

ORDINANCE

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AN ORDINANCE ESTABLISHING A CURFEW FOR MINORS AND PROVIDING PENALTIES FOR VIOLATIONS

BE IT ENACTED by the Council of the City of Farmington, Iowa:

SECTION 1 Purpose. The purpose of this Ordinance is to regulate, by the establishment of a curfew, the hours minors can be or remain upon the alleys, streets, other public places, and places of business and amusement in this city.

SECTION 2 Definitions. For use in this Ordinance, the following terms are defined:

1. The term "minor" shall mean any unemancipated person below the age of sixteen (16) years.
2. The term "habitually violates" shall mean any minor who has violated the provisions of this Ordinance more than two (2) times.

SECTION 3 Time limits. It is unlawful for any minor to be or remain upon any of the alleys, streets, or public places or places of business and amusement in the city between the hours of 10 o'clock p.m. and 5 o'clock a.m. of the following day, official time.

SECTION 4 Exceptions. The restriction provided by Section 3 of this Ordinance shall not apply to any minor who is accompanied by a guardian, parent or other person charged with the care and custody of such minor, or other responsible person over eighteen (18) years of age, nor shall the restriction apply to any minor who is traveling between his home or place of residence and the place where any approved church, municipal or school function is being held.

SECTION 5 Responsibility of adults and places of business and amusement. It is unlawful for any parent, guardian or other person charged with the care and custody of any minor to allow or permit such minor to be in or upon any of the streets, alleys, places of business, or amusement or other public places within the curfew hours set by Section 3 of this Ordinance, except as otherwise provided in Section 4 of this Ordinance.

It is unlawful for any person, firm or corporation operating a place of business or amusement to allow or permit any minor to be in or upon any places of business or amusement operated by them

within the curfew hours set by Section 3 of this Ordinance, except as provided in Section 4 of this Ordinance.

SECTION 6 Penalties. Any person, firm or corporation violating the provisions of Section 5 of this Ordinance shall, upon conviction, be subject to imprisonment not exceeding thirty (30) days, or a fine not exceeding \$100.00.

Any peace officer of this City while on duty is hereby empowered to arrest any minor who violates any of the provisions of Section 3 and Section 4 of this Ordinance. Upon arrest, the minor shall be returned to the custody of the parent, guardian or other person charged with the care and custody of the minor. If a minor habitually violates the provisions of Section 3 and Section 4 of this Ordinance, the Chief of Police shall notify the probation officer, or the county attorney if there is no probation officer, of the violations and shall prepare a statement setting forth the violations to be filed with the clerk of the juvenile court upon the approval of the probation officer or county attorney.

SECTION 7 Repealer. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 8 Severability clause. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 9 When Effective. This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved: February 18, 1980

Glen T. Halbrog, Mayor

Karen Faulkner, Clerk

Reviewed: February 18, 1980

Reviewed: 10/12/15