

ORDINANCE NO. 251

An Ordinance prohibiting persons under 18 years of age from being in or upon any public place or establishment after hours, unless accompanied as herein provided; responsibility of parents and other and prescribing penalties for the violation of this ordinance.

The Borough of Freeport hereby ordains as follows:

Section 1. Definitions and Interpretation. The following words and terms, as used in this ordinance, shall have the meanings hereby respectively, ascribed thereto:

(a) After hours: the period beginning at eleven o'clock P.M. on Fridays and Saturdays, and at ten o'clock P.M. on all other evenings, and ending at five o'clock A.M. of the following day in each case; except that where any official school function or activity shall not conclude before ten thirty o'clock P.M. on any Friday or Saturday evening, or before nine thirty o'clock P.M. on any other evening, the said period shall not begin until one-half hour after the conclusion of such function or activity;

(b) Establishment: any privately owned place of business carried on for profit; any place of amusement or entertainment to which the public is invited and any similar place;

(c) Minor: any person under the age of eighteen (18) years; for the purpose of this ordinance a person shall be deemed to be eighteen (18) years of age on the date of his eighteenth birthday and not before that date;

(d) Operator: any person, as herein defined, owning, operating, managing or conducting any establishment;

(e) Parent: the natural parent or a guardian or other adult person of the age of twenty-one (21) years or older responsible for the care or custody of any minor;

(f) Person: any natural person, partnership, association, firm or corporation;

(g) Public Place: any public street, highway, road, alley, park, playground, vacant lot, public building, bus terminal or similar place;

(h) Remain: loiter, wander, stroll, idle, play or be.

In this ordinance, the singular shall include the plural, the plural shall include the singular and the masculine shall include the feminine and the neuter.

Section 2. Unlawful Conduct of Minors. It shall be unlawful for any minor to remain in or upon any public place or establishment in the Borough of Freeport, after hours, unless accompanied by a parent, or upon an errand or other legitimate business directed by a parent, or unless engaged in gainful, lawful employment after hours, in which case such minor shall carry written identification and evidence of such employment.

Section 3. Unlawful Conduct of Parents. It shall be unlawful for any parent knowingly to permit any minor to remain in or upon any public place or any establishment in the Borough of Freeport after hours unless such parent shall accompany the minor

or shall direct the minor in writing to perform an errand or to engage in other legitimate business, which writing shall be kept in possession of such minor; or unless such minor is engaged in gainful, lawful employment after hours, in which case such minor shall carry written identification and evidence of such employment.

Section 4. Unlawful Conduct of Operators of Establishments.

It shall be unlawful for the operator of any establishment within the Borough of Freeport knowingly to permit any minor to remain upon the premises of such establishment after hours.

Section 5. Duties of Police. Any police officer of the Borough who finds any minor violating any provision of this ordinance shall endeavor to ascertain the name, age, date of birth and address of such minor, and the names of the minor's parents. The minor shall thereupon either be brought to the office of the Chief of Police and the parents notified, or he shall be taken or instructed to proceed directly to his home. The information obtained from the minor, together with a full report shall be transmitted to the Chief of Police, who shall cause written notice to be delivered, mailed, or otherwise transmitted to the parents of the minor advising them of the violation of this ordinance. A record of all violations shall be kept by the Police Department.

Section 6. Penalty for Violation. Any parent who shall permit a minor to violate any provision of this ordinance after having received a notice of a prior violation, and any operator who shall violate any provision of this ordinance, shall, upon

conviction thereof, be sentenced to pay a fine of not more than twenty-five dollars (\$25.00) and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than five (5) days.

Section 7. Repeal of Prior Ordinance. The following ordinance of the Borough of Freeport is hereby repealed:

Ordinance 143, Providing for the protection and safety of persons under eighteen years of age; prohibiting such persons to be on public streets and highways during certain hours; prohibiting such persons to be in public restaurants, places of amusement or entertainment between certain hours; prohibiting owners, lessees, etc. to permit persons under the age of eighteen years to be in such public places during certain hours and making it unlawful to knowingly and falsely misrepresent the age of any person the enforcement of the foregoing provisions and providing penalties for the violation thereof, approved July 3, 1957.

Enacted and ordained this 11th day of July 1973

Kenneth L. Miller  
President of Borough Council

Attest:

Elizabeth J. Cantem  
Secretary

Approved this 11th day of July 1973

W. M. B. B. B.  
Mayor