

ORDINANCE NO. 342

AN ORDINANCE TO BE KNOWN AND MAY BE CITED AND REFERRED TO AS THE CITY OF BESSEMER ORDINANCE PROVIDING FOR A CITY CURFEW; AND TO PROVIDE FOR SANCTIONS FOR THE VIOLATIONS OF SAID CURFEW.

THE CITY OF BESSEMER ORDAINS:

1. Curfew. It shall be unlawful for any person seventeen (17) years of age or under to be on foot, bicycle or in any type of vehicle on any public street, avenue, highway, road, alley, park, school grounds, cemetery, playground, public building or any other public place in the City of Bessemer between the hours of 10:00 p.m. and 6:00 a.m. CST Sunday through Thursday and 12:00 midnight to 6:00 a.m. CST Friday and Saturday, unless accompanied by his or her parent or guardian, or person having lawful custody and control of his or her person, or unless there exists a reasonable necessity therefore. The fact that said child, unaccompanied by parent, guardian, or other person having legal custody, is found upon any such public place during the aforementioned hours shall be prima facie evidence that said child is there unlawfully and that no reasonable excuse exists therefore. Hours and provisions set forth herein are without regard to the Fire Department siren.
2. Exceptions. This section shall not apply to a child:
 - (a) Who is performing an errand as directed by his parents, guardian or person having lawful custody.
 - (b) Who is on his own premises or in the area immediately adjacent thereto.
 - (c) Whose employment makes it necessary to be upon the streets, alleys or public places or be in any motor vehicle during such hours.
 - (d) Who is returning home from a supervised school, church or civic function.

These exceptions shall not, however, permit a child to unnecessarily loiter about the streets, alleys, or public places or be in a parked motor vehicle on the public streets.
3. Parental Responsibility. It shall be unlawful for any parent, guardian, or other person having the lawful care, custody and control of any person seventeen (17) years of age or under to allow or permit such persons to violate the provisions of this Ordinance.

4. Effective Date. This Ordinance shall become effective twenty (20) days after the Notice of Adoption has been published in a newspaper of general circulation in the City of Bessemer.

5. Violations and Penalties. Any person violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine as follows: \$50.00 (Fifty Dollars); first repeat offense up to \$250.00 (Two Hundred Fifty Dollars) and second (or any subsequent) repeat offense(s) up to \$500.00 (Five Hundred Dollars) at the discretion of the court.

6. All Ordinances or portions of Ordinances conflicting with Ordinance No. 341 are hereby repealed.

FIRST READING:

SECOND READING:

YES: _____

NO: _____

ABSTAINING _____

ATTESTED:

APPROVED:

James K. Trudgeon, Clerk

John J. Frello, Mayor

DATE:
