

# RECORD OF ORDINANCES

Ordinance No. 2015-3

Passed February 11, 2015

## AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 89-9-2 (CURFEW FOR JUVENILES) AND DECLARING AN EMERGENCY

WHEREAS, with Ordinance 89-9-2, adopted September 2, 1989, Council for the Village of Thurston established a nighttime curfew for minors. Since adopting this legislation, curfew has been 10 p.m. on school nights and 11 p.m. on non-school nights; and

WHEREAS, Council for the Village of Thurston believes it is the best interest of its residents to amend the previously established nighttime curfew for minors.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF THURSTON, OHIO THAT:**

SECTION 1: Section 1 of Ordinance No. 89-9-2, adopted by Council on the 2<sup>nd</sup> day of September 1989 shall be amended to read as follows:

Section 1: Nighttime Curfew Hours for Minors

- (A) No person under the age of eighteen (18) shall loiter, idle, wander, play, or be in or upon a motor vehicle, in or upon the public streets, highways, roads, alleys, parks, playgrounds or other public grounds, public places and public buildings, places of amusement or entertainment, or vacant lots or other unsupervised places between the hours of 10:00 p.m. and 6:00 a.m.
- (B) Exceptions. The following shall constitute valid exceptions to the operation of the curfew limitations established by this section.
  - (1) When the minor is accompanied by his or her parent, guardian, or other adult person having the care and custody of the minor;
  - (2) When the minor is upon an emergency errand or other legitimate business directed by his or her parent, guardian, or other adult person having the care and custody of the minor;
  - (3) When the minor is traveling directly to or from: a school function, athletic event, or other similar school function/event; a religious service, function, or event; an activity of any other voluntary entity, or public association or group; a place of public entertainment, such as a movie, play, concert, organized recreational activity, sporting event or amusement park, from within 30 minutes of the end of the same; or
  - (4) When the minor is returning home, via a direct route, from his or her lawful employment
- (C) Parental/Guardian responsibility. No parent, guardian, or other adult person having the care and custody of the minor, shall knowingly permit, or by inefficient control allow, a minor to be in or upon any place in violation of the curfew limitations established by this section.
- (D) Return of minor. Any minor taken into custody for violating the curfew limitations established by this section shall be (in this order of preference): placed in the physical custody of his or her parent, guardian, or other adult person having the care and custody of the minor; taken to his or her residence; or turned over the Fairfield County Juvenile Court.
- (E) Penalty.
  - (1) Any minor who violates sub-sections (A) of this section shall be alleged to be an unruly child, as defined in R.C. 2151.022. Whoever violates sub-section (A) of this section is guilty of a minor misdemeanor;

# RECORD OF ORDINANCES

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

(2) Whoever violates sub-section (C) of this section shall be guilty of contributing to the unruliness or delinquency of a child within the meaning of R.C. 2919.24, a misdemeanor of the first degree.

(F) Each and every violation under this section as to a separate curfew period shall be, and constitute, a separate and distinct violation.

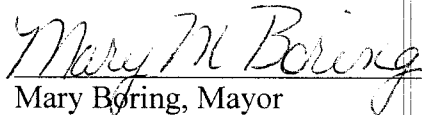
SECTION 2: All other sections and sub-sections of Ordinance 89-9-2 shall remain unchanged, in effect, and enforceable.

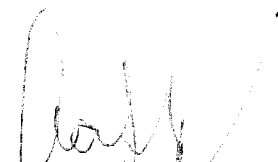
SECTION 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the Village of Thurston which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

SECTION 4: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof.

SECTION 5: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that Village Council needs to change the curfew as soon as possible. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council and approval by the Mayor.


Passed in Council this 11<sup>th</sup> day of February, 2015.

  
Mary Boring, Mayor

ATTEST:   
Aaron L. Reedy, Clerk-Treasurer

APPROVED:

Approved as to form this 16<sup>th</sup> day of January 2015:

  
Brian M. Zets  
Village Solicitor