

**VILLAGE OF ROSCOMMON
ORDINANCE NO. 7
CURFEW ORDINANCE**

Section I – Definitions:

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Harbor includes the tacit or express permission to a child by the owner, proprietor or occupant, or any of their agents, to remain on or about the premises for a time longer than reasonably necessary for the child to transact such business as he may have on or about such premises.

Loiter includes standing or walking around or aimlessly driving or riding in or on any bicycle, automobile, motorcycle, motor-driven cycle or any other motor-driven vehicle on the streets, alleys, highways or public thoroughfares of the city without an immediate and predetermined destination.

Other public places includes privately owned places of business, and the premises thereof, serving the public or open to the public, such as restaurants, laundromats, gas stations, theaters, railroad rights-of way, parking lots, parks, other places of public amusement or state, county and village owned property.

Section 2 - Minors under 17 years of age.

It shall be unlawful for any person under the age of 17 years to loiter or remain in or upon any street, alley or public place in the Village between the hours of 10:00 p.m. and 5:00 a.m.

Section 3 - Exemptions.

The following activities shall be exempt from the curfew requirements of this division where the minor is:

1. Accompanied by his parent, guardian or any other person 21 years of age or older who is authorized by a parent as the caretaker for the minor;
2. On an errand, without any detour or stop, at the written direction of his parent, guardian or caretaker;
3. Engaged in a certain employment activity, or going to or from employment, without any detour or stop;
4. Involved in an emergency;

5. On the sidewalk that abuts the minor's residence;
6. In attendance at an official school, religious or other recreational activity sponsored by the city, a civic organization or another similar entity that takes responsibility for the minor, or going to or from such an activity, without any detour or stop, and supervised by adults.

Section 4 - Parental responsibility.

Any parent, guardian or other person having the legal care or custody of any minor child under the age of 17 years, who shall allow or permit such minor child, while in his legal custody, to loiter, idle or congregate in or upon any public street, highway, alley, park or other public place, contrary to the provisions of Section 2 shall be guilty of a violation of this Ordinance.

Section 5 - Adults aiding children under 17 years of age.

Any person 17 years of age or older, who shall assist, aid, abet, allow, permit or encourage any minor under the age of 17 years to violate the provisions of Section 2 or shall harbor any such child in any other public place or on its premises, contrary to the provisions of Section 2 shall be guilty of a violation of this Ordinance.

Section 6 - Powers of police.

Any law enforcement officer is hereby authorized to issue a warning or civil infraction citation, to any person violating any of the provisions of Section 2, Section 4, or Section 5 of this ordinance. Any law enforcement officer who finds a person under the age of 17 years in violation of this ordinance shall detain the minor child for a reasonable time until arrangements can be made to turn the minor child over to the care of his/her parent or other responsible adult willing to take responsibility for the minor child.

Section 7 - Prosecution procedure.

Any person violating any provisions of this Ordinance shall be responsible for a municipal civil infraction and subject to the penalties of Village Ordinance #74.