

AN ORDINANCE OF THE
CITY OF LIVERMORE, KENTUCKY,
REPEALING ORDINANCE NO. 4-88 AND
ENACTING IN LIEU THEREOF A NEW ORDINANCE
ESTABLISHING A CITY CURFEW FOR MINORS

ORDINANCE NO. ~~00~~-5-00

WHEREAS, there has been over the last 12 months an alarming increase in the number and frequency of minors congregating in public places within the City of Livermore at various hours of the night and early morning without parental supervision or control; and,

WHEREAS, it is deemed necessary and desirable as a matter of the public welfare and safety that the City of Livermore establish a city curfew for minors with parental responsibility for same;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF LIVERMORE,
KENTUCKY, AS FOLLOWS:

SECTION I.

That Ordinance No. 4-88 is hereby repealed in its entirety effective upon publication of this Ordinance according to law and is thereafter of no further force or effect.

SECTION II.

PARENTAL RESPONSIBILITY AND CURFEW FOR MINORS:

(A) A parent, guardian or custodian shall not allow any minor of 17 years of age in his or her lawful custody to be or remain in or upon a public place after midnight or before 5:00 a.m. on any day:

(B) A parent, guardian or custodian shall not allow any minor of 16 years of age or younger to be in a public place after 11:00 p.m. or before 5:00 a.m. on any day.

(C) Any parent, guardian or custodian who fails to comply with Section II (A) or (B) above shall be guilty of a violation as provided in Section V below.

SECTION III.

EXEMPTIONS: This ordinance does not apply with regard to a minor who is:

- (1) Accompanied by his parent, guardian, or custodian;
- (2) Accompanied by an adult specified by his parent, guardian, or custodian;
- (3) Carrying out an errand or other lawful activity as directed by his parent, guardian, or custodian; or
- (4) Participating in, going to, or returning from:
 - (a) Lawful employment; or
 - (b) A lawful athletic, educational, entertainment, religious, or social event.

SECTION IV.

ENFORCEMENT OF ORDINANCE:

(1) Before proceeding with any enforcement action under this ordinance, a law enforcement officer, upon finding any minor in or upon a public place during a time period not authorized herein, may stop and question such minor and request such information as his or her name, age, and the name and address of his or her parent.

(2) If the law enforcement officer determines or has reasonable cause to believe that the minor does not meet any of the exemptions provided in Section III above, the law enforcement

officer shall issue a citation or when necessary, cause a warrant summons to issue against said minor's parent(s), guardian(s) or custodian(s) for violation of Section II (A) or (B) above and may take into custody as evidence of the offense, the minor and/or take the minor to his or her home or direct the minor to proceed immediately to his or her home.

SECTION V.

PENALTY: Any parent, guardian or custodian found to be in violation of Section II (A) or (B) of this Ordinance, for whom there is no exemption applicable, shall be subject to a fine not to exceed \$250.00 for each offense.

SECTION VI.

All Ordinances or parts thereof, insofar as same may be in conflict herewith, are repealed, and this Ordinance is to be in full force and effect immediately upon its passage and publication according to law.

Motion to record was made by Coffman, seconded by Puckett, at a regular meeting on Oct. 12, 2000.

Motion for passage was made by Coffman, seconded by Puckett, at a regular meeting on Nov. 9, 2000, with 4 members present and 4 voting for passage of this Ordinance.

Jerry Zuehl
JERRY ZUEHL, Mayor

ATTEST:

Dinah R. Hopper
DINAH R. HOPPER, City Clerk