

TITLE 9. PUBLIC PEACE AND WELFARE

CHAPTER 9.24

OFFENSES BY OR AGAINST MINORS

SECTIONS

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9.24.010 MINORS NIGHTTIME CURFEW

1. No minor under the age of eighteen (18) years shall be in or upon any street, highway, park, alley or public way or place between the hours specified in subsection 2 and 3 of this section unless:
 - a. The minor is accompanied by a parent, guardian, or other person over 18 years of age and authorized by the parent or by law to have care and custody of the minor; or
 - b. The minor is engaged in a lawful pursuit or activity which requires the presence of the minor in such public places during the hours specified in this section; or
 - c. The minor is lawfully emancipated pursuant to Oregon Revised Statutes
2. For minors under the age of sixteen (16) years, the curfew is between 10:00 p.m. and 6:00 a.m.
3. For minors sixteen (16) years of age or older, the curfew is between 12:00 a.m. and 6:00 a.m.

9.24.020 MINORS DAYTIME CURFEW

1. No minor between the ages of seven (7) and eighteen (18) years, who has not completed the twelfth grade, shall be in or upon any street, highway, park, alley or public way or place during regular school hours except while attending school as required by state law unless:

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- a. The minor is accompanied by a parent, guardian, or other person over 18 years of age and authorized by the parent or by law to have care and custody of the minor; or,
 - b. The minor is engaged in a lawful pursuit or activity which requires the presence of the minor in such public places during regular school hours and is authorized by the minor's parent, guardian, or other person having the legal care and custody of such minor; or,
 - c. The minor is lawfully emancipated pursuant to state law; or,
 - d. The minor is authorized and approved to be away from school as provided by state law, but is not suspended or expelled.
2. For the purposes of this section, regular school hours are those hours, for the full-time school, which the child would attend in the school district in which the child resides, on any day for which school is in session, unless such day is scheduled vacation or holiday observed by the school.

9.24.030 RESPONSIBILITY OF PARENT OR GUARDIAN

1. No parent, guardian, or person having the care and custody of a minor under the age 18 years shall knowingly or negligently allow such minor upon a street, highway, park, alley, or other public way or place between the hours specified in Section 9.24.010, except as otherwise provided in that section.
2. No parent, guardian, or person having care and custody of a minor between the ages of 7 and 18 years of age, who has not completed the twelfth grade shall knowingly or negligently allow such minor to be in or upon any street, highway, park, alley, or other public place during regular school hours except as otherwise provided in Section 9.24.020.
3. For the purposes of Sections 9.24.010 and 9.24.020, a person negligently allows a violation of this Code Chapter if, in the exercise of reasonable diligence, the person knew or should have known that a violation would occur.

9.24.040 ENFORCEMENT

1. Any police officer or any other law enforcement officer is hereby authorized and empowered to take charge of any person under the age of 18 years violating the provisions of Sections 9.24.010, 9.24.020 or 9.24.030.
2. It shall be the duty of any such officer taking charge of such person to thereafter notify the parent, guardian or authorized custodian that the minor will be held in

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the custody of the police officer until he or she can come and get such minor person.

3. For violations of Section 9.24.020, a police officer, in lieu of holding the minor in custody for delivery to a parent, legal guardian or authorized custodian, may release the minor to the principal or designated official at the school at which the minor is enrolled.

9.24.050 DUTY OF PARENT, GUARDIAN OR CUSTODIAN TO PICK UP VIOLATORS

It shall be unlawful and shall be considered a separate offense for any parent, guardian, or any other adult person having the legal care and custody of any person under the age of 18 years to refuse the bidding to come to the police officer and take the minor person to the minor's home immediately upon being notified by the police department as provided in Section 9.24.040.

9.24.060 PENALTY - VIOLATION BY A MINOR

Any minor who violates the provisions of this chapter may be taken into custody and may be subject to any proceedings available at law. (Ord. 874, section 29, 2004)

9.24.070 PENALTY - VIOLATION BY PARENT OR GUARDIAN

1. A violation of Section 9.24.030 shall be punishable as an infraction set by Council Resolution.
2. A violation of Section 9.24.050 shall be punishable as an infraction by a fine set by Resolution. (Ord. 836, Dec.17, 2001)