

CURFEW

**Chapter 42
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- 42-1. Definitions.
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- 42-3. Duty of parent or guardian.
- 42-4. Arrest of minor; report; penalty for subsequent violation.
- 42-5. Discretion of police officers.

- 42-1. Definitions.**
 - A. ESTABLISHMENT - means any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited.
 - B. MINOR - means any person under the age of eighteen (18) years.
 - C. PARENT - means any natural parent of a minor, a guardian of the person of a minor, or any adult person, twenty-one (21) years of age or over, responsible for the care and custody of a minor.
 - D. PUBLIC PLACE - means any public street, highway, road, alley, sidewalk, park, playground, public building, shopping center or vacant lot.

- 42-2. Unlawful conduct of minors and parents.**
 - A. It shall be unlawful for any minor to be in or upon any public place or any establishment or for any parent knowingly to permit any minor to be in or upon any public place of any establishment at any time between the hours of 10:00 o'clock p.m. to 6:00 o'clock a.m. of the following day.
 - B. As a warning, a whistle or siren, to be known as the "Curfew Whistle" shall be sounded at 9:00 o'clock p.m. each evening, and thereafter all minors shall be required to be at home or out of any public place or any establishment in the Borough, except as herein provided.

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42-3. Duty of parent or guardian.

It is hereby made unlawful for any parent, guardian or other person having the legal care or custody of any minor to allow or permit any such child, ward or other person under such age, while in such legal custody, to go or be in or upon any public place or any establishment of the Borough of Exeter after the time prohibited in Section 42-2 of this Chapter, except as herein provided.

42-4. Arrest of minor; report; penalty for subsequent violation.

A. A minor under the age of eighteen (18) years found upon the Borough's public places or establishments in violation of Section 42-2 of this Chapter shall be taken into custody by the Borough Police and delivered to his or her parents, guardian or person having the legal custody of said minor, which arrest shall be reported immediately to the Mayor, who shall make a record thereof in a book to be kept for that purpose.

B. If said parent, guardian or person having legal custody of said minor shall again allow him or her to be in or upon such public places or establishments in violation of Section 42-2 of this Chapter, said parent, guardian or person having the legal custody of said minor so offending shall, upon conviction thereof before District Magistrate, be punishable by a fine of not less than twenty-five (\$25.00) dollars and not more than three hundred (\$300.00) dollars and costs of prosecution, and upon default in payment of the fine and costs, by imprisonment in the county jail for not more than ninety (90) days, and a like fine or imprisonment shall be imposed on any person aiding and abetting in the violation of the intent and purpose of this Chapter.

42-5. Discretion of police officers.

The Police Officers of the Borough, in taking children into custody, 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.

such unconstitutional, illegal or invalid part not been included herein.