

RECORD OF ORDINANCES

Ordinance No. 9-1981 Passed May 12, 1981

ORDINANCE AMENDING ORDINANCE NO. 15-1976 REGULATING THE PRESENCE AND CONDUCT OF MINORS ON STREETS AND OTHER PUBLIC PLACES, DEFINING DUTIES OF PARENTS OR OTHERS IN CARE OF MINORS, AND PROVIDING FOR DETENTION AND PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, the safety of all citizens of the Village of Newtown is the responsibility of the Village; and

WHEREAS, the incidents of unsupervised minors in violation of Ordinance No. 15-1976 of the Ordinances of the Village of Newtown has increased.

BE IT RESOLVED that Ordinance No. 15-1976 entitled, Ordinance Regulating the Presence and Conduct of Minors on Streets and Other Public Places, Defining the Duties of Parents and Others in Care of Minors, and Providing for Detention and Penalties for Violations Thereof, be amended as follows:

That Section 2 of said Ordinance - Curfew for Minors - be amended to read as follows:

It shall be unlawful for any minor to remain, idle, wander, stroll or play in any public place either on foot or to cruise about without a set destination in any vehicle in, about, or upon any place in the Village of Newtown between the hours of 10:00 p.m. and 6:00 a.m., Sunday through Thursday, and between the hours of 11:00 p.m. and 6:00 a.m., Friday through Saturday, unless accompanied by a parent, guardian, custodian or other adult person having custody or control of such minor or unless the minor is on an emergency errand or specific business or activity directed or permitted IN WRITING by his parent, guardian or other adult person having care and custody of the minor or where the presence of such minor is connected with or required by some legitimate employment, trade, profession or occupation.

That Section 4 of said Ordinance - Responsibility of Parents - be amended to read as follows:

It shall be unlawful for the parent, guardian, or other adult person having custody or control of any minor under the age of eighteen (18) years of age to suffer or permit or by inefficient control to allow such person to be on the streets or sidewalks or on or in any public property or public place within the Village between the hours of 10:00 p.m. and 6:00 a.m., Sunday through Thursday, and between the hours of 11:00 p.m. and 6:00 a.m., Friday through Saturday. However, the provisions of this ordinance do not apply to a minor accompanied by his/her parent, guardian, custodian or adult person having the care, custody or control of the minor, or if the minor is on an emergency errand or specific business or activity directed IN WRITING by his/her parent, guardian, custodian or other adult having care and custody of the minor, or if the parent, guardian, or other adult person herein has made a missing person notification to the Police Department of the Village.

That Section 5 of said Ordinance - Procedures - be amended to read as follows:

A. A minor must surrender to the Police Officer written notification

Ordinance No. 9-1981 (continued) Passed May 12, 1981

from their parent, guardian, or adult person having care and custody of the minor permitting or directing the minor's activities. The Police Officer shall make a report of such action, and in turn notify the parent, guardian or person having custody or control of such minor.

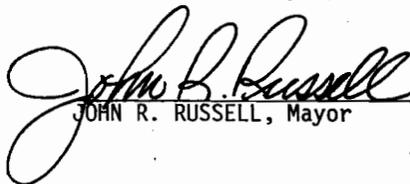
B. Any Police Officer of the Village upon finding a minor in violation of Section #2 shall ascertain the name and address of such minor and warn the minor that he is in violation of curfew and shall direct that minor to proceed at once to his or her own home or usual place of abode. The Police Officer shall make a report of such action and in turn shall notify the parents, guardian, or person having custody or control of such minor.

C. If such minor refuses to heed to such warning or direction by any Police Officer or refuses to give such officer his correct name and address, or if the minor has been warned on a previous occasion that he or she is in violation of curfew, he or she shall be taken to the Police Station and the parent, guardian or other adult person having the care and custody of such minor shall be notified to come and take charge of the minor. If the parent, guardian or other adult person above cannot be located or fails to come and take charge of the minor, the minor shall be released to the juvenile authorities.

Be it further ordained, except for the revisions set out above that Ordinance No. 15-1976 remain in full force and affect as originally enacted.

Emergency:

This amending Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare; the reason for the emergency being the need to regulate the hours and conduct of the minors in public places within the Village, and this Ordinance shall take a effect and be in force immediately upon its passage and approval.


JOHN R. RUSSELL, Mayor

ATTEST:


CAROLYN M. BUSSE, Clerk-Treasurer