

ORDINANCE 1-25-1996
CURFEW

THE VILLAGE OF NASHVILLE ORDAINS:

SECTION 1. CURFEW HOURS:

It shall be unlawful for any person under the age of seventeen (17) years to be or remain in or upon any of the streets, alleys, or public places in the Village of Nashville, after the hour of 10:00 o'clock p.m. on Sunday, Monday, Tuesday, Wednesday, Thursday and 12:00 o'clock midnight on Friday and Saturday, unless such person is accompanied by his or her parent, guardian or other person having legal custody and control of such minor, or unless such minor is in the performance of an errand or duty directed in writing by his or her parent, guardian or other person having his or her care or custody, or where the employment of such minor makes it necessary that said minor be upon said streets, alleys, or public places during the nighttime after said specified hours, or in returning directly home from attending a special entertainment of an instructive or beneficial character, for the attendance at which said minor shall have received permission in writing from his parent, guardian, or other person having custody of said minor.

SECTION 2. PARENTAL RESPONSIBILITY:

It shall be unlawful for any parent, guardian, or other person having the legal care and custody of any minor under seventeen (17) years of age to allow any such minor to go or to be upon any of the streets, alleys, or public places in said Village within the time prohibited in section 1, unless accompanied by such parent or guardian, except in performance of an errand or duty directed by such parent, guardian or other person having legal care of such child, which errand shall be one which it is reasonably necessary that such child should perform, or where the employment of such minor makes it necessary that said minor be upon said streets, alleys, or public places at the time in question, or where said minor shall be returning directly home from attending a special entertainment of an instructive or benefiting character.

SECTION 3. ENFORCEMENT:

Each member of the police force is hereby authorized to arrest without warrant, any person within his presence violating any of the provisions of section 1. If any such person shall not previously have been so arrested, he shall remove such minor to his home and place said minor in charge of any parent, guardian or other person having the legal custody of said minor, or any other person over the age of eighteen (18) years, being a member of the family of such minor, who shall be upon the premises. If no such parent, guardian, person having the custody of such child or member of the family over eighteen (18) years of age, shall be upon the premises when such minor shall be returned, then the officer in charge of such child shall remove said minor to the County Detention Home, where said minor shall be detained until the following morning and then discharged.

SECTION 4. NOTICE TO PARENT:

Whenever any such minor shall be arrested, as there in before provided, written notice shall be given to any parent, guardian, or other person having legal care or custody of such minor, in the form hereinafter provided, which notice shall be served upon such person by handing said person a copy of the same personally, or by leaving a copy thereof at his or her place of residence and informing any person upon the premises of suitable age and understanding of the contents thereof. Such notice shall be in substantially the following form:

TO:

You are hereby notified that on the _____ day of _____, _____, your minor child named _____ was arrested for being upon the streets of the Village of Nashville in violation of section 1. (curfew hours) of the Village of Nashville Curfew Ordinance.

You are further notified that you shall see to it that said child shall in the future observe the provisions of said Ordinance, and for failure to do so you shall be liable to the penalty therein provided.

Chief of Police

SECTION 5. REPORT TO JUVENILE COURT:

Every officer so arresting any such minor shall report in writing to the Judge of the Juvenile Court of the County of Barry the name or such child, the date of the arrest and the name of the person upon whom the notice herein provided shall have been served, and shall enter a record thereof in the office of the Nashville Police Dept.

SECTION 6. SECOND VIOLATION:

Whenever such minor shall be arrested a second time for violation of section 1, it shall be the duty of the officer making said arrest to remove such minor to the Barry County Juvenile Home of Barry Co., and such child shall be detained in said Home subject to the orders of the Judge of the Juvenile Court of said county, and further proceedings shall be taken as provided by law.

SECTION 7.

This ordinance to take effect twenty days from the day of passage.

Passed and approved on January 25, 1996 by the Nashville Village Council.

Carroll Wolff, Village President

Cathy Lentz, Village Clerk

I hereby certify that the above ordinance was duly published in the Maple Valley News, a newspaper published in the Village of Nashville, MI on January 30, and February 6, 1996.

Cathy Lentz, Village Clerk