

ORDINANCE NO. 108

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF WINFIELD TOWNSHIP, BUTLER COUNTY, PENNSYLVANIA, ESTABLISHING CURFEW FOR CHILDREN UNDER 16 YEARS OF AGE, PROVIDING FOR PARENTS AND GUARDIANS NOT TO PERMIT CHILDREN TO VIOLATE THE CURFEW AND PRESCRIBING PENALTIES FOR VIOLATION.

BE IT ORDAINED AND ENACTED BY THE SUPERVISORS OF WINFIELD TOWNSHIP, Butler County, Pennsylvania, and it is hereby enacted and ordaine in order to protect the health, safety and general welfare of the citizens of the Township of Winfield, Butler County, Pennsylvania, and they do hereb enact and ordain the following:

SECTION 1: It shall be unlawful for boys and girls under 16 year 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, parks, or public places in the Township of Winfield, County of Butler, Pennsylvania, at night, from the hour of 11:30 o'clock P.M. until the hour of 5:00 o'clock A.M. the next day, unless such child is accompanied by any parent, guardian or other person having the legal custody of such child, and after 11:30 o'clock P.M. each evening, all such children shall be required to be at home or out of the streets, alleys, parks and public places in the Township until the hour of 5:00 o'clock A.M. except as herein provided for.

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 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 and upon any of the streets, alleys, parks or public places in said Township after the time prohibited in Section 1 of this ordinance except as herein provided.

SECTION 3: Any child as above designated found upon the Township streets, alleys, parks and public places in violation of Section 1 of this Ordinance shall be taken into custody by the Township police and his or her parents, guardian or other person having the legal custody of such child shall immediately be notified to call for them and report thereof made immediately to the Township Secretary, who shall make a record thereof in a book to be kept for that purpose. If such parent, guardian or person having legal custody of said child shall again allow him or her to be on said streets, alleys, parks 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 in a summary proceeding before a Justice of the Peace, be sentenced to pay a fine of not more than \$5.00 nor less than \$1.00 and cost, and in default of payment of such fine and costs to be imprisoned in the County Jail for not more than five days at the discretion of the Justice of the Peace, 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: The police officers of the Township of Winfield in taking children into custody shall use their discretion in determining age, and in doubtful cases may require positive proof and unless such proof is furnished the officers' judgment shall prevail.

SECTION 5: The provisions of this Ordinance are severable, and if any section, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional, the decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions thereof as if they had not been included therein, and the decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance.

SECTION 6: All other ordinances or parts of ordinances inconsistent herewith are hereby repealed insofar as such inconsistencies may exist.

SECTION 7: This ordinance shall become effective on the 30th day of March, 1982.

IT IS ORDERED AND ENACTED by the Board of Supervisors of Winfield Township, Butler County, Pennsylvania, at a meeting legally held the 25th day of March, 1982.

WINFIELD TOWNSHIP BOARD OF SUPERVISORS

Richard G. Sandome
Chairman

Joseph J. Schneider

Attest:

Margaret McCracken
Secretary