

Chapter 73

CURFEW

[HISTORY: Adopted by the Borough Council of the Borough of Upland 10-6-1981 by Ord. No. 5-1981 (Ch. 12 of the 1969 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Disorderly conduct — See Ch. 78.

§ 73-1. Curfew imposed. [Amended 11-13-1990 by Ord. No. 1-1990]

- A. It shall be unlawful for boys and girls under 18 years of age to be or remain in or upon any of the streets, alleys, parks or public places in the Borough of Upland after curfew unless accompanied by a parent, guardian or such other person having legal custody of such child.
- B. Curfew is established as follows: During all periods and seasons of the year and on every day of the week the curfew is hereby established and shall be from 9:00 p.m. to 6:00 a.m. [Amended 12-10-1996 by Ord. No. 9-1996; 10-9-2007 by Ord. No. 3-2007]

§ 73-2. Responsibility of parents or guardians.

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 to be in or remain in the alleys, parks or public places in said borough after the time prohibited in § 73-1 of this chapter, except as therein provided.

§ 73-3. Violations and penalties. [Amended 7-12-1988 by Ord. No. 7-1988; 12-10-1996 by Ord. No. 9-1996]

Any parent or parents violating the terms of this chapter and permitting their child or children to be on the streets of the Borough of Upland after the hours provided for in § 73-1 shall, upon conviction before a District Justice of Delaware County, be required to pay a fine of not more than \$600, together with costs of prosecution and, in default of the payment thereof, shall be committed to the county prison for a term of not less than five days nor more than 30 days.

§ 73-4. Children to be delivered to juvenile authorities upon conviction.

Any child or children violating the terms of this chapter shall, upon conviction thereof before any Justice of the Peace of Delaware County, be delivered by said Justice of the Peace to the juvenile authorities of the County of Delaware.

§ 73-5. Determination of age.

The police officers of the borough, in taking children into custody under this chapter, 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.