

ORDINANCE NO. 336

AN ORDINANCE ESTABLISHING A CURFEW FOR JUVENILES WITHIN THE CITY OF
BETHEL HEIGHTS, ARKANSAS AND SETTING PENALTIES FOR VIOLATION
THEREOF

WHEREAS, the City Council for the City of Bethel Heights has determined that it is in the best interest of the citizens of Bethel Heights and in furtherance of the protection and safety of the citizens and guests and of the property of the citizens of Bethel Heights to establish and enforce a curfew for juveniles in the city.

NOW THEREFORE, be it ordained and enacted by the Mayor and the City Council of the City of Bethel Heights, Arkansas,

Section 1: Scope.

Within the City of Bethel Heights it shall be unlawful for any person under the age of eighteen (18) years to be, or to remain on the city streets or rights-of-way or in other outdoor public places during hours of darkness between the hours of 10:30 P.M. and 6:00 A.M., on any night..

Section 2: Exceptions.

The curfew imposed by the provisions of this Ordinance shall not apply if the minor person:

- (1) Is accompanied by a parent, guardian or other person responsible for or having legal custody of such minor.
- (2) Such minor's gainful employment makes it necessary for such minor to be upon the streets, alleys or other public places after the specified hours or the minor is traveling to or from work.
- (3) Is on an emergency errand sanctioned or required by the parent, guardian or other adult person responsible for or having legal custody of such minor.

Section 3: Responsibility of parent, etc.

It shall be unlawful for any parent, guardian or other adult person responsible for or having lawful care, custody and control of any person under the age of eighteen (18) years of age to allow, permit or suffer such minor to violate the provisions of Section 1.

Section 4: Duty of operator, etc. of establishment where violations occur.

It shall be unlawful for any person operating or in charge of any place of amusement, entertainment or refreshment, or other place of business, to permit any minor under the age of eighteen (18) years to loiter, loaf or idle in such place or on the premises during the hours prohibited by this Ordinance. When such owner, operator or person in charge of such place of business shall find such a minor or minors under the age of eighteen (18) years on the premises, he shall order such person to leave and if such minor refuses, the owner or operator shall notify the police department and inform them of such violation.

Section 5: Waiver permit - Authorized.

The Chief of Police may issue a waiver of curfew permit, which will extend the curfew to a time which is thirty (30) minutes after the scheduled termination of the activity for which the permit is granted, to any group of persons subject to the provisions of this Ordinance which is sponsored by either a public or parochial school or church within the city or is sponsored by adults associated with either a public or parochial school, for the purpose of supervising annual senior day and night activities at public or parochial schools within the city.

Section 6: Waiver permit - - Conditions.

A waiver of curfew permit may be issued only when the planned activity complies with the following conditions:

- (1) A written application must be filed with the chief of police not less than seven days prior to the date for which the waiver is requested.
- (2) The application must be signed by one or more adult sponsors of the group.
- (3) The application must show the location of the event for which the waiver is requested.
- (4) The application must show the type of function or activity for which the waiver is requested.
- (5) The application must show the time the activity or function will commence and the time it will end.
- (6) The application must show the name and address of the sponsor of the event.
- (7) The application must show the names of the adult supervisors who will be in attendance at the function.
- (8) There will not be less than one adult supervisor for each ten minor children or portion thereof.

(9) The waiver will not be granted for any child under sixteen years of age and the adult supervisor signing the application must certify that none of the participating children are under the age of sixteen.

(10) It shall be the responsibility of the adult supervisors to notify the parents of all of the minors that the waiver has been granted, if it is so granted, and the date and hour the waiver will expire.

Section 7: Penalties.

Violation of curfew by minor	\$50.00
Allowing violation by adult	\$100.00

Passed and approved this 21 day of April, 2015.

APPROVED: Cynthia J. Black
Mayor

ATTEST: Janet Nelson
Recorder/Treasurer