

ORDINANCE 10-3 [Amended May 10, 2004]
[Formerly Ordinance 56]
[Amended by Former Ordinance 186]
[Amended on April 28, 2004]

AN ORDINANCE PROHIBITING, UNDER CERTAIN CONDITIONS, ANY MINOR BETWEEN 13 YEARS OF AGE AND 18 YEARS OF AGE FROM BEING IN OR UPON THE PUBLIC STREETS, HIGHWAYS, ALLEYS, PARKS OR OTHER PUBLIC PLACES OF THE BOROUGH OF MERCERSBURG, FRANKLIN COUNTY, PENNSYLVANIA, BETWEEN THE HOURS OF 10:00 O'CLOCK P.M. AND 5:00 O'CLOCK A.M., AND ANY MINOR UNDER 13 YEARS OF AGE BETWEEN THE HOURS OF 9:00 O'CLOCK P.M. AND 5:00 O'CLOCK A.M., DEFINING THE DUTIES OF PARENTS OR OTHER LEGAL CUSTODIANS OF SUCH CHILD AND IMPOSING PENALTIES FOR THE VIOLATION THEREOF.

Be it enacted and ordained by the Mayor and Borough Council of the Borough of Mercersburg, and it is hereby enacted and ordained by the authority of the same.

Section 1--It shall be unlawful for any minor between 13 years of age and 18 years of age to be or remain in or upon any of the public streets, highways, alleys, parks or other public places of the Borough of Mercersburg, Franklin County, Pennsylvania, between the hours of 10:00 o'clock p.m. and 5:00 o'clock a.m., unless said minor shall be accompanied by a parent, guardian or other person having the legal care or custody of such minor, or unless such minor's employment makes it necessary for such minor to be in or upon said public streets, highways, alleys, parks or other public places between such hours, and such minor shall have a certificate to that effect, signed by the Mayor of the said Borough of Mercersburg.

Section 2--No parent, guardian or other person(s) having the legal care or custody of a minor between 13 years of age and 18 years of age shall allow or permit any such minor to be in or upon any of the public streets, highways, alleys, parks or other public places of the said Borough of Mercersburg between the hours of 10:00 o'clock p.m. and 5:00 o'clock a.m., and those under the age of 13 years between 9:00 o'clock p.m. and 5:00 o'clock a.m., except as specified in Sections 1 and 3 of this ordinance.

Section 3-- Curfew ordinance exceptions:

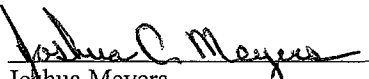
(a.) Unless said minor is traveling to and/or from an authorized activity of a church, school or municipality.

(b.) A minor who is a member of a volunteer emergency response service responding to or from an emergency with proper identification.

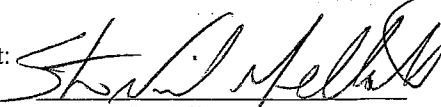
(c.) A minor possessing a written statement, currently dated and signed by a parent or guardian specifying the time, place, purpose and necessity of the minor being in a public place contrary to the ordinance.

Section 4--Any person violating any of the provisions of this ordinance shall forfeit and pay a penalty of \$25.00 for the first violation, \$100.00 for a second violation and \$300.00 for a third and subsequent violation(s), the same to be collected as fines and penalties are now by law collected.

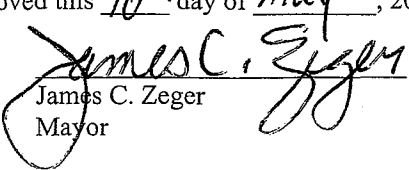
Passed by the Borough Council, this 10th day of May, 2004.


Joshua Meyers
President of the Borough Council

Attest:


Steven N. Mellott
Borough Secretary

Approved this 10th day of May, 2004.


James C. Zeger
Mayor