

Chapter 83

CURFEW

- § 83.1. Curfew established; exceptions.
- § 83.2. Loitering in public places during curfew.
- § 83.3. Parental responsibility.
- § 83.4. Presumption of parental permission.
- § 83.5. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Whitehall 9-21-60 as Ord. No. 334. Section 83.5 amended at time of adoption of CODE; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

§ 83.1. Curfew established; exceptions.

It shall be unlawful for any minor under eighteen (18) years of age to be or remain in or upon the streets, alleys, parks or public places within the Borough of Whitehall between the hours of 10:00 p.m. and 5:00 a.m. on the following day unless accompanied by a parent, guardian or other person having legal custody of such minor child, or unless said minor child is on an emergency errand or is going to or from his place of employment, a school, church or municipal activity, or unless said child is bearing a written statement dated that day, signed by a parent, guardian or other person having legal custody, declaring that said minor is on a necessary errand.

§ 83.2. Loitering in public places during curfew.

It shall be unlawful for any minor under eighteen (18) years of age to loiter or remain in or upon the streets, alleys, parks or public places within the Borough of Whitehall between the hours of 10:00 p.m. and 5:00 a.m. on the following day.

§ 83.3. Parental responsibility.

It shall be unlawful for any parent, guardian or other person having legal custody of a minor under eighteen (18) years of age to allow or permit said minor to be or remain in or upon or to loiter upon the streets, alleys, parks or public places within the Borough of Whitehall in violation of § 83.1 or § 83.2 of this chapter.

§ 83.4. Presumption of parental permission.

It shall be presumed that the parent, guardian or other person having legal custody of a minor, which minor has violated § 83.1 or § 83.2 of this chapter, has allowed or permitted said minor to violate § 83.11 or § 83.2 of this chapter.

§ 83.5. Violations and penalties.¹

Any person or persons, corporation, partnership or other entity whatsoever violating any of the provisions of this chapter shall, upon conviction, be sentenced to pay a fine not to exceed the maximum fine of three hundred dollars (\$300.), plus costs of prosecution, and, in default of payment of such fine and costs of prosecution, imprisonment for a term not exceeding thirty (30) days; provided, however, that if the District Justice determines that the defendant is without the financial means to pay the fines and costs immediately or in a single remittance, such defendant shall be permitted to pay the fines or costs in installments and over such periods of time as the District Justice deems to be just.

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I.