

VILLAGE OF PLEASANT HILL, OHIO

ORDINANCE 948

AN ORDINANCE FOR CURFEW
IN THE VILLAGE OF PLEASANT HILL

WHEREAS, the Village Council finds and declares that a curfew to deter the nuisances created by unattended juveniles within the Village limits is necessary in Pleasant Hill; and

WHEREAS, the Village Council finds that adopting a curfew ordinance is in the best interests of the public health, safety and welfare of the citizens of Pleasant Hill, and

NOW, THEREFORE be it ordained by the Council of the Village of Pleasant Hill a majority of the members elected or appointed thereto concurring.

SECTION ONE: No minor of the age of seventeen years or under shall be found in or upon any of the streets or public grounds or public place to include but not limited to: parking lots, shops, stores, schools, businesses within the Village between 10:00 P.M. and 7:00 A.M., Sunday through Thursday hereinafter referred to as weekly curfew hours, unless such minor is accompanied by his or her parent or guardian or a person who is over the age of twenty-one who stands in loco parentis.

SECTION TWO: No minor being sixteen or seventeen years of age shall be found in or upon any of the streets, or public grounds or public places to include but not limited to: parking lots, shops, stores, schools, businesses within the Village between 11:00 P.M. and 6:30 A.M., Fridays and Saturdays, hereinafter referred to as weekend curfew hours, unless such minor is accompanied by his or her parent or guardian or a person who is over the age of twenty-one who stands in loco parentis.

SECTION THREE: Weekend curfew hours for minors age fifteen and under shall remain the same as weekly curfew hours. No minor age fifteen years or under shall be found in or upon any of the Village streets or public businesses within the Village between the hours of 10:00 P.M. and 7:00 A.M. Fridays and Saturdays, hereinafter referred to as weekend curfew hours for minors fifteen years of age or under, unless such minor is accompanied by his or her parent or guardian or a person who is over the age of twenty-one who stands in loco parentis.

SECTION FOUR: No parent, guardian or person standing in loco parentis of a minor shall knowingly allow a minor of the age specified in Sections One, Two and Three hereof to remain in or upon the streets, public grounds or public places including but not limited to: parking lots, shops, stores, schools, businesses within the Village during curfew hours as defined in Sections One, Two and Three hereof without being present with the minor.

SECTION FIVE: No owner, operator or employee of an establishment shall knowingly permit a minor of the age specified in Sections One, Two and Three hereof to remain upon the premises of the establishment during curfew hours as defined in subsections One, Two and Three hereof.

SECTION SIX- It shall be a defense to prosecution under this section that the specified minor was:

(a) Accompanied by a parent, guardian or person acting in loco parentis who is the age of twenty-one or older;

(b) On an errand at the direction of the minor's parent, guardian or person in loco parentis and has a written and signed note stating the errand the minor is on and the minor's name, as long as the minor has not stopped or detoured while performing the errand;

(c) Engaged in employment activity or going to or from employment activities, without any detours or stops,

(d) Involved in an emergency;

(e) On the sidewalk abutting the minor's home while creating no disturbance;

(f) Attending an official school, religious or recreational activity supervised by adults and sponsored by the Village, a civic organization or other similar entity that takes responsibility for the minor, so long as the minor does not stop or detour from that travel;

(g) Going to or returning from an official school, religious or recreational activity supervised by adults and sponsored by the Village, a civic organization or other similar entity that takes responsibility for the minor, so long as the minor does not stop or detour from that travel;

(h) It shall be a defense to prosecution under Section Five hereof, that the owner, operator or employee of an establishment had promptly contacted the police and notified them that a minor was present on the premises during curfew hours.

SECTION SEVEN: Whoever violates a provision of this section is guilty of a minor misdemeanor for a first offense. Whoever violates a provision of this section, and who has been previously convicted on a violation of a provision of this section, is guilty of a misdemeanor of the fourth degree.

SECTION EIGHT: This ordinance shall take affect and be enforced from and after the earliest period allowed by law.

Approved as to form

Paul Wagner, Solicitor

Gary Johnston, Mayor

Mary Stanforth, Clerk-Treasurer

Georgianna Weaver, President of Council

Passed September 4, 2001

This is to certify that this Ordinance in the form above was posted in five (5) Public posting places within the Village of Pleasant Hill, Ohio for a period of fifteen (15) days after the passage of said Ordinance by the Council of the

village of Pleasant Hill, Ohio. Post Office, Covington Savings and Loan Assn.,
Village Sunoco, Library, Village Council Room.