

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2019-18

December 12,

19

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_\_

**AN ORDINANCE FOR THE ESTABLISHMENT OF CURFEW FOR THE VILLAGE OF SABINA, CLINTON COUNTY, OHIO**

WHEREAS, the Council finds that it is in the best interest of the public safety and general welfare that the following Ordinance be adopted;

**NOW, THEREFORE, IT BE ORDAINED** by the Council of the Village of Sabina, Clinton County, Ohio that the following shall forthwith apply:

**SECTION 1: CURFEW**

(a) Definitions

- (1) "Minor" shall mean a person who is under 18 years of age.
- (2) "Remain" shall mean to linger, stay behind, tarry, to stay upon the public right-of-way, street, alley, highway, sidewalk, playground, park, plaza, building, or other places used by or open to the public.
- (3) "Adult" shall mean a person at least 21 years of age.
- (4) "Emergency" shall mean any unforeseen combination of circumstances of the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
- (5) "Knowingly" shall have the same meaning as defined in the Ohio Revised Code Section 2901.22.
- (6) "Emancipated minor" shall mean a minor child under the age 18 years of age and free of parental control.
- (b) It shall be unlawful for any minor under the age 15, or remain in, about or upon any place in the Village away from the dwelling house or usual place of abode of said minor, between the hours of 10:00 PM and 6:00 AM of the following day. The provisions of this section do not apply to said minor when accompanied by his or her parent, guardian or other adult person having the care, custody, or supervision of said minor; or where said minor is on an emergency errand; or where said minor is going to or from employment or school activities.
- (c) It shall be unlawful of any minor between the age 15-18 years old to be, or remain in, about or upon any place in the Village away from the dwelling house or usual places of abode or said minor, between the hours of 11:00 PM and 6:00 AM of the following day. The provisions of this section do not apply to any emancipated minor or to a minor when accompanied by his or her parent, guardian or other adult person having the care, custody, or supervision of said minor; or where said minor is on an emergency errand; or where said minor is going to or from employment or school activities.

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- (d) In addition to any other powers he or she may have, any law enforcement officer who finds a minor violating any of the provisions of Section 1b or 1c of this Ordinance is empowered to demand that the parent, guardian or other adult person having the care, custody or supervision of such minor appear and take such minor into their custody.
- (e) It shall be unlawful for any such parent, guardian or other adult person having the care, custody, or supervision of said minor to fail or refuse to appear and take such minor into their custody within 30 minutes after such demand in made upon him or her, unless reasonably hindered or prevented from doing so.
- (f) No parent, guardian or other adult person having the care, custody, or supervision of a minor shall knowingly permit or by inefficient control allow such minor to be, cr remain in, about or upon any place in the Village away from the dwelling house or usual place of abode of said minor in violation of any of the provisions of Sections 1b and 1c of this Ordinance.

SECTION 2. PENALTY

- (a) Any minor found in violation of this section shall be deemed an Unruly Child, as defined in Chapter 2151 of the Ohio Revised Code, and subject to the penalties as described therein.
- (b) Any parent, guardian, or other adult person having the care, custody, or supervision of said minor violating the above curfew:
- (1) shall receive a written warning on the first offense.
  - (2) shall be subject to a minor misdemeanor on the second offense.

This Ordinance supersedes all other existing Curfew Ordinances.

This Ordinance Shall take effect at the earliest time allowed by law.

This Ordinance was read on three separate occasions at regularly scheduled council meetings on:

First Reading: November 14<sup>th</sup>, 2019

Second Reading: November 26<sup>th</sup>, 2019


Third Reading: December 12<sup>th</sup>, 2019

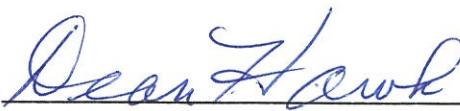
Passed this 12<sup>th</sup> day of December, 2019.

ATTEST:

APPROVED BY:

  
Nancy L. Cornell, Fiscal Officer

  
Michael Walls, President of Council

  
Dean Hawk, Mayor