

CURFEW

#87-11

The curfew ordinance number 182 was amended as follows:

Section 4: Be it further ordained that these definitions are added to the curfew ordinance

A. Definitions:

1.) Custodian:

Person Having legal responsibility for the care or custody of a minor as parent.

2.) Minor:

Any unmarried person under seventeen (17) years of age not fully emancipated.

3.) Permit:

Failure to prevent due to lack of reasonable efforts or concern.

4.) Remain:

To unnecessarily tarry, stay, loiter or idle.

5.) Reasonable errand:

A minor's presence in public pursuant to his custodian's direction in order to accomplish a legitimate family function in a normal and customary fashion considering the time of day. Reasonable errand is also presumed to exist when a juvenile remains in public pursuant at his custodian's direction for purposes of the juvenile's employment.

B. Curfew for minors:

Unless accompanied by custodian, it shall be unlawful for any minor, whether on foot or in a vehicle, to wander or to travel, loiter, stroll, play or remain in or upon any public street, road, highway, avenue, alley, park, or other public place between 10:00p.m. and 5:00a.m. beginning Sunday through Thursday nights lasting into next morning and between 12:01 a.m. and 5:00 a.m. Saturday and Sunday morning or on morning of legal holidays except as to New Year's Day. This restriction shall not apply to any minor when said minor is in attendance or enroute to and from any officially sponsored church, school, or civic event.

- C. Liability of custodians of minor:
It shall be unlawful for any custodian to permit a minor to violate this ordinance.
- D. Enforcement procedures:
If a police officer reasonably believes that a minor is violating this ordinance the officer shall direct the minor to proceed immediately to his home or place of abode. If the minor fails to obey these directions, or refuses to furnish the officer with the requested identification information, or has been subjected to a prior curfew warning, the officer shall take such minor to the Pearl River Police Department then contact the minor's custodian and release said minor to custodian.
- E. Penalties:
1.) Any minor violating the provisions of this ordinance shall be found to be "in need of supervision: Land referred to any appropriate Juvenile Court.

2.) Any custodian violating the provisions of this ordinance shall be fined not less than \$25.00 nor more than \$500.00 for each offense.

This amendment to ordinance number 182 was submitted to a vote and passed at the regular Town Council Meeting of November 24, 1987, with a motion made by Alderman Richard Karchner, seconded by Alderman Billy Blackwell.

Voting Yes: Alderman Karchner, Alderman Blackwell, and Alderman Lavigne.

Absent: Alderman Livingston

Alderman Holden serving as Mayor for this meeting in absence of Mayor McQueen.

The ordinance was declared adopted on this date November 24, 1987.

Mayor Janice McQueen

Ruby Gauley, Town Clerk