

AN ORDINANCE ESTABLISHING A CURFEW AND PROVIDING FOR PENALTIES.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ARCADIA, MISSOURI, as follows:

Section 1. Curfew hours.

(A.) It is unlawful for any minor under the age of sixteen (16) years to loiter, idle, wander, stroll, or drive or ride in an automobile, or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 P.M. and 6:00 A.M. of the following day, official county time;

(B.) it is unlawful for any minor between the age of sixteen (16) and eighteen (18) years to loiter, idle, wander, stroll, or drive or ride in an automobile, or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 12:00 P.M. and 6:00 A.M. of the following day, official county time;

(C.) except that nothing in this section shall apply when a minor is accompanied by his parent, guardian or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor.

Section 2. Duties of Parents.

It is unlawful for the parent of any minor under the age of sixteen (16) years to knowingly permit such minor to loiter, idle, wander, stroll, or drive or ride in an automobile, or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 P.M. and 6:00 A.M. of the following day, official county time; except that nothing in this section shall apply when a minor is accompanied by his parent, guardian or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor.

Section 3. Duties of Police officers: Penalties for Violation.

(A.) Any police officer finding a child violating the provisions of aforementioned sections of this article for the first time shall warn the child and/or parent to cease and desist immediately from such violation.

(B.) Any police officer finding a child violating the provisions of aforementioned sections of this article for a second time shall take the child into custody and release him to his parent or guardian or release the child at the scene with a written notice of referral to the juvenile court. The juvenile court shall serve upon the parent or guardian or person in charge of said child the written notice setting forth the manner in which the child violated this article.

(C.) If any child violates the provisions of aforementioned sections of this article for three or more times or if after receiving notice of the first violation by the child, any parent, guardian or other person in charge of such child who knowingly permits such child to again violate the provisions of this article, the parent, guardian or other person in charge of such child shall be fined not more than five hundred dollars (\$500.00).

Section 4. City's right to civil action for cost of enforcing the curfew.

Nothing in the preceding sections shall be construed as abandoning or limiting the city's right to bring suit for all expenses attending the enforcement of the curfew, when performed by the city, in any court of competent jurisdiction in the name of the city of Arcadia, against any person violating this article.

Section 5. Validity.

Should any section or provisions of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 6. Repeal of conflicting ordinance.

All ordinances or parts of ordinances in conflict with any of the provisions of the Ordinance are hereby repealed insofar as the same are in conflict with the provisions of this Ordinance.

Section 7. Effective Date.

This Ordinance shall be in force and effect upon its passage and approval, and publication as provided by law.

WHEREUPON, this ordinance was read three times and approved by vote of the Board of Aldermen of the City of Arcadia, Missouri, on this 17th day of August, 1998.



Roy Carr, Mayor

ATTEST:



Mary Johnson, City Clerk