

6.08 CURFEW

(a) PROHIBITED ACTS. No child 17 years of age or under shall loiter, idle or remain and no parent or guardian shall knowingly permit his child or ward of such age to loiter, idle or remain in or upon any of the streets, alleys or public places in the village between the hours of 11:00 p.m. and 5:00 a.m.

(b) EXCEPTIONS. It shall NOT be a violation of this section for a child to be in a public place between the hours of 11:00 p.m. and 5:00 a.m. if:

1. The child is accompanied by his/her parent(s) or guardian;
2. The child is participating in, going to or returning from lawful employment, a school-sanctioned activity, or a religious event;
3. The child is engaging in any activities protected by the First Amendment;
4. The child is involved in an emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial damage;
5. The child is involved in any activity conducted by a non-profit or governmental entity that provides recreation, education, training or other care under the supervision of one or more adults; or
6. The child is involved in transportation either within or without the state.

(c) PROBABLE CAUSE. Before an officer may issue a citation, he/she must have probable cause to believe the child has violated the curfew ordinance and that no defense exists. The officer shall make reasonable inquires as to why the minor is in a public place during curfew hours.

(d) PENALTY. Any person under the age of 17 years old who shall violate this section shall forfeit an amount not more than \$100.00. Such amount shall double for all subsequent violations. Any parent, guardian or other person having legal custody of a child under the age of 17 years who violates this section shall forfeit an amount not more than \$100.00. Such amount shall double for all subsequent violations.