

## CHAPTER 131: CURFEWS

### Section

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### **§ 131.01 PERSONS UNDER 15 YEARS OF AGE.**

No person under the age of 15 years shall be on or present at any public place, street, road, alley, park, playground, or any vacant property or unsupervised 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 or her parent or guardian or adult person having the lawful custody or control of his or her person, unless there exists a reasonable necessity therefore. The fact that said minor person not accompanied by said parent, guardian, or other person having legal custody or control is found upon any public place, street, road, alley, park, playground or any vacant property or unsupervised place after 10:00 p.m. or before 5:00 a.m. of the following day shall be prima facie evidence that said minor person is there unlawfully and that no reasonable excuse exists therefor.

(75 Code, § 13.301) Penalty, see § 131.99

### **§ 131.02 PERSONS 15 TO 18 YEARS OF AGE.**

No minor person between the ages of 15 years and 18 years of age shall be on or present at any public place, street, alley, road, park, or playground or any vacant property or unsupervised place between the hours of 11:00 p.m. and 5:00 a.m. of the following day unless accompanied by his or her parent or guardian or adult person having the lawful custody or control of his or her person or unless there exists reasonable necessity therefore, except that the curfew laws relating to said minors shall be 12:00 midnight to 5:00 a.m. of the following day on Friday nights and Saturday nights. The fact that said minor person not accompanied by his or her parent, guardian, or other adult person having his or her legal custody or control is found upon any public place, street, road, alley, or playground or any vacant property or unsupervised place during the curfew hours as set forth above in this section shall be prima facie evidence that said minor person is there unlawfully and that no reasonable excuse exists therefore.

(75 Code, § 13.302) Penalty, see § 131.99

### **§ 131.03 PARENTAL OR CUSTODIAL RESPONSIBILITY.**

No parent, guardian, or other person having the lawful care, custody, or control of any person under the age of 18 years shall allow or permit such person to violate the provisions of §§ 131.01 and 131.02. ('75 Code, § 13.303) Penalty, see § 131.99

### **§ 131.04 PLACES OF AMUSEMENT; DUTY IN REGARD TO CURFEW FOR MINORS.**

It shall be unlawful for any person, firm, or corporation operating or in charge of any place of amusement, entertainment, or refreshment or other place of business to permit any minor under the age of 18 years to loiter, loaf, or idle in such place during the hours prohibited by this chapter. 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 18 years loitering, loafing, or idling in such place of business, he or she shall immediately order such person to leave, and if such person refuses to leave said place of business, the operator shall immediately notify the Police Department and inform them of the violation.

('75 Code, § 13.304) Penalty, see § 131.99

### **§ 131.05 CONSTRUCTION OF CURFEW FOR MINORS PROVISIONS.**

Sections 131.01 to 131.04 shall not be construed as permitting the presence at any time of any person under the age of 18 years in any place where his or her presence is now prohibited by any existing law or ordinance.

('75 Code, § 13.305)

### **§ 131.06 PARK CURFEW.**

(A) It shall be unlawful for any person to use, occupy, or enter any park within the limits of the city between the hours of 10:00 p.m. and 5:00 a.m. of the following day except for the following purposes, to-wit:

(1) For the purpose of overnight camping, such as the parking and using of a travel trailer, a travel camper, a tent or tents, or other such mobile camping equipment used for overnight camping purposes;

(2) In that part of any city park heretofore or hereafter specifically laid out and established by the city for such use, for the purpose of using tennis courts, baseball grounds, skating rinks, softball grounds, and basketball courts;

(3) For such other purposes and uses as may be specifically authorized by the Chief of Police of the city, provided that such use or purpose shall be set forth in writing by the Chief of Police of the city, and that such permit shall be exhibited to any peace officer upon request therefor. Failure to produce such permit shall be cause for immediate expulsion from the park.

(B) For purposes of this section, the term **PARK** shall be deemed to include, but shall not be limited to, all of that area bordering on the south side of Atlantic Avenue in the city between 12th Street and 15th Street, provided, however, that entry upon that area for the sole purpose of retrieving a motor vehicle parked thereon shall not be considered a violation of this section.  
(’75 Code, § 13.3041) (Ord. 1024.81, passed 10-1-81) Penalty, see § 131.99

**§ 131.99 PENALTY.**

Any person violating any of the provisions of this chapter shall be guilty of a petty misdemeanor.  
(’75 Code, § 13.306) (Ord. 1032.83, passed 2-3-83)