

**CHAPTER EIGHTEEN  
CURFEW**

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## **CHAPTER EIGHTEEN CURFEW**

### **ARTICLE 1 – Parent Not to Allow Children on Streets**

#### **18.0101 Curfew**

No parent, guardian or other person having the legal care and custody of any person under eighteen years of age to allow or permit any such child, ward or other person under such age to go or be or loiter or remain in or upon any of the streets, alleys or public places in the City of Cando within the hours named and prohibited in this ordinance unless there exists a reasonable necessity therefore.

1. It is unlawful for any child fourteen years of age or less to loiter, idle, wander, stroll, play on or upon or drive or ride about in a vehicle or be in or upon the public streets, highways, roads, alleys, or public buildings, places or grounds between the hours of ten p.m. and five a.m. on any weekday, Monday through Thursday.

2. It is unlawful for any child fifteen years of age or less to loiter, idle, wander, stroll, play in or upon, or drive or ride about in a vehicle or be in or upon the public streets, highways, roads, alleys, or public buildings, places or grounds between the hours of ten-thirty p.m. and five a.m. on any weekday, Monday through Thursday.

3. It is unlawful for any child sixteen years of age or less to loiter, idle, wander, stroll, play in or upon, or drive or ride about in a vehicle or be in or upon the public streets, highways, roads, alleys, or public buildings, places or grounds between the hours of eleven p.m. and five a.m. on any weekday, Monday through Thursday.

4. All of the foregoing curfew times and limitations shall be extended one hour to the age groups enumerated above on the evenings of Friday, Saturday, and Sunday and during the summer months commencing on June 1<sup>st</sup> and ending on August 31<sup>st</sup> thereof.

#### **18.0102 Exceptions**

Provided that this ordinance shall not apply to any person accompanied by a parent or guardian, or other proper legal custodian; or to any person engaged or employed in any lawful business or occupation requiring him to be in or upon the streets, alleys or other public place or thoroughfare of the city during such time, or to any person going to or from such business or occupation, or to persons having a written order or permit from parents or guardians or other proper legal custodian dated as of the date when found in or upon the streets, alleys, public places or thoroughfares of said city, or to persons in the performance of an errand or duty directed by such parent, guardian, or other legal custodian.

This chapter does not apply to a child in attendance at or traveling between that child's home and a place of legitimate employment or an event or activity sponsored by or associated with school, church or similar organization, or an organized sporting, political, theatrical, or other like event or activity within thirty minutes of the end of the work shift or the conclusion of the event or activity.

It is unlawful for any parent or guardian to permit or by inefficient control allow a violation of this chapter by a child in his or her custody or control.

#### **18.0103 Police Procedure**

A police officer that has probable cause to believe that a child is in violation of this chapter shall take such child to the police station where the child's parents or guardian shall be immediately contacted. If after this contact there is still probable cause to believe that the child was violating this chapter, the child shall be held until the parent or guardian comes to take the child home. When the parent or guardian arrives, he or she must be given a copy of chapter. If no parent or guardian has arrived within two hours, the child shall be turned over to the juvenile authorities until a parent or guardian can take custody.

**ARTICLE 2 – Fire Siren**

**18.0201 Siren**

In order to give notice of the time, the fire siren will give one short blast each evening at 10:00 PM

**ARTICLE 3 - Penalty**

**18.0301 Penalty**

Any child, parent, or guardian violating this chapter shall be guilty of an infraction. Each violation of this chapter shall constitute a separate offense.

Any person who is convicted of violating or failing to comply with any of the provisions of this Chapter may be punished by a fine of not more than \$1000.00 or by imprisonment not to exceed 30 days or both.

It shall be the Municipal Judge's decision to use the sentencing defined in Article 5 of Chapter 13 of the Revised Ordinances of the City of Cando.