

Ordinance No. 51

An Ordinance Regulating the Presence of Persons Under the Age of 18 Years on the Streets or in Public Places Between Certain Hours, Defining the Duties of Parents and Others in the Care of Such Persons, and Providing Procedure for Enforcement and Penalties for Violation.

The City Council of Badger ordains:

Section 1. Curfew Imposed.

Subd. 1. No person under the age of 18 years except as provided in Subdivision 2, shall be on any public street or alley or in any park or other public grounds or building, place of amusement, entertainment, or refreshment, vacant lot, or any other unsupervised place between the hours of 10:30 p.m. and 5:00 a.m. of the following day.

Subd. 2. The restrictions of Subdivision 1 do not apply when the minor

- (a) is accompanied by the minor's parent, guardian, or other person have the minor's lawful care, custody, or control; or
- (b) is returning home by a direct route from and within 30 minutes after, a school activity or an activity of a religious or other voluntary association when prior notice of the activity and its place and probable time of termination has been given to the police department by an adult person authorized by the school or the religious or voluntary association to do so; or
- (c) is carrying a certified card of employment and is on his way to or from his place of employment; or
- (d) is upon an emergency errand or other legitimate business directed by the minor's parent, guardian, or other adult having the lawful custody of the minor.

Section 2. Responsibility of Parent, etc. No parent, guardian, or other adult having custody and control of a minor under 18 years of age shall knowingly permit the minor to violate the provisions of Section 1.

Section 3. Responsibility of Other Persons. Whenever the owner or person in charge or control of any place of amusement, entertainment, refreshment, or other place of business shall find any person under the age of 18 in such place in violation of Section 1, he shall immediately order such person to leave, and if such person refuses to leave, the owner or person in charge shall immediately inform the police department of the violation.

Section 4. Penalties. Any person under the age of 18 on a street or other place in violation of Section 1 shall be ordered to go home immediately. After investigation, if responsible city authorities determine that court action should be initiated, the minor shall be dealt with in accordance with juvenile court law and procedure. Any such minor who is convicted of a violation of this ordinance after the case has been referred for prosecution in the trial court under Minnesota Statutes Section 260.15 and any person who is convicted of a violation of any provision of Section 2 is guilty of a petty misdemeanor and shall be punished by a fine of not to exceed \$100.

Section 5. Repeal. Ordinance No. 35 adopted December 6, 1965 and entitled, "An Ordinance Regulating the Presence of Minors Under the Age of 18 Years in the Public Streets and Other Places Between Certain Hours, Defining Duties of Parents and Others in Care of Minors" is repealed.

Section 6. Effective Date. This ordinance takes effect May 7, 1981.

Adopted by the Council this 23rd day of April, 1981.

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Loren Ballard, Mayor

Leslie S. Lockhart, Publisher

Attest:

Joan M. Larson, Clerk

E. L. Larson, Notary Public