

ORDINANCE NO. 247

AN ORDINANCE PROVIDING FOR A CURFEW FOR ALL CHILDREN UNDER THE AGE OF EIGHTEEN (18)

Section 1: Curfew Established for Children Under Eighteen (18) Years of Age

It shall be unlawful for any child under the age of eighteen (18) years to be or remain in or upon any public highway, park, street, or other public place, or in any enclosure or vehicle between the hours of 10:00 p.m. and 5:00 a.m. on any night preceding a school day and between the hours of 11:00 p.m. and 5:00 a.m. on any night not preceding a school day unless such child is accompanied by a parent, guardian or other person having the legal care or custody of such child or unless such child shall be lawfully employed so as to make it necessary to use public highways during such time, for the exclusive use of such employment, provided such child shall have a certificate to that effect, signed by the Mayor.

Section 2: Curfew Siren

As a warning, the siren shall be sounded at 9:45 p.m. on each night preceding a school day and at 10:45 p.m. on each night not preceding a school day, to be known as a curfew siren, after which all children who have not reached their eighteenth birthday shall be required to be at home or off the streets except as provided by Section 1 or Section 8 of this Ordinance.

Section 3: Responsibility of Parents

It is hereby made unlawful for any parent, guardian or person having legal care or custody of a child who has not reached the age of eighteen (18) to allow or permit such child to violate any provision of this Ordinance. Any parent, guardian or person having the legal custody of any child who allows him to be on the street or public place is in violation of Section 1 of this Ordinance and shall upon conviction thereof be sentenced to pay a fine of not less than Twenty-five Dollars (\$25.00) nor more than Three Hundred Dollars (\$300.00) and the costs of prosecution, and in default of payment thereof, imprisonment for not more than five (5) days, and a like fine shall be imposed on any person aiding or abetting in the violation of the intent and purpose of this Ordinance. All hearings under this ordinance shall take place before the Magistrate.

Section 4: Taking Children Into Custody

Any child who has not reached his or her eighteenth birthday found upon the Borough streets, parks or public places, in violation of Section 1 of this Ordinance, shall be taken into custody by the Borough Police and delivered to his or her parents, guardian or person having immediate custody of said child and a report thereof shall be made immediately, or as soon thereafter as possible, to the Magistrate who shall make a record thereof in a book to be kept for that purpose.

Section 5: Detention for Questioning and Investigation

If any child violating the provisions of this Ordinance does not immediately disclose his place of residence or if the residence be not in the Borough, the Police officer shall take such child to the police office or any other place of detention for questioning and investigation.

Section 6: Determining Age

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.

Section 7: Second Offenders

Any child who shall violate the provisions of this Ordinance two or more times, shall, upon conviction before the Magistrate, be guilty of a summary offense and shall be fined no less than Twenty-five Dollars (\$25.00) and no more than Three Hundred Dollars (\$300.00) and costs by the Magistrate. The Magistrate, or any police officer of the Borough of Clymer, shall report said child to the Indiana County Children and Youth Services.

Section 8: Suspending Ordinance

Council may by resolution from time to time temporarily suspend this ordinance or extend the hours for the same to permit children under the age of eighteen (18) to be upon the streets or other public places for special school functions or other special occasions.

Section 9: Validity of Ordinance

Any ordinance or part of any ordinance conflicting with the provisions of this ordinance is hereby repealed insofar as the same affects this ordinance. If any section of this ordinance shall be found invalid, the remainder of the ordinance shall be valid,.

ORDAINED AND ENACTED by the Borough Council of Clymer
BOROUGH this 10 day of July, 1989.


President of Council

ATTEST:


Secretary

Mayor

RESOLUTION NO. _____

RESOLUTION TO GRANT AN OPTION TO THE HOUSING AUTHORITY OF THE COUNTY OF INDIANA TO CONVEY LOTS FOR THE CONSTRUCTION OF ELDERLY PUBLIC HOUSING

Clymer Borough Council hereby resolves to grant an option to the Housing Authority of the County of Indiana to convey 3 lots known as lots 1, 2, & 3 Sixth Street for 8 thousand (\$8,000) for the construction of 20 units of elderly public housing. Said property will then be conveyed to the selected developer during the construction phase and upon completion will return to the Housing Authority of the County of Indiana. The President of Clymer Council is hereby authorized to execute all related documents to this option for 8 thousand (\$8,000).

Be it further resolved that Clymer Borough Council hereby approves a contract of sale for parcels #1-4 and #1-5 Adams Street in the amount of \$13,500 to the Housing Authority of the County of Indiana.

IN WITNESS WHEREOF, the parties hereto intend to be legally bound thereby and have caused this Resolution to be executed in their respective names and have caused their respective seals to be hereunto affixed and attested as of the date written.

Attest:

THE HOUSING AUTHORITY OF THE COUNTY OF INDIANA

Secretary

By _____
Chairman

Attest:

Cynthia A. Puster 12/18/88
Secretary

BOROUGH OF CLYMER

By Thomas Liberson
President of Borough Council

RESOLUTION # _____

RESOLUTION REQUESTING THE INDIANA COUNTY BOARD OF ELECTIONS TO PLACE A REFERENDUM ON THE MAY 16, 1989 MUNICIPAL PRIMARY BALLOT FOR THE VOTERS OF THE BOROUGH OF CLYMER.

TO CONSIDER THE ISSUANCE OF LICENSES TO CONDUCT SMALL GAMES OF CHANCE IN THE BOROUGH OF CLYMER.

WHEREAS, the Local Option Small Games of Chance Act, Act 156 of 1988, was signed by the Governor on December 19, 1988; and

WHEREAS, the Act provides for licensing of qualifying clubs and charitable organizations to conduct small games, including punchboards, lotteries, raffles, and pull tabs; and

WHEREAS, the Act applies only to clubs located within municipalities which have approved issuing licenses pursuant to a referendum conducted under the Act; and

WHEREAS, in order for the voters of the Borough of Clymer to consider this issue it is necessary that the Borough Council of Clymer petition, by resolution, the Indiana County Board of Elections to place on the ballot for the May 16, 1989 Municipal Primary the referendum authorized by the Act; and

WHEREAS, The Borough Council of Clymer desires to have the referendum placed on the ballot for the May 16, 1989 Municipal Primary.

NOW, Therefore, be it resolved, and it is hereby resolved by the Borough Council of Clymer, as follows:

1. That pursuant to the provisions of the Local Option Small Games of Chance Act, the Indiana County Board of Elections is hereby requested to then place on the ballot for the May 16, 1989 Municipal Primary for consideration by the voters of the Borough of Clymer the following referendum:

"Do you favor the issuance of licenses to conduct small games of chance in the Borough of Clymer?"

2. That a copy of this resolution be filed with the Bureau of Registration and Elections on or before March 7, 1989 by 4:30 p.m.

ADOPTED this 6th day of March, 1989

ATTEST:

Cennis L. Coster
BOROUGH SECRETARY

William J. Richardson
COUNCIL PRESIDENT

APPROVED:

William Britsky /CLC
MAYOR