

REVISED ORDINANCE NUMBER 39

A REVISED ORDINANCE PROVIDING FOR A CURFEW
WITHIN THE CITY LIMITS OF THE CITY OF CARSON CITY

THE CITY OF CARSON CITY ORDAINS:

CHAPTER 39.1
ESTABLISHMENT OF REVISED ORDINANCE

39.101 Short Title. This revised Ordinance shall be known as the "Curfew Ordinance" [originally enacted on July 20, 1971].

39.102 Authority. The authority for this Ordinance is set forth in Chapter 2 Section 2.3(f)&(p), and Chapter 7 in general of the City Charter of the City of Carson City.

39.103 Purpose. This Ordinance is revised for the purpose of preservation of the public peace, health, safety and general welfare of the City of Carson City.

CHAPTER 39.2
AGE, AREA AND TIMES OF PRESCRIBED CURFEW

39.201 Sundays, Mondays, Tuesdays, Wednesdays and Thursdays. No minor under the age of sixteen (16) years shall loiter, idle or congregate in or on any public street, highway, alley, park, city parking lot or other private property open to the public between the hours of 10:00 p.m. and 6:00 a.m. immediately following on any Sunday, Monday, Tuesday, Wednesday or Thursday, except when the minor is accompanied by a parent or guardian or an adult over the age of twenty-one (21) years of age delegated by the parent or guardian to accompany the minor child.

39.202 Fridays and Saturdays. No minor under the age of sixteen (16) years shall loiter, idle or congregate in or on any public street, highway, alley, park, or city parking lot or other private property open to the public between the hours of 12:00 a.m. and 6:00 a.m. immediately following on any Friday or Saturday, except when the minor is accompanied by a parent or guardian or some adult over the age of twenty-one (21) years of age delegated by the parent or guardian to accompany the minor child.

39.203 At Bar or Tavern. No person under the age of twenty-one (21) years shall be present in any bar, tavern or other place of business licensed by the State of Michigan Liquor Commission for the sale of alcoholic beverages for consumption on the premises, between the hours of 9:00 p.m. and 6:00 a.m..

39.204 Halloween and Night Prior To. No minor under the age of eighteen years shall loiter, idle or congregate in or on any public street, highway, alley, park, city parking lot, or other private

property open to the public between the hours of 11:00 p.m. and 6:00 a.m. on Halloween night and the night immediately prior thereto, except when the minor is accompanied by a parent or guardian over the age of 21 years of age delegated by authority or guardian to accompany the minor.

CHAPTER 39.3
PENALTIES

39.301 **Penalty Per Violation.** The penalty for this Revised Ordinance shall upon conviction be a fine of not more than \$500.00 or imprisonment of not more than ninety (90) days or both such fine and imprisonment.

39.302 **Separate Violation, Separate Offense.** Each separate violation of this Revised Ordinance shall be considered a separate offense.

CHAPTER 39.4
SEVERABILITY

If any chapter, section, subsection, paragraph, sentence, clause, phrase or portion of this Revised Ordinance is, for any reason, held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Revised Ordinance.

CHAPTER 39.5
CONFLICTING ORDINANCES AND AMENDMENTS SUPERSEDED

39.501 **Present Ordinance.** On the effective date of the adoption of this Revised Ordinance, Ordinance Number Thirty-Nine as originally adopted on July 20, 1971, is superseded.

39.502 **Conflicts.** All other ordinances, amendments, or provisions thereof, which may be inconsistent or in conflict with this Revised Ordinance are hereby repealed.

CHAPTER 39.6
EFFECTIVE DATE

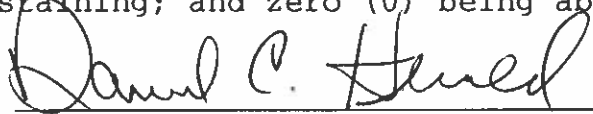
This Revised Ordinance shall become effective thirty days after publication of the Revised Ordinance or thirty days after publication of a summary of its provisions in a local newspaper of general circulation. During this thirty days, the Ordinance as it now reads shall remain effective, and thereafter shall be superseded pursuant to Chapter 39.5 of this Revised Ordinance.

CHAPTER 39.7
PUBLICATION

This Ordinance was published in the Carson City Gazette on November 24, 1997 pursuant to Section 14.2(b) of the Charter of the City of Carson City.

CERTIFICATION

We the undersigned, as Mayor and Comptroller of the City of Carson City, Michigan, do hereby certify that Revised Ordinance Number Thirty-Nine, was introduced at a regular meeting of the City Council held on October 21, 1997, and was thereafter adopted at a regular meeting on November 18, 1997, by a vote of five (5) for; zero (0) against; zero (0) abstaining; and zero (0) being absent.



Daniel C. Herald, Mayor Pro Tem



Janet Kelly, City Comptroller

ORDINANCE NUMBER THIRTY-NINE

superseded

CURFEW

THE CITY OF CARSON CITY ORDAINS:

SECTION I. No minor under the age of eighteen (18) years shall loiter, idle or congregate in or on any public street, highway, alley, park or other private property open to the public between the hours of 11:00 p.m. and 6:00 a.m. immediately following on any Sunday, Monday, Tuesday, Wednesday or Thursday, except when the minor is accompanied by a parent or guardian or some adult over the age of twenty-one (21) years delegated by the parent or guardian to accompany the minor child or where the minor is on an errand or other legitimate business directed by his parent or guardian.

SECTION II. No minor under the age of eighteen (18) years shall loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 2:00 a.m. and 6:00 a.m. immediately following on any Saturday or Sunday, except when the minor is accompanied by a parent or guardian or some adult over the age of twenty-one (21) years delegated by the parent or guardian to accompany the minor child or where the minor is on an errand or other legitimate business directed by his parent or guardian.

SECTION III. No person under the age of twenty-one (21) years shall be present in any bar, tavern or other place of business licensed by the State of Michigan Liquor Commission for the sale of alcoholic beverages for consumption on the premises between the hours of 9:00 p.m. and 6:00 a.m. immediately following:

SECTION IV. Any person who shall be convicted of a violation of any of the provisions of this ordinance shall be punished by a fine of not more than \$100.00 or imprisonment of not more than ninety (90) days or by both such fine and imprisonment.

SECTION V. This ordinance shall take effect and be enforced from and after the thirty-first day of July, 1971.

Passed and approved by the City Council of the City of Carson City on the twentieth day of July, 1971.

Paul Geller

Paul Geller, Mayor

Velma Tabor

Velma Tabor, Comptroller