

ORDINANCE NO. 2004 - 02

AN ORDINANCE ESTABLISHING A CURFEW IN THE CITY OF DUENWEG FOR PERSONS UNDER THE AGE OF EIGHTEEN NOT ACCOMPANIED BY THEIR PARENTS AND PROHIBITING THEM FROM BEING UPON THE PUBLIC STREETS AND THOROUGH-FARES AND COMMONS.

BE IT ORDAINED, by the Board of Alderman, City of Duenweg, Missouri, as follows:

Section 1.0: It shall be unlawful for any minor under the age of 10 years of age during the hours between sunset and sunrise, minors between the ages of 11 and 15 years of age between the hours of 10 P.M. and sunrise, minors between the ages of 16 and 18 years of age between the hours of midnight to daylight to be in or upon any public street, highway, alley, road, park, playground, public grounds, public place or public building, place of amusement or entertainment, a vacant lot, or any other unsupervised place in the City between the hours of midnight and daylight.

Section 2.0: It shall not be unlawful for said minor to be on or about said property at the times mentioned above if said minor is attending to urgent business, proceeding to or from place of employment, or can give a satisfactory reason for being in or upon the street, highway, alley, road, or public places in the City, and such minor must transact such business as speedily as possible.

Section 3.0: When upon such lawful errands, it shall be deemed a violation of this Ordinance for any such minor to loiter or linger or ride aimlessly upon the street, highway, alley, road or public places in the City, and such minor must transact such business as speedily as possible.

Section 4.0: Any minor who shall violate the provisions of this ordinance shall, for the first offense, be warned of the violation and provided with a copy of this ordinance by the Chief of Police or any police officer authorized by the Chief of Police to serve such notice and sent home. The parent or guardian shall also be warned and furnished a copy of this Ordinance. But, on the second offense, referral may be made in accordance with and pursuant to the juvenile laws of the State of Missouri. Any minor over the age of 17 who shall violate the provisions of this ordinance shall on the second offense, be guilty of a misdemeanor.

Section 5.0: Every member of the police force while on duty is hereby authorized to detain any such minor willfully violating the provisions of the first section of this ordinance until the parent or guardian of the child shall take him or her into custody, but such officer shall immediately upon taking custody of the child communicate with the parent or guardian, but if the same is unavailable, to notify the Jasper County juvenile authorities.

Section 6.0: Each violation of this Ordinance shall constitute a separate offense.

Section 7.0: This ordinance repeals and replaces ordinance # 814, adopted on the 6<sup>th</sup> day of March in the year of 1984.

Passes and adopted by the Board of Alderman of the City of Duenweg, State of Missouri, on the 15<sup>th</sup> day of December, 2004.

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Russell Olds, Mayor

Attest:

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Amanda Neil, City Clerk