

BOROUGH OF KOPPEL
BEAVER COUNTY, PENNSYLVANIA
ORDINANCE NO. 400

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF KOPPEL, BEAVER COUNTY, PENNSYLVANIA, REGULATING HOURS OF CURFEW AND RESTRICTING MINORS UNDER THE AGE OF 18 FROM REMAINING IN PUBLIC PLACES WITHIN THE BOROUGH OF KOPPEL FROM THE HOURS OF 11:00 PM AND 6:00 AM AS DEFINED HEREIN, DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR REGULATIONS, EXCEPTIONS, ENFORCEMENT AND VALIDITY.

Section 101. DEFINITIONS.

Within this chapter, the following words shall be construed so as to have the following meanings:

AFTER HOURS That period between the hours of 11:00 p.m. and 6:00 a.m., Eastern standard time or daylight-saving time, whichever may apply at the time in question.

BUSINESS ESTABLISHMENT Any privately owned place of business, any place of amusement or entertainment to which the public is invited and any similar place.

MINOR or MINORS Any person less than 18 years of age. For the purpose of this chapter, any person shall be deemed to be 18 years of age on the date of his or her 18th birthday and not before that time.

OPERATOR Any individual, firm, association, partnership or corporation owning, operating, managing or conducting any establishment. Whenever used in any clause prescribing a penalty, the word "operator," as applied to an association or partnership, shall include the members, officers and managers thereof or any of them and, as applied to corporations, shall include officers and managers thereof or any of them.

PARENT The natural parent or guardian or adult person, 21 years of age or over, responsible for the custody of any minor.

POLICE DEPARTMENT The Police Department of the Borough of Koppel, Beaver County, Pennsylvania.

PUBLIC PLACE Any public street, highway, road, alley, park, playground, vacant lot, public building, railway station, bus terminal or similar place.

REMAIN Loaf, loiter, idle, wander, stroll, play or be.

Section 102. Prohibited acts. It shall be unlawful for any minor to remain in or upon any public place or establishment in the Borough of Koppel after hours.

Exceptions:

Koppel Borough
Curfew
Ordinance No. 400
Adopted: July 21, 2020

1. Unless accompanied by a Parent/Guardian or upon an errand or other legitimate business directed by a Parent/Guardian.
2. Unless engaged in gainful, lawful employment after hours or going to or from such employment, in which case said minor shall carry written identification and evidence of employment.
3. Involved in an emergency.
4. Attending an official school, religious, or other recreational activity supervised by adult or sponsored by the Borough of Koppel or another public body, a civic organization, or other similar entity that takes responsibility for the minor, or going to or returning home from such an activity, without any detour or stop.

Section 103. Responsibility of business establishments. It shall be unlawful for any operator of a business establishment knowingly to permit any minor to remain in or upon the premises of said establishment after hours.

Section 104. Duty of police officers; enforcement.

A. Each police officer who finds a minor violating any provisions of this chapter shall endeavor to obtain the name, age, date of birth and address of the minor and the names of the minor's Parent/Guardian. The minor shall, at the discretion of the police officer, be brought to the police station and the Parent/Guardian notified or 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 a written notice to be delivered, mailed or otherwise, to the Parent/Guardian of the minor advising them of the violation of this chapter. A record of all violations shall be kept. The police officer so acting shall use his discretion in determining age and, in doubtful cases, may bring the minor into the police station until satisfactory proof of age is furnished.

B. Where the minor is not a resident of the Borough of Koppel, the Police Department shall forward a copy of the report and such additional data as the Police Department may deem helpful in the handling of the case to the Police Department of the municipality where the minor resides.

Section 105. Extension for special occasions or emergency. The Mayor of the Borough of Koppel or, in his absence, the Chief of Police of the Borough of Koppel is authorized to extend the curfew hour for special occasions or in the case of emergency. When the Mayor of the Borough of Koppel or the Chief of Police of the Borough of Koppel grants such extension of time, then the date, hour and, if applicable, the place of such extension shall be clearly set forth by written promulgation. Such extension of time shall not be construed to extend beyond the limits as set forth in such promulgation.

Section 106. Violations and penalties.

A. Any Parent/Guardian who shall permit a minor to violate provisions of this chapter after having received notice of a prior violation shall, after conviction for a second violation, be sentenced to pay a fine of \$250 and, in default of payment thereof, shall undergo imprisonment in the Beaver County Jail for a period not exceeding 24 hours; however, for any subsequent conviction thereafter, said Parent/Guardian shall be fined not less than \$250 nor more than \$500 and, in default

of payment thereof, shall undergo imprisonment in the Beaver County Jail for a period not exceeding 15 days.

B. Any operator who violates the provisions of this chapter after receiving notice of a prior violation shall, upon conviction of a second violation, be sentenced to pay fine of \$250 and, in default of payment thereof, shall be sentenced to undergo imprisonment in the Beaver County Jail for a period of not more than five days; however, for any subsequent conviction thereafter, said operator shall be fined not less than \$250 nor more than \$500 and, in default of payment thereof, shall be sentenced to undergo imprisonment in the Beaver County Jail for a period of not less than 15 days nor more than 30 days.

C. If any minor, operator or Parent/Guardian violates this chapter more than three times, the Police Department shall send to the juvenile probation office of Beaver County the data on these violations, together with such other data as the Police Department may deem to be helpful in the handling of the case. In the event that the minor involved in three violations no longer is a resident of Beaver County, then the Police Department shall forward said data to that department of government or organization which corresponds to the Beaver County Juvenile Department and which department of government or organization is situate in the county where said juvenile then resides.

D. Each violation of the provisions of this chapter shall constitute a separate offense.

Section 107. Repealer. All ordinances, provisions, sections, standards or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

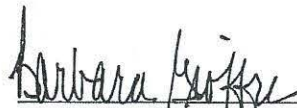
Section 108. Severability. Should any sentence, section, clause, part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 109. Adoption. This ordinance shall take effect immediately upon its passage and shall remain in force until modified, amended or rescinded by the Borough of Koppel, Beaver County, Pennsylvania.

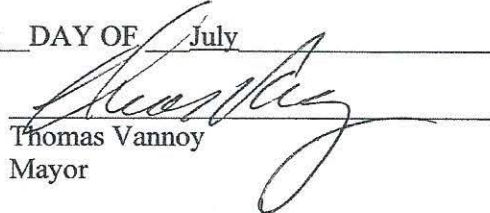
Enacted and Adopted by the Council of the Borough of Koppel this 21st day of July 2020

ATTEST:


Mary Sue Binkowski


Barbara Gioffre

APPROVED THIS 21st DAY OF July 2020


Thomas Vannoy
Mayor

Koppel Borough
Curfew
Ordinance No. 400
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