

Chapter 6

Conduct

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Part 1**Commons and Parks Curfew****§6-101. Commons and Parks Curfew Hours.**

It shall be unlawful for individuals to be, or remain, in or upon the Borough Commons or Parks in the Borough of Lewisberry at night after the hour of 9:30 p.m., unless permission has been secured from the Borough Council and a permit issued by the Borough Secretary.

(Ord. 1974-4, 6/3/1974, §1)

§6-102. Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 1974-4, 6/3/1974, §2; as amended by Ord. 2007-2, 12/17/2007)

Part 2**Curfew****§6-201. Curfew for Minors.**

It shall be unlawful for boys under 18 years of age and girls under 18 years of age (such persons being defined for the purposes of this Part as children) to be, or remain, in or upon the streets, alleys, parks or public places in the Borough of Lewisberry at night after the hour of 9:30 p.m., unless such child is accompanied by parent, guardian or other person having the legal custody of such child.

(*Ord. 1974-5, 6/3/1974, §1*)

§6-202. Parents Not to Permit Violation.

It is hereby made unlawful for any parent, guardian or other person having the legal care or custody of any of the children above designated, 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, parks or public places in said Borough after the time prohibited in §6-201 of this Part, except as therein provided.

(*Ord. 1974-5, 6/3/1974, §2*)

§6-203. Violator to Be Taken into Custody; Penalty.

Any child as above designated found upon the Borough streets, alleys, parks, or public places within the Borough, in violation of §6-201 of this Part, shall be taken into custody by the Borough Police and delivered to his or her parents, guardian, or person having the legal custody of said child, and report thereof 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 child shall again allow him or her to be on said streets, alleys, parks or public place in violation of §6-201 of this Part, said parent, guardian, or person having the legal custody of said child shall, upon conviction thereof, shall be sentenced to pay a fine of not less than \$25 nor more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. A like fine or imprisonment shall be imposed on any person aiding or abetting in the violation of the intent and purpose of this Part.

(*Ord. 1974-5, 6/3/1974, §3; as amended by Ord. 2007-2, 12/17/2007*)

§6-204. Repeat Violations.

Said children who shall violate this Part more than three times shall be reported to the Juvenile Court of York County, and a like 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 §6-201 of this Part cannot be made effective by fines and penalties imposed thereunder.

(*Ord. 1974-5, 6/3/1974, §4*)

§6-205. Proof of Age.

A police officer of the Borough in taking children into custody shall use his

discretion in determining age, and in doubtful cases may request positive proof, and until such proof is furnished, the officer's judgment shall prevail.

(Ord. 1974-5, 6/3/1974, §5; as amended by Ord. 2007-2, 12/17/2007)