

CHAPTER VII
CURFEW

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Section 1. Definitions. In this ordinance,¹ the following definitions shall apply:

(a) "After hours" means the period beginning at ten o'clock P. M. and ending at five o'clock A. M. on every day of the year, except that during the month of October, such period shall begin at nine o'clock P. M.

(b) "Establishment" means any privately owned place of business carried on for profit, any place of entertainment to which the public is invited, and any similar place.

(c) "Minor" means any person who has not reached his seventeenth (17th) birthday.

(d) "Operator" means any individual, firm, association, partnership or corporation owning, operating, managing or conducting any establishment; and whenever used in any clause prescribing a penalty, the word "operator" as applied to associations or partnerships shall include the members, partners, officers and managers thereof or any of them, and as applied to corporations shall include the officers and managers thereof or any of them.

(e) "Parent" means the natural or adoptive parent or guardian or other adult person responsible for the custody or care of any minor.

(f) "Public place" means any public street, highway, road, alley, park, playground, vacant lot, public building, bus station or similar place.

(g) "Remain" means "loiter," "idle," "wander," "stroll," "play" or "be."²

(Ordinance 64, October 2, 1972, Section 1)

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1. Sections 1 to 6 of this chapter.
 2. Section 7 of this ordinance repealed the Curfew Ordinance of April 13, 1917.

Section 2. Prohibited Acts by Minors Under 17 Years of Age. It shall be unlawful for any minor under the age of seventeen (17) years to remain in or upon any public place or establishment in the Borough of Harrisville after hours unless accompanied by a parent or upon an errand or other legitimate business directed by a parent, in which latter case such minor shall carry upon his person a written direction from his parent respecting such errand or business. (Ordinance 64, October 2, 1972, Section 2)

Section 3. Prohibited Acts by Parents. It shall be unlawful for any parent knowingly to permit any minor under the age of seventeen (17) years to remain in or upon any public place or any establishment after hours unless such parent shall accompany such minor or shall direct such minor in writing to perform an errand or engage in other legitimate business, which writing shall be carried upon the person of such minor. (Ordinance 64, October 2, 1972, Section 3)

Section 4. Prohibited Acts by Operators of Establishments. It shall be unlawful for any operator of an establishment knowingly to permit any minor under the age of seventeen (17) years to remain in or upon the premises of such establishment after hours. (Ordinance 64, October 2, 1972, Section 4)

Section 5. Enforcement. Any police officer of the Borough who shall find any minor violating any provision of this ordinance³ shall endeavor to obtain the name, age, date of birth and address of the minor and the names of the minor's parents. The minor shall thereupon either be brought to the Police Station and the parents notified, or shall be taken or instructed to proceed directly to his home. The information obtained from the minor together with a full report shall be filed among the records of the Borough and the Chief of Police shall cause written notice to be delivered, by United States mail or otherwise, to the parents of such minor, advising them of the violation of this ordinance. A record of all violations shall be kept. (Ordinance 64, October 2, 1972, Section 5)

3. Sections 1 to 6 of this chapter.

Section 6. Penalty for Violation. Any parent who shall permit any minor to violate any provision of this ordinance,⁴ after having received a notice of a prior violation by such minor, shall, upon conviction thereof, be sentenced to pay a fine of not less than five dollars (\$5.00) or more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, shall be imprisoned for not more than five (5) days, and, for each subsequent offense shall, upon conviction thereof, be sentenced to pay a fine of not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of payment of such fine and costs, shall be imprisoned for not more than ten (10) days.

Any operator who shall violate any provision of this ordinance shall, upon conviction thereof, be sentenced to pay a fine of not less than five dollars (\$5.00) or more than ten dollars (\$10.00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than five (5) days, and for each subsequent offense, upon conviction thereof, shall be sentenced to pay a fine of not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of payment of such fine and costs, shall be imprisoned for not more than ten (10) days.

(Ordinance 64, October 2, 1972, Section 6)

4. Sections 1 to 6 of this chapter.