

Chapter 9.06**CURFEWS****Sections:**

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Section 9.06.010 Findings.

The City Council finds and determines that the following legitimate and compelling governmental interests justify establishment of a curfew for minors: (a) protection of children from each other and from other persons on the street during late night and early morning hours; (b) protection of the public from nocturnal gang-related crime; (c) reduction of widespread juvenile criminal activity; (d) encouragement of parental control of and responsibility for their children. It is the intent of the City Council to allow minors under the age of eighteen to move about freely while participating in legitimate activities, and to pursue legitimate activities during the hours specified in Section 9.06.020 with the permission of his or her parent, guardian, or other adult person having the lawful care and custody of the minor. (Ord. 5998 § 1, 1992)

Section 9.06.015 Definitions.

As used in this chapter, a "minor" means any individual below the age of eighteen years. (Ord. 5998 § 1, 1992)

Section 9.06.020 Curfew established.

It is unlawful for any minor to be in or upon any public street, road, sidewalk, highway, park, vacant lot, alley, playground, curb, gutter, driveway, walkway, or other public place, whether inside or outside a motor vehicle, between the hours of ten p.m. and five a.m. except as hereinafter set forth in Section 9.06.030. (Ord. 6302 § 1, 1996; Ord. 5998 § 1, 1992)

Section 9.06.030 Curfew exceptions.

The following shall constitute valid exceptions to the operation of the curfew:

A. The minor is accompanied by his or her parent or other responsible person over the age of twenty-one and approved by the child's parent or legal guardian;

B. The minor is on any emergency errand or lawful business as directed by his or her parent or legal guardian;

C. The minor is going directly between his or her home and place of employment. This exception shall only be valid if the child has in his or her possession a written statement from the employer attesting to the place and hours of employment;

D. The minor is coming directly home from a meeting or a place of public entertainment such as a concert, movie, play, athletic or sporting event, school, dance, political activity or religious activity. This exception will apply for one-half hour after the completion of such event, but in no case beyond two a.m.;

E. The minor is engaged in interstate or intrastate travel, with the consent of his or her parent or legal guardian;

F. The minor is emancipated, and has in his or her possession proof of such status. (Ord. 5998 § 1, 1992)

Section 9.06.040 Permitting violation by adult.

Any parent, guardian, or other person having legal care, custody, or control of any minor under the age of eighteen who knowingly allows or permits such minor to be in violation of Section 9.06.020 is guilty of a misdemeanor. (Ord. 5998 § 1, 1992)

Section 9.06.050 Penalty for minors.

Any minor violating the provisions of Section 9.06.020 shall be guilty of a misdemeanor and shall be dealt with in accordance with the Juvenile Court laws of the State of California (Chapter 2, Division 2 of the Welfare and Institutions Code commencing with Section 200). (Ord. 5998 § 1, 1992)

Section 9.06.060 Severability.

If any section, subsection, sentence, clause or phrase of Sections 9.06.010 through 9.06.050 is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions. The City Council hereby declares that it would have passed those sections, subsections, clauses, phrases, irrespective that one or more may be declared invalid or unconstitutional. (Ord. 5998 § 1, 1992)