

CHAPTER 46. OFFENSES AND MISCELLANEOUS PROVISIONS

ARTICLE VI. Offenses - Miscellaneous

Section 46-140. Curfew.

- (a) *Persons under fifteen (15) years of age.* It shall be unlawful for any person under the age of fifteen (15) years to be on or present in any public street, avenue, alley, park or other public place in the City between the hours of 10:00 p.m. and 5:00 a.m. of the following day, unless accompanied by his parent or guardian, or person having legal custody and control of the person, or unless there exists a reasonable necessity therefore. The fact that such child, unaccompanied by parent, guardian or other person having legal custody, is found upon any street, alley, or public place after 10:00 p.m. or before 5:00 a.m. of the following day, shall be evidence that such child is there unlawfully and that no reasonable excuse exists therefore.
- (b) *Persons over fifteen (15) years of age and under eighteen (18) years of age.* It shall be unlawful for any person under the age of eighteen (18) years and over the age of fourteen (14) years to be on any public street, avenue, alley, park or other public place in the City between the hours of 12:00 midnight and 5:00 a.m. of the following day unless accompanied by his parent or guardian, or person having legal custody ad control of the person, or unless there exists a reasonable necessity therefore. The fact that such child, unaccompanied by parent, guardian or other person having legal custody, is found upon any street, alley or public place after 12:00 midnight or before 5:00 a.m. of the following day, shall be evidence that such child is there unlawfully and that no reasonable excuse exists therefore.
- (c) *Responsibility of Parent(s), Guardian(s), Person(s) having legal custody.* It shall be unlawful for any parent, guardian or other person having the legal custody and control of a minor under the age of eighteen years to knowingly or negligently permit such minor to violate the provisions of the curfew regulations as stated in this Article.
- (d) *Responsibility of Operator of Place of Entertainment, etc.* It shall be unlawful for any person operating or in charge of any place of amusement, entertainment or refreshment, or any other place of business to permit any minor under the age of eighteen (18) year to loiter, loaf or idle in such place during the prohibited in this Article.

Whenever the owner or person in charge or in control of any place of amusement, entertainment, refreshment, or other place of business shall find persons under the age of eighteen (18) years loitering, loafing, or idling in such place of business, he shall immediately order such person to leave, and if such person refuses to leave the place of business, the operator shall immediately notify the police department and inform them of the violation.

This section shall not be construed as permitting the presence at any time of any person under the age of eighteen (18) years in any place where his presence is no prohibited by an existing law or ordinance.