

630.04 CURFEW.

(a) No child under the age of twelve years shall be upon the streets or sidewalks of the City during the period from darkness to dawn, and no child between twelve and sixteen years of age, inclusive, shall be upon the streets or sidewalks of the City between the hours of 10:00 p.m. and 6:00 a.m. of the following day, and no child seventeen years of age shall be upon the streets and sidewalks or in a park or in any other public place between the hours of 12:00 midnight and 5:00 a.m., unless accompanied by a parent, guardian or some responsible person over the age of twenty-one years or a member of his or her family eighteen years of age or older.

(b) No parent or guardian of any child under the age of twelve years shall allow the child to be upon the streets or sidewalks during the period from darkness to dawn, and no parent or guardian of any child between the ages of twelve and sixteen years, inclusive, shall allow the child to be upon the streets or sidewalks between the hours of 10:00 p.m. and 6:00 a.m. of the following day, and no parent or guardian of any child seventeen years of age shall allow the child to be upon the streets or sidewalks or in a park or in any other public place between the hours of 12:00 midnight and 5:00 a.m., unless accompanied by his or her parent, guardian or some responsible person over the age of twenty-one years or a member of his or her family eighteen years or older.

(c) It shall be an affirmative defense to a charge of violating subsection (b) hereof that the parent or legal guardian initiated the jurisdiction of the Juvenile Court against the child prior to the time the child was found violating subsection (a) hereof.

(d) Any child who violates subsection (a) hereof is an unruly child and is subject to the jurisdiction of the Juvenile Court.

(e) Whoever violates any of the provisions of this section is guilty of a **minor** misdemeanor **of the fourth degree** for a first offense and a misdemeanor of the **fourth third** degree for a second and subsequent offenses. The penalty shall be as provided in Section 698.02.

(f) The Director of Public Safety is authorized to direct the Chief of Police to obtain the use of police officers, when necessary, for the enforcement of subsections (a) and (b) hereof.

(g) The fines collected for violations of the provisions of subsections (a) and (b) hereof shall be utilized to pay the expenses for the usage of the police officers, including police overtime salaries.

(h) Council shall appropriate such funds as are necessary to cover all expenses relating to the enforcement of subsections (a) and (b) hereof as soon as said expenses are provided to Council.

