

CITY CODE, CHAPTER 5, AMENDMENT

The City Council of the City of Silver Bay ordains that Chapter 5, Section 510, of the City Code is hereby amended as follows:

Section 510 - Curfew

510.01 Restriction After Certain Hours. Except as otherwise provided, no person under eighteen (18) years of age shall be or remain in or upon any of the streets, alleys or public places, vacant lots, place of amusement or recreation, or other similar place in the City between the hours of 10:00 P.M. and 5:00 A.M. of the following day during the school year, and between the hours of 11:00 P.M. and 5:00 A.M. of the following day during the summer school vacation months.

510.02 Exceptions. The restrictions of Subsection 500.01 shall not apply if a minor under eighteen (18) years of age, who:

- A. is accompanied by a parent, guardian or other person having the legal care, custody or control of the minor;
- B. is in the performance of an errand or duty directed by the parent, guardian or other person having the legal care, custody or control of the minor;
- C. is going to, attending, or returning by direct route from a social, church, school or recreation board sponsored function;
- D. has lawful employment which makes it necessary to be or remain hours after the specified hours, or unless there exists other reasonable necessity or emergency;
- E. is in a vehicle involved in inter-state travel;
- F. is an emancipated minor; or,
- G. is on the sidewalk abutting the premises of his or her parent or legal guardian or the sidewalk of a neighbor with the neighbor's consent.

510.03 Duty of Parent or Guardian. It shall be unlawful for any parent, guardian or other person having the legal care, custody or control of any minor under the age of eighteen (18) years to allow or permit the minor to violate the provisions of this Section.

510.04 Duty of Business Places. It shall be unlawful for any person, firm or corporation operating or in charge of any place of amusement, entertainment, refreshment, or other place of business to permit any minor under the age of eighteen (18) years to enter or remain in the place during the hours prohibited by this Section unless the minor shall be accompanied by the minor's parent or guardian or other person having the legal care, custody or control. Whenever the owner or person in charge or in control of such business shall find minors under the age of eighteen (18) years loitering, loafing, or idling in the place of business, they shall immediately order the minor to leave, and if the minor refuses to leave the place of business, the operator shall immediately inform the Police Department of the violation.

510.05 Interpretation. This Section shall not be construed as permitting the presence at any time of any person under the age of eighteen (18) years in any place where the minor's presence is now prohibited by any existing law or this Code.

Adopted by the City Council of the City of Silver Bay this 4th day of June, 2012.

ATTEST:

Scott Johnson, Mayor

Lana Fralich, City Administrator