

CHAPTER 280

ESTABLISHING A CURFEW HOUR FOR PERSONS UNDER THE AGE OF SEVENTEEN YEARS

[History: Ord 2004-1]

280.01 Statement of Purpose: The City of Richland Center recognizes that its children need special supervision due to their peculiar vulnerability; their inability to make critical decisions in an informed and mature manner; and the importance of the parental role in child rearing. The City of Richland Center, in order to adequately protect and supervise its younger residents, hereby establishes a nocturnal curfew, applicable to persons under the age of Seventeen (17) years, hereby regulating their activities both as pedestrians and in or on motor vehicles, bicycles, or other modes of transportation, at night. It is intended that this ordinance shall help to: Provide for the protection of minors from each other, and from other persons; Assist in enforcing parental control over, and responsibility for, children; and Protect the general public by reducing the incidence of juvenile criminal activities.

280.02 Definitions in this Chapter:

- (1) City means the City of Richland Center.
- (2) Minor means any person who has not yet reached his or her Seventeenth birthday.
- (3) Parent or Guardian means any person having legal custody of a minor.
- (4) Public Place means any place to which the public, or a substantial group of the public, has access, and includes, but is not limited to: Streets, sidewalks, common areas of schools, shopping centers, parking lots, parks, playgrounds, privately owned places of business, and similar areas open to the use of the public.

280.03 Curfew for Children Under the Age of Fourteen (14) years: It shall be unlawful for any person under the age of Fourteen (14) years to be or remain in a public place, whether on foot, on a bicycle, in a motor vehicle, or by any other mode of transportation, within the City after the hour of 10:00 P.M., and before the hour of 5 :00 A.M., on any night.

280.04 Curfew for Minors Aged Fourteen (14) years but under Seventeen (17) years: It shall be unlawful for any person who is Fourteen (14) years or older, but under the age of Seventeen (17) years, to be or remain in a public place, whether on foot, on a bicycle, in a motor vehicle, or by any other mode of transportation, within the City after the hour of 11:59 P.M., and before 5:00 A.M., on Friday or Saturday nights; or after the hour of 11:00 P.M., and before 5:00 A.M., on any other night.

280.05 Exceptions: The curfew shall not apply to minors who:

- (a) Are accompanied by their parent or guardian;
- (b) Are engaged in employment or employment-related activities, or have completed these

activities within the previous hour, and are returning home by a direct route without any unnecessary detour or stop);

(c) Are attending school, religious, civic organizational activities, or similar activities, that are supervised, or have completed these activities within the previous hour, and are returning home by a direct route (without any unnecessary detour or stop)

(d) Are at the residence (or the sidewalk in front of a residence) of a friend or relative, and have permission from their parent or guardian to be there; or

(e) Are on the sidewalk in front of their home, or a home adjacent to their residence.

280.06 Duty of Parent: It is the duty of the parent or guardian of every minor within the City to so supervise the activities of such child that this Ordinance is complied with, and any parent or guardian who knowingly or willfully permits a minor to violate this Chapter, or by insufficient control, allows a minor to violate this Chapter, shall likewise be guilty of a violation of the provisions of this Chapter. The term "knowingly" as used in this section includes knowledge that a parent should reasonably be expected to have concerning the whereabouts of a minor in that parent's legal custody.

280.07 Severability: This entire Chapter shall not be struck down if one or several provisions are held to be invalid.

280.08 Penalty: Any person violating any provision of this Chapter shall, upon conviction thereof, be punished by a forfeiture of not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars, together with the costs of prosecution.