

WEST WYOMING ORDINANCE

5 2010

An ordinance of the Borough of West Wyoming setting forth regulations on a Daytime Curfew

Section 1: Definitions

- A. Adult--- Means any person eighteen (18) years of age.
- B. Emergency---Includes but not limited to fire, natural disaster, automobile accident, or requirement for immediate medical care for medical care for another person.
- C. Establishment---Means a privately owned place of business to which the public is invited, including but not limited to any place of amusement or entertainment.
- D. Juvenile---Means any person less than eighteen (18) years of age.
- E. Parent---Means a person who is the natural or adoptive parent of a person. "Parent" includes a court -appointed guardian or other person eighteen (18) years of age or older authorized by the parent, by a court order, or by a court-appointed guardian to have the care and custody of the person.
- F. Public place---Means any place to which the public or a substantial group of the public has access and includes, but is not limited to streets, highways, and the common areas of schools, office buildings, transport facilities, shopping centers, and malls.

Section2: Violations:

- A. It is a violation of this ordinance for any juvenile who is subject to compulsory education to loiter, idle, wander or be in or upon the public streets, highways, roads, alleys parks, playgrounds, or other public places, public buildings, or the premises of any establishment, vacant lots, any dwelling not their current residence or any unsupervised place between the hours of 8:30 A.M. and 2:00P.M.on any day when school is in session for that juvenile.
- B. It is a violation of this ordinance for any juvenile who is subject to a compulsory alternative education program to loiter, idle, wander or be in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places, public

buildings , or the premises of any establishment, vacant lots, any dwelling not their current residence, or any unsupervised place between the hours of 8:30 A.M. and 2:00 P.M. on any day when that juvenile would otherwise be required to attend a compulsory education school.

- C. It is a violation of this ordinance for the parent of any juvenile to knowingly permit or by insufficient control allow the juvenile to be in violation of subsection (A) or (B).

Section 3: Defenses: It is a defense to prosecution under this ordinance:

- A. When the juvenile is accompanied by a parent.
- B. When the juvenile is on an emergency errand directed by the parent.
- C. When the juvenile is going to or from, their place of school-approved employment.
- D. When the juvenile is going to or coming directly from, a medical appointment.
- E. When the juvenile has permission to leave the school campus for lunch or a school-sponsored activity or has in their possession a valid, school-issued, off-campus permit.
- F. When the juvenile is going to, or coming from, compulsory alternative education program activity.
- G. When the juvenile is attending, or without any detour or stop, going to or returning from, an official school, religious, government-sponsored, a municipality, a civil organization, the school district, religious or other government organization.

Section 4: Violation Penalties:

- A. Any child as above designated found upon the West Wyoming Borough streets, alleys, parks, or public places within the borough, in violation of this Ordinance or any parent, guardian or person having the legal custody of said child allowing him or her to be on said streets, alleys, parks, or public places in violation of this Ordinance shall, upon conviction thereof in a summary proceeding, be sentenced to pay a fine of not more than three hundred dollars(\$300.00) nor less than fifty dollars(\$50.00) and costs, and in default of payment of such fine and costs, to be imprisoned in the county jail for not more than thirty (30) days.

Section 5: Severability and Savings Clause

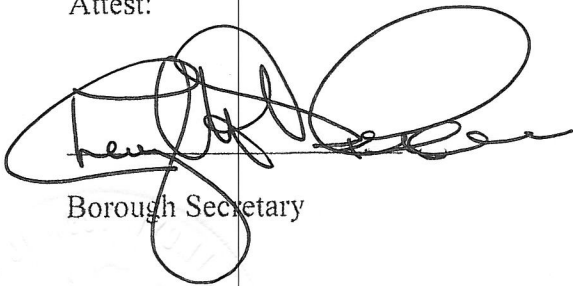
The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provision shall be unaffected thereby.

Duly and enacted and ordained by West Wyoming Borough Council on 13th day of Sept., 2010 and signed by the Mayor on the 17th day of Sept., 2010.

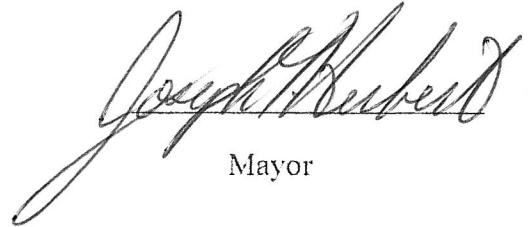


President of Council

Attest:



Borough Secretary



Mayor