that any of these exceptions shall not apply when the person or persons under the age of 18 years shall be unnecessarily loitering in or upon any public street, alley, highway or property.

SECTION 2. UNLAWFUL ACTS BY PARENTS AND GUARDIANS:

It shall be unlawful for any parent, legal guardian or other person having legal custody or care of any child or children under the age of 18 years to allow or permit such child or children to go or be upon any public street, alley, highway or property in the Borough of Newville after the time prohibited in Section 1 of this article until the following morning's sunrise, unless the necessity therefor exists.

SECTION 3. PROSECTUION OF VIOLATORS:

Violation of either Section 1 or 2 is a summary offense and the prosecution therefor shall be initiated as from time to time may be provided by law or Rule of Court.

SECTION 4. PENALTY FOR VIOLATION:

Any person violating Section 1, or 2 of this Ordinance shall be subject to a fine of not less than Twenty-Five (\$25.00) Dollars nor more than Fifty (\$50.00) Dollars for the first offense, and to a fine for any subsequent offense of not less than Fifty (\$50.00) dollars, nor more than One Hundred (\$100.00) Dollars upon conviction thereof before the issuing authority having jurisdiction of said summary offenses, and said fines are to be collected for the use of the Borough as similar fines are now collected by law.

SECTION 5. DUTY OF POLICE OFFICERS:

It shall be the duty of the police officer finding any child in violation of this Ordinance to take said child to the Police Station and detain the child pending notification of the parent, legal guardian, or person having legal custody thereof and such person calling at the Police Station for such child or children.

SECTION 6.

All Ordinances or parts of Ordinances inconsistent herewith are hereby specifically repealed, including but not limited to an Ordinance enacted June 3, 1980.

DULY ENACTED AND ORDAINED this 24th day of November, 2020 by the Council of the Borough of Newville, Cumberland County, Pennsylvania, in lawful session, duly assembled.



**BOROUGH OF NEWVILLE
CUMBERLAND COUNTY
PENNSYLVANIA**

By: _____

Scott L. Penner
President of Council

Attest:

Lindsay A. Williamson
Lindsay A. Williamson
Borough Secretary

Examined and approved this 24th day of November, 2020

Randy L. Finkey
Mayor, Borough of Newville
Cumberland County, Pennsylvania