

CURFEW ORDINANCE NO. 10-03-22

COPY

AN ORDINANCE OF THE CITY OF LYFORD, TEXAS, REGULATING THE PRESENCE OF MINORS UNDER THE AGE OF 17 YEARS ON PUBLIC STREETS, HIGHWAYS, ROADS, ALLEYS, PUBLIC PLACES, PUBLIC BUILDINGS, VACANT LOTS, OR OTHER PLACES UNSUPERVISED BETWEEN THE HOURS OF 10 PM TO 6 AM, ON EACH DAY FROM SUNDAY THROUGH FRIDAY OF EACH WEEK AND FROM 12 MIDNIGHT FRIDAY TO 6 AM ON SATURDAY AND FROM 12 MIDNIGHT SATURDAY TO 6 AM ON SUNDAY OF EACH WEEK; DEFINING DUTIES OF PARENTS AND OTHERS IN CARE OF MINORS; PROVIDING FOR PENALTIES FOR VIOLATION THEREOF; PROVIDING A SAVINGS CLAUSE; AND, REVOKING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LYFORD, TEXAS, ACTING BY AND THROUGH ITS BOARD OF COMMISSIONS:

SECTION 1

CURFEW REGULATIONS: It shall be unlawful for any minor under the age of 17 years to loiter, idle, wander, stroll, or play in or upon the public streets, highways, roads, alleys, public places, places of amusement and entertainment, public buildings, vacant lots, parks, playgrounds, or other unsupervised places, between the hours of 10:00 p.m. to 6:00 a.m., on each day from Sunday through Friday of each week, and from 12:00 midnight on Friday to 6:00 a.m. on Saturday and from 12:00 midnight on Saturday to 6:00 a.m. to Sunday of each week; provided however, that the provisions of this Section do not apply to a minor accompanied by his or her parent, guardian, or other adult person having the care and custody of such minor, nor if such minor is upon an emergency errand or legitimate business directed by his or her parent, guardian, or other adult person having the care and custody of the minor, or if such minor is with written permission, giving date and destination of the minor, from a parent or guardian, or on his way directly to or directly home from any school function, including athletic activities, band and cheerleading functions, church function or

function under the direction of the Recreational Department of the City, or function under the sponsorship of a Boy Scout or Girl Scout organization or other similar organization, or with the organizations and functions under the direction and sponsorship of fraternal organization with the consent of his or her parent, guardian or other adult person in charge of such minor; nor do the provisions of this Section apply to such minor searching for medical attention; nor in the performance of the duties of lawful employment.

SECTION 2

RESPONSIBILITY OF PARENTS: It shall be unlawful for the parent, or parents, guardian, or other adult person having the care and custody of a minor under the age of 17 years to permit such minor to loiter, idle, wander, stroll, or play in or upon the public streets, highways, roads, alleys, public places, places of amusement and entertainment, public buildings, vacant lots, parks, playgrounds, or other unsupervised places, between the hours of 10:00 p.m. to 6:00 a.m., on each day from Sunday through Friday of each week, and from 12:00 midnight on Friday to 6:00 a.m. on Saturday and from 12:00 midnight on Saturday to 6:00 a.m., on Sunday of each week; provided however, that the provisions of this Section do not apply to a minor accompanied by his or her parent, guardian, or other adult person having the care and custody of such minor nor if such minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor, or if such minor is with written permission, giving date and destination of the minor, from a parent or guardian, or on his way directly to or directly home from any school function, including athletic activities, band and cheerleading functions, church function or function under the direction of the Recreational Department of the City; or

function under the sponsorship of a Boy Scout or Girl Scout organization or other similar organization, or with the organizations and functions under the direction and sponsorship of fraternal organization with the consent of his or her parent, guardian or other adult person in charge of such minor; nor do the provisions of this Section apply to such minor searching for medical attention; nor in the performance of the duties of lawful employment.

SECTION 3

PENALTIES: Any minor violating the provisions of this Ordinance shall be punished in accordance with the Juvenile Statutes, Laws, and Procedures of the State of Texas. Any Parent, Parents, Guardian or any other person having the care and custody of a minor who violates any provision of this Ordinance or any part thereof shall be deemed guilty of a misdemeanor; and upon conviction shall be fined in any sum of not more than TWO HUNDRED AND NO/100 DOLLARS for each offense, and each violation of and failure or refusal to comply with any of the provisions of this Ordinance shall constitute a separate offense. Each day in which any such violation shall continue shall be deemed a separate offense. In addition, the City is entitled to pursue all other criminal and civil remedies to which it is entitled under authority of statutes or other Ordinances against a person or persons violating this Ordinance. This Ordinance may be enforced by any law enforcement officer.

SECTION 4

REPEAL OF CONFLICTING ORDINANCES: All existing ordinances of the City of Lyford are hereby repealed insofar as they may be inconsistent with the provisions of this Ordinance.

SECTION 5

SEPARABILITY OF PROVISIONS: It is the intention of the Board of Commissioners that this Ordinance and every sentence, paragraph, clause, and provision thereof, shall be considered separable; and the invalidity of any sentence, paragraph, section, clause, provision and part or portion of any sentence, paragraph, section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 6

This Ordinance will be in full force and effect thirty (30) days after the publication of its caption.

REVIEWED, PASSED, APPROVED AND READOPTED on this the 22nd day of March, 2010.


Henry De la Paz, Jr., Mayor

ATTEST:


City Secretary