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CURFEW

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Chapter 22

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[HISTORY: Adopted by the Board of Trustees of the Village of Liberty 1-17-1996 as L.L. No. 1-1996.¹ Amendments noted where applicable.]

§ 22-1. Prohibited acts.

Subject to the exceptions set forth in § 22-4 of this chapter, it shall be unlawful for any minor under eighteen (18) years of age to congregate, loiter, wander or play in or upon any public place between the hours of 10:00 p.m. and 5:00 a.m. of the following day, official village time, except on weekends, when such restricted hours shall be from 11:00 p.m. on Friday and Saturday to 5:00 a.m. of the following day.

§ 22-2. Parental responsibility.

Subject to the exceptions set forth in § 22-4 of this chapter, it shall be unlawful for the parent or guardian of any minor under eighteen (18) years of age to knowingly or negligently by insufficient control allow such minor to congregate, loiter,

¹ Editor's Note: This local law superseded former Ch. 22, Curfew, Article I, Halloween Juvenile Curfew, adopted 12-7-1992 as L.L. No. 12-1992.

wander or play in or upon any public place between the hours of 10:00 p.m. and 5:00 a.m. of the following day, official village time, except on weekends, when such restricted hours shall be from 11:00 p.m. on Friday and Saturday to 5:00 a.m. of the following day.

§ 22-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACCOMPANIED — To go along with or be associated with under individualized supervision.

ADULT — Any person eighteen (18) years of age or older.

ADULT-SPONSORED — Adult persons underwrite or promote an activity and the adult persons take responsibility for the minor.

ADULT SUPERVISED — Adult persons are present at the activity and the adult persons take full responsibility for the minor.

DIRECT ROUTE — The shortest path of travel through a public place to reach a final destination without any detour or stop.

EMERGENCY ERRAND — An unforeseen combination of circumstances or the resulting state that requires immediate action by the minor to prevent serious bodily injury or loss of life.

GUARDIAN — A person who, under court order, is the guardian of the person of a minor; or a public or private agency with whom a minor has been placed by a court.

PARENT — A natural parent, adoptive parent, stepparent or another person or other adult person having the lawful care and custody of the minor.

PUBLIC PLACE — Any place to which the public or a substantial group of the public has access and includes, but is not limited to, highways, streets, alleys, parks, playgrounds, shops, shopping plazas, transportation facilities, vacant lots, hospitals and public buildings.

UNDER EIGHTEEN — Any person younger than eighteen (18) years of age.

§ 22-4. Exceptions.

Exceptions shall be as follows:

- A. When the minor is traveling in a direct route to his or her residency from employment and carries a signed statement from the employer briefly identifying the minor, the address of the minor's residency, the address of the minor's place of employment, the name and the title of the minor's employer who signed the statement and the minor's hours of employment.
- B. When the minor is traveling in a direct route to his or her residency from an adult-supervised or adult-sponsored religious, school, civic, not-for-profit, recreational or entertainment activity or adult-supervised or sponsored organized dance.
- C. When the minor is accompanied by his or her parent or guardian.
- D. When the minor is accompanied by an adult authorized by the parent or guardian of the minor.
- E. When the minor is in a motor vehicle with parental or guardian consent for normal travel; and interstate travel beginning or ending in the Village of Liberty is excepted.
- F. When the minor is upon an emergency errand.
- G. When the minor is attending or traveling in a direct route to or from an activity involving the exercise of First Amendment rights protected by the United States Constitution.

§ 22-5. Enforcement.

Following strictly the applicable provisions of the Family Court Act, police officers are hereby authorized to detain any minor for the purpose of determining their status, whether the health, safety or welfare of such minor has been endangered as a result of a violation of the provisions of this chapter. The parent, guardian or adult having the care and custody of such minor shall be promptly notified as to the location that such minor can be picked up.

§ 22-6. Penalties for offenses.

- A. A parent or guardian who violates this chapter shall, upon the first violation, be issued a warning citation; upon the second violation, be subject to a fine of not more than two hundred fifty dollars (\$250.) or imprisonment not to exceed fifteen (15) days.
- B. Any minor found in violation of this chapter may be required a term of community service as determined by the Youth Officer.