

## **CHAPTER 133: CURFEW**

### Section

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### **§ 133.01 CURFEW HOURS.**

No minor under the age of 18 years shall be or remain in or upon the public streets, alleys, parks, playgrounds, public grounds, public places, public buildings, public places of amusement and entertainment, vacant lots or other unsupervised public places within the city between the hours of 11:00 p.m. and 4:00 a.m. of the following day.

(Prior Code, § 9.16.010) Penalty, see § 10.99

### **§ 133.02 EXCEPTIONS TO CURFEW.**

(A) The provisions of this chapter imposing a curfew on minors shall not apply to a minor accompanied by his or her parent, guardian or other adult person having the care and custody of the minor or where the minor is upon an emergency errand or legitimate business directed or authorized by his or her parent, guardian or such other adult person having the care and custody of the minor.

(B) This section does not apply to a minor who is:

- (1) Accompanied by the minor's parent or guardian;
- (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
- (3) In a motor vehicle involved in interstate travel;
- (4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
- (5) Involved in an emergency;
- (6) On the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complain to the police department about the minor's presence;
- (7) Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the town, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the town, a civic organization, or another similar entity that takes responsibility for the minor;
- (8) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
- (9) Married or had been married or had disabilities of minority removed in accordance with state law.

(Prior Code, § 9.16.020)

**§ 133.03 RESPONSIBILITY OF OFFICERS.**

It shall be the right of any authorized officer or person to arrest and detain any minor violating the curfew and to keep the minor detained until the parent, guardian or custodian is notified, when the minor may be released upon giving of a promise by the minor and his or her parent or custodian that such minor together with his or her parent, guardian or custodian will appear at a stated time before the proper authority to answer the charges.

(Prior Code, § 9.16.030)

**§ 133.04 RESPONSIBILITY OF PARENTS.**

It is unlawful for the parents, guardian or other adult person having the care and custody of a minor under the age of 18 years to permit such a minor to be or remain in or upon the public streets, alleys, parks, playgrounds, public grounds, public places of amusement and entertainment, vacant lots or other unsupervised public places between the hours of 11:00 p.m. and 4:00 a.m. of the following day except when the minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor or when the minor is upon an emergency errand or legitimate business directed or authorized by his or her parent, guardian or other adult person having the care and custody the minor.

(Prior Code, § 9.16.040) Penalty, see § 10.99