

CURFEW FOR MINORS ORDINANCE # 2013-4

Finding of Necessity.

The city council finds that offenses against the laws of the United States, the statutes of the State of Texas, and the ordinances of the City of Dawson by minors under the age of seventeen (17) years are increasing at the alarming rate; that in a great many of the cases a lack of proper supervision and control of the minor child by his parents or guardian is evident; that the increasing problem of criminal offenses by children will not be solved by sanctions imposed upon the children alone but that it is necessary that sanctions be imposed upon parents who neglect of their duty to properly supervise and control their children.

Curfew for Children Under 12 Years of Age.

No minor under the age of 12 years shall loiter, idle, or remain in or on any public street, avenue, highway, alley, park, playground, school, or any other public place, between the hours of 10:00 p.m. and 6:00 a.m., unless the minor is accompanied by a parent, conservator or guardian, or some adult over the age of 21 years delegated by the parent, conservator or guardian to accompany the child.

Curfew for Children Between 12 and 17 Years of Age.

No minor 12, 13, 14, 15, or 16 years of age shall loiter, idle or remain in or on any public street, avenue, highway, alley, park, playground, school, or other public place, between the hours of 12:00 a.m. and 6:00 a.m., unless the minor is accompanied by a parent, conservator, or guardian, or some adult over the age of 21 years delegated by the parent, conservator, or guardian to accompany the minor child.

Violation of Curfew Hours.

Any parent, conservator, legal guardian, or other person having the care or custody of any minor child under the age of seventeen (17) years who shall assist, aid, abet, allow, permit, or encourage said minor to violate the provisions of this ordinance, either by overt act, by failing to act or by lack of supervision and control over said minor, is guilty of a misdemeanor. The fact that a child under twelve (12) years or under the age of seventeen (17) years is apprehended while on the public street, avenue, highway, alley, park, playground, school or other public place during the hours defined in this ordinance shall be prima facie evidence of a violation of this section on the part of the parents, conservator, legal guardian, or other person having the care or custody of said minor child.


Defenses.

It shall be a defense to an alleged violation of this ordinance that at the time of the alleged offense the minor child was engaged in legitimate employment; was on the sidewalk in front of the place where such minor resides; was carrying out an errand directed by his or her parent, guardian or conservator; was temporarily within the city limits while traveling interstate; or was en-route to, from or in attendance at, a religious gathering or school-sponsored social, cultural, or sporting event.

Penalty.

When any parent, conservator, legal guardian or other person having custody or control of a minor child the subject of the ordinance, is found to have committed a violation of any of the provisions of this ordinance, he or she shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine in accordance with the general penalty provision.

Stephen Sanders,
Mayor


Mayor Pro-Tem

Ronda Franks,
City Secretary



