

AN ORDINANCE PROHIBITING BOYS AND GIRLS UNDER EIGHTEEN (18) YEARS OF AGE TO BE OR REMAIN IN OR UPON ANY OF THE STREETS, ALLEYS OR PUBLIC PLACES IN SCHUYLKILL TOWNSHIP, SCHUYLKILL COUNTY, AT NIGHT AFTER THE HOUR OF ELEVEN (11:00) O'CLOCK P.M. ON ANY DAY OF THE WEEK UNLESS ACCOMPANIED AS HEREIN PROVIDED: PRESCRIBING THE MANNER OF ENFORCEMENT AND FIXING THE PENALTY FOR VIOLATION OF THIS ORDINANCE.

The Township of Schuylkill hereby Ordains as follows:

SECTION 1 -- It shall be unlawful for boys and girls under eighteen (18) years of age (such persons being defined for the purpose of this ordinance as children) to be or remain in or upon any of the streets, alleys, or public places in the Township of Schuylkill at night, after the hour of eleven (11) o'clock P.M., on any day of the week unless such child is accompanied by a parent, guardian or other adult person having the legal custody of such child.

SECTION 2 -- It is hereby made unlawful for any parent, guardian or other person having the legal care or custody of any of the children of the age 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 of the streets, alleys, or public places in said Township after the time prohibited in Section 1 of this ordinance, except as therein provided.

SECTION 3 -- Any child as above designated found upon the Township streets, alleys or public places within the Township, in violation of Section 1 of this Ordinance shall be taken into custody by the police and delivered to his or her parents,

guardian or person having legal custody of said child, and report thereof made immediately to the constable of the Township. If said parent, guardian, or person having the legal custody of said child shall again allow him or her to be on said streets, alleys, or public places in violation of Section 1 of this ordinance, said parent, guardian or person having the legal custody of said child so offending shall, upon conviction thereof before the constable, be sentenced to pay a fine of not more than five dollars (\$5.00) nor less than one (\$1.00) dollar 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 magistrate, 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.

SECTION 4 -- Any child or children who shall violate this ordinance more than three (3) times shall be reported to a society or organization whose purpose is to take charge of incorrigibles and delinquents and proceedings be then taken in the Juvenile Court for their permanent welfare, and a like procedure shall be taken in cases where the arrest of the parent guardian or legal custodian shall not be effective, or where for any other reason the provisions of Section 1 of this ordinance cannot be made effective by fines and penalties imposed thereunder.

SECTION 5 -- The police of the Township in taking children into custody under this ordinance shall use their discretion in determining age, and in doubtful cases may require positive proof,

and until such proof is furnished, the officer's judgment shall prevail.

ENACTED AND ORDAINED this 5 day of November, 1973.

ATTEST:

Russell J. H. ...
Secretary

John J. ...
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...
Supervisors, Schuylkill Township