

ORDINANCE NO. 17

AN ORDINANCE ESTABLISHING A CURFEW FOR MINORS UNDER THE AGE OF EIGHTEEN YEARS AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

BE IT ORDAINED by the Town Council of the Town of Frankford, in Council met, in the manner following, to wit:

SECTION 1. For the purpose of this Ordinance, the following definitions shall be applicable unless the context clearly indicates to the contrary:

[a] Child shall mean any person who has not attained the age of eighteen (18) years.

[b] Public Place shall mean and include any park, athletic field, playground, street, avenue, plaza, square, cemetery, or any other place commonly open to the public.

[c] Street shall mean and include all streets, avenues, highways, boulevards, parkways, roads, lanes, bridges, alleys and the approaches thereto, curbs, sidewalks, recreational and park lands or other public ways or thoroughfares in the Town over which the Town has jurisdiction.

SECTION 2. It shall be unlawful for child to be or remain upon any street or public place within the corporate limits of the Town of Frankford after 11 o'clock in the evening, prevailing time, unless such child is accompanied by a parent or guardian or other person[s] having custody of such child or unless in performance of some task directed by such parent or guardian or other person having custody or unless such child is in lawful employment or a lawful errand making it necessary to be in such place after 11 o'clock in the evening prevailing time.

SECTION 3. It shall be unlawful for any person having the legal care and custody of any child to allow or permit such child to go or be upon any public street or in any public place as restricted in this Ordinance, except in the case of necessity.

SECTION 4. Every member of the police department of the Town of Frankford, while on duty, is hereby authorized to detain any such child violating the provisions of this Ordinance until the parent[s] or guardian of the child shall take him/her into custody, but such officer shall immediately, upon taking custody of the child attempt to communicate with the parent[s] or guardian.

SECTION 5. Any child under the age of eighteen [18] years violating any of the provisions of this Ordinance shall be charged in the Family Court of the State of Delaware, in and for Sussex County, with being delinquent, and upon conviction thereof shall be fined not less than Ten Dollars [\$10.00] nor more than Twenty-five Dollars [\$25.00] together with such other penalties as the Court may deem to be in the best interest of the child, and shall pay the costs of prosecution.

PASSED, ADOPTED AND APPROVED by the Town Council of the Town of Frankford on the 3rd day of January, A.D. 1994.

Steven Brought
President of the Town Council of the
Town of Frankford, Delaware

Bernard P. Lynch
Secretary/Treasurer of the Town Council
of the Town of Frankford, Delaware

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