

AN ORDINANCE ESTABLISHING A CURFEW OVER CHILDREN UNDER EIGHTEEN YEARS OF AGE AND ESTABLISHING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MALAD CITY, ONEIDA COUNTY, IDAHO.

Section 1. LOITERING OF MINORS PROHIBITED. It shall be unlawful for minors, under the ages and during the hours hereinafter set forth, to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, sidewalks, alleys, parks, river, playgrounds or public places and public buildings, places of amusement, entertainment, eating and drinking establishments, and vacant lots of Malad City, Idaho, provided, however, that the provisions of this Section do not apply to a minor accompanied by his or her parents or guardians or where the minor is upon an emergency errand or legitimate business directed by his or her parents or guardian, or while in direct route to or from any school, church or other publicly organized recreational activities. Each violation of the provisions of this Section shall constitute a separate offense.

Section 2. AGE AND HOUR GROUPINGS.

Children Under 16 Years of Age. Children 16 years and under shall not loiter or act as provided in Section 1 hereof, between the hours of 10:00 o'clock P.M. and 6:00 o'clock A.M. of the following day of any Sunday through Thursday of any given week during any given year.

Children of 16 years of age or under shall not so loiter, be idle or act as provided in Section 1 hereof, between the hours of 11:00 o'clock P.M. and 6:00 o'clock A.M. of the following day on state or federally recognized holidays or weekends consisting of any Friday or Saturday of any given week during any given year.

Children 16 Years of Age or Older and Under 18 Years. Children 16 years of age or older and under 18 years of age shall not so loiter, be idle or act as provided in Section 1 hereof, between 11:00 o'clock P.M. and 6:00 o'clock A.M. of the following day of any Sunday through Thursday of any given week during any given year.

Children 16 years of age or older and under 18 years of age shall not

so loiter, be idle or act as provided in Section 1 hereof, between 12:00 o'clock midnight and 6:00 o'clock A.M. of the following morning on weekends and holidays which shall consist of any Friday or Saturday of any given week of any given year or any state or federal recognized holiday.

Section 3. RESPONSIBILITY OF PARENTS.

It shall be unlawful for the parents or guardian of a minor under the age of 18 years to knowingly permit such minor to loiter, idle, wander, stroll or play in or upon the public streets, highway, roads, sidewalks, alleys, parks, river, playgrounds, docks or other public grounds, public buildings, places of amusement, entertainment, eating and drinking establishments, and vacant lots of Malad City, Idaho, between the hours specified in Section 2 of this Ordinance for the particular minors in the age group as set forth in Section 2 of this Ordinance provided, however, that the provisions of this Section do not apply when the minor is upon an emergency errand or legitimate business directed by his or her parents or guardian, or while in direct route to or from any school, church or other publicly organized recreational activities. Each violation of the provisions of this Section shall constitute a separate offense.

Section 4. RESPONSIBILITY OF OTHER PERSONS.

It shall be unlawful for any person by any act or neglect to encourage, aid or cause any person under the age of eighteen (18) years to come within the purview of Sections 1, 2 and 3 of this ordinance.

Section 5. FAILURE TO COME TO POLICE STATION.

It is unlawful and shall be considered a separate offense under this section for any parent, guardian or other adult person having the legal care and custody of such minor to refuse to come immediately to the police station upon being notified to do so by the police and take charge of such minor.

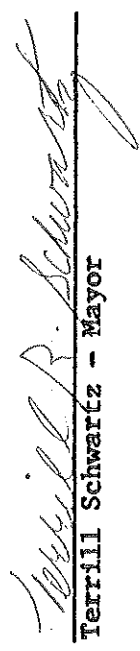
Section 6. PENALTY.

Violation of this ordinance shall be punishable by imprisonment in the Oneida County Jail for a period not to exceed six (6) months or by a fine not to exceed \$300.00, or by both such imprisonment and fine.

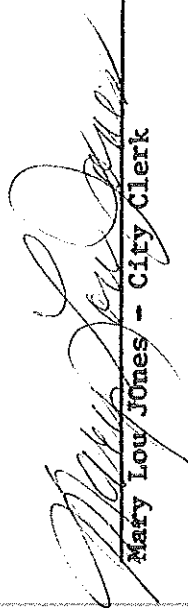
Section 7. EFFECTIVE DATE.

This Ordinance shall take effect from and after its passage, approval and publication as required by law.

PASSED and approved this 16<sup>th</sup> day of April, 1985.

  
Terrill Schwartz - Mayor

ATTEST:

  
Mary Lou Jones - City Clerk