

**TOWNSHIP OF SALEM  
ORDINANCE NO. 3 of 1980**

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BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Salem, Luzerne County, Pennsylvania, and it is hereby enacted and ordained by authority of the same, as follows:

**Section I.**

**Hours for persons under the age of eighteen (18) years; Exceptions**

It shall be unlawful for any person under eighteen (18) years of age to be or remain in or upon any of the public streets, alleys, or public commons in the Township any night after the hour of 11:00 o'clock P.M., unless such person is accompanied by a parent, guardian or other person having the legal custody of said person under the age of eighteen (18) years; or except if such person under the age of eighteen (18) years is in the performance of an errand, or duly directed by parent, guardian, or other person having the care or custody of said person under the age of eighteen (18) years, or whose employment makes it necessary to be upon said streets, alleys or public commons during the nighttime after the hour of 11:00 o'clock P.M., provided that this exception shall not apply when the person under the age of eighteen (18) years shall be playing or unnecessarily loitering in or upon said streets, alleys, or public commons, whether alone or accompanied by a parent, guardian or other person whomsoever.

**Section II.**

**Responsibility of parent, guardian, or other person having legal custody.**

It shall be unlawful for any parent, guardian or other person having legal care or custody of any person under eighteen (18) years of age to allow or permit any such person under eighteen (18) years of age to allow or permit any such child, ward or other person under such age, while in such legal custody, to go or be in or upon any of the streets, alleys or public commons in the Township of Salem, within the time proscribed in Section I of this Ordinance, unless reasonable necessity exists therefor.

The term "reasonable necessity" shall be interpreted by the District Justice or other fact-finder by what a reasonable parent would do under like circumstances, and in accordance with the exceptions hereinabove set forth to Section I.

**Section III.**

**Authority of constables or others having police powers.**

Any constable or other person duly delegated police powers by the Supervisors of Salem Township or by any higher authority is hereby authorized to issue a citation to any person violating Sections I or II of this Ordinance, in accordance with Pa. Rule of Criminal Procedure No. 51 A (3).

**Section IV.**

**Penalty for Violation.**

Any person violating the provisions of this Ordinance shall be subject to pay a fine of not less than Five Dollars (\$5.00) nor more than Twenty-Five Dollars (\$25.00) and upon conviction, in default of payment of the

fine levied, shall be imprisoned in Luzerne County Prison for a period not exceeding ten (10) days.

**Section V.**

**Inconsistent Ordinances Repealed; severability.**

Ordinance No. 1-77 is expressly repealed hereby. All other Ordinances or parts of Ordinances inconsistent herewith are also repealed. The provisions of this Ordinance are severable, and if any of its provisions or exceptions shall be illegal, invalid, or unconstitutional, the decision of the Court shall not affect nor impair any of the remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such, illegal, invalid, or unconstitutional provisions or exceptions had not been included herein.

DULY ENACTED AND ORDAINED by the Supervisors of the Township of Salem, Luzerne County, Pennsylvania, at a meeting held on the 28th day of May, 1980.

Mason L. Samsel  
Chairman  
Board of Supervisors, Salem Twp.

ATTEST:  
Shirley Gansel  
Secretary

**CERTIFICATION OF ADOPTION**

I hereby certify the foregoing to be an exact copy of an Ordinance adopted by the Supervisors of Salem Township, Luzerne County, Pennsylvania, at a regular meeting of the Board on May 28, 1980.

Shirley Gansel  
Secretary