

ORDINANCE NO. 463

AN ORDINANCE PROVIDING FOR REASONABLE RESTRICTIONS UPON THE TIME OF DAY DURING WHICH MINORS SHALL BE ALLOWED ON ANY OF THE STREETS OR OTHER PUBLIC PLACES OF THE CITY OF TROY, MONTANA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TROY, MONTANA, THAT THE FOLLOWING ORDINANCE BE ADDED TO THE MUNICIPAL CODE OF THE CITY OF TROY, MONTANA:

Purpose. The purpose of this Chapter is to establish reasonable restrictions upon the time of day during which minors shall be allowed on any of the streets or other public places of the City. Such restrictions are enacted to further the general welfare of the community and specifically to further the following community interest: (1) the protection of the younger children in the City from each other and from other persons on the street during the nighttime hours; (2) the enforcement of parental control of, and responsibility for, their children; (3) the protection of the public from nocturnal mischief by minors; (4) the reduction in the incidence of juvenile criminal activity ; and (5) prevent exposure to, and the possibility of being led into involvement with, crimes of violence, destruction and/or self destruction. These restrictions are enacted pursuant to the general police and other powers granted to self-power local governments.

Minors who have not reached their eighteenth (18th) birthday shall not be upon any public streets, highways, alleys, parks or other public places within the City limits between the hours of 10:00 pm and 6:00 am except on Friday and Saturday nights and week days preceding a legal Holiday, then such hours shall be between 12:00 midnight and 6:00 am during the months of June, July and August the hours of 12:00 midnight and 6:00 am shall be applicable to all minors under the age of eighteen.

Exceptions. In the following exceptional cases a minor in or upon any street or public place within the City during the hours provided herein, shall not be considered in violation of the Curfew Chapter when:

1. Accompanied by a parent of such minor.
2. In the performance of an errand or duty directed by a parent of such minor.
3. Attending a school or religious activity. This exception will apply for one-half (1/2) hour after the completion of such activity.
4. Engaged in legally recognized employment. This exception will apply for the period from one-half (1/2) hour before to one-half (1/2) hour after work.

Responsibility Of Parents Or Guardians. It shall be deemed a violation of this chapter for any parent, guardian or other adult person having the care, custody, or control of a minor under the age of eighteen (18) years to allow or permit such minor, either expressly or by neglect, to duly exercise such care, custody or control, to loiter, idle, wander, stroll, 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 during the hours set forth above and as except as provided above.

Penalty. Upon the first incident of violation of this ordinance written notice shall be given to a parent or guardian of the minor who is in violation of this ordinance. Subsequent violation and conviction under this ordinance shall result in a fine of twenty-five dollars (\$25.00) to the parent or guardian with an additional four (4) hours of community services demanded of the minor. For a second offense, a fine of fifty dollars (\$50.00) and eight (8) hours of community service shall be imposed for a third offense a fine of one hundred dollars (\$100.00) and sixteen (16) hours of community service shall be imposed. Subsequent convictions will result in fines not to exceed five hundred dollars (\$500.00) and forty (40) hours of community service.

PASSED BY THE CITY COUNCIL and approved by the Mayor of the City of Troy, Montana, this **10th** day of **April, 1996**.

/s/ R. G. Johnson, Mayor

ATTEST:

/s/ Sandra Johnson, City Clerk

First Reading: March 27, 1996

Second Reading: April 10, 1996