

Part 2**Curfew****§6-201. Curfew Established for Certain Minors.**

It is unlawful for a minor who has not attained the age of 18 to remain in or upon any public place or private establishment in Oxford Borough between the hours of 10 p.m. and 6 a.m. of the following day, official Borough time. An age specified in this Part shall be attained at 12:01 a.m. of the anniversary date of the person's birth.

(Ord. 1961-5, 11/13/1961; as amended by Ord. 532, 7/10/1978; and by Ord. 801, 6/18/2007, §1)

§6-202. Exception.

The curfew established by §6-201 shall not apply to any minor accompanied by a parent or to a minor engaged in lawful gainful employment.

(Ord. 1961-5, 11/13/1961)

§6-203. Definitions.

As used in this Part, the following terms shall have the meanings indicated:

Official Borough Time - Eastern Standard Time except for the portion of the year when Eastern Daylight Saving Time shall be in effect, when "official Borough time" shall mean Eastern Daylight Saving Time. [Ord. 429]

Operator - any individual, firm, association, partnership or corporation operating, managing or conducting any establishment, and any employee or agent of the foregoing, and whenever used in any clause prescribing a penalty, the term "operator" as applied to associations or partnerships shall include the members or partners thereof, and as applied to corporations, shall include the officers thereof, and in all cases shall apply to the employees or agents.

Parent - any natural parent of a minor, a guardian or any adult person 21 years of age or over responsible for the care and custody of a minor. When used in this Part, "parent" shall mean parent and parents.

Private establishment - any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited. [Ord. 801]

Public place - any public street, highway, road, alley, sidewalk, park, playground, public building or vacant lot. [Ord. 801]

Remain in - to loiter, idle, wander, stroll or play in or upon, including within or on a private vehicle. [Ord. 801]

(Ord. 1961-5, 11/13/1961; as amended by Ord. 429, 2/10/1969; and by Ord. 801, 6/18/2007, §2)

§6-204. Unlawful Conduct of Parent.

1. It is unlawful for any parent to permit or allow a minor to remain in or upon

a public place or private establishment in violation of this Part.

2. Each violation of this Section shall constitute a separate offense.

(*Ord. 1961-5, 11/13/1961*)

§6-205. Unlawful Conduct of Operator of Private Establishment.

1. It is unlawful for any operator of a private establishment to permit a minor to remain in or upon the premises of the private establishment in violation of this Part.

2. Each violation of this Section shall constitute a separate offense.

(*Ord. 1961-5, 11/13/1961*)

§6-206. Enforcement and Penalties.

1. Any minor found in or upon any public place or private establishment in violation of this Part shall be taken into custody by the Borough police and delivered to his or her parent immediately. If his or her parent cannot be located, the police shall retain custody of the minor until the parent is located and shall immediately deliver the minor to the parent as soon as he is located.

2. The Borough police officers 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.

3. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense. [*Ord. 810*]

(*Ord. 1961-5, 11/13/1961; as amended by Ord. 636, 5/23/1989, §1-6; and by Ord. 810, 12/17/2007*)

§6-207. Repeated Offenses by Minor.

Any minor who violates this Part more than three times may, in the discretion of the proper Borough authorities, be reported to a society or organization whose purpose is to take charge of incorrigibles and delinquents, and proceedings be then taken in the Court of Common Pleas or Juvenile Court for his or her permanent welfare, and a like procedure shall be taken in cases where the arrest of the parent is not effective or where for any other reason the provisions of §6-201 cannot be made effective by fines and penalties imposed thereunder.

(*Ord. 1961-5, 11/13/1961; as amended by Ord. 810, 12/17/2007*)

Part 3**Loitering****§6-301. Definitions.**

As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

Loitering - remaining idle essentially in one location; lingering; spending time idly; loafing or walking about aimlessly in one vicinity or neighborhood; or "hanging around."

Public place - any place to which the public has access, including any public street or public sidewalk, the front of and the area immediately adjacent to any school, parking lot, store, restaurant, tavern or other place of business.

(Ord. 596, 8/12/1986)

§6-302. Certain Types of Loitering Prohibited.

No person shall loiter in a public place in such manner as to:

- A. Create or cause to be created a danger of a breach of the peace.
- B. Create or cause to be created any annoyance to any person or persons.
- C. Obstruct the free passage of pedestrians or vehicles.

D. Obstruct, molest or interfere with any person lawfully in any public place as defined in §6-301. This shall include the making of unsolicited remarks of an offensive, disgusting or insulting nature or which are calculated to annoy or disturb the person to whom or in whose hearing they are made.

(Ord. 596, 8/12/1986)

§6-303. Request to Leave.

Whenever the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in §6-302, any police officer may order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this Section.

(Ord. 596, 8/12/1986)

§6-304. Violations and Penalties.

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

(Ord. 596, 8/12/1986; as amended by Ord. 636, 5/23/1989, §1-6; and by Ord. 810, 12/17/2007)

§6-305. Interpretation.

The provisions of this Part shall not be interpreted or enforced in a manner that improperly interferes with or abridges the lawful right of freedom of speech or assembly.

(*Ord. 596, 8/12/1986; as added by Ord. 699, 9/19/1994*)