

**VILLAGE OF EDWARDSBURG**

**CASS COUNTY, MICHIGAN**

**CURFEW ORDINANCE**

**NO. 2002- 03 \_\_\_\_\_**

**EFFECTIVE JANUARY 26., 2003**

AN ORDINANCE TO IMPOSE CURFEW RESTRICTIONS ON CERTAIN PERSONS BETWEEN THE HOURS OF 10:00 P.M. OR 11:00 P.M. AND 6:00 A.M. (MICHIGAN TIME).

THE VILLAGE OF EDWARDSBURG, CASS COUNTY, MICHIGAN ORDAINS:

**SECTION 1. Minors Under the age of 13.**

No minor under the age of thirteen (13) years shall loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 10:00 p.m. and 6:00 a.m. (Michigan time) unless the minor is accompanied by their parent or guardian, or some adult who is at least twenty-one (21) years of age delegated by the parent or guardian to accompany the minor.

**SECTION 2. Minors from the age of 13 and under the age of 17.**

No minor under the age of seventeen (17) years, but who is at least thirteen (13) years of age shall loiter, idle or congregate in or on any public street, highway, alley or park between the hours of 11:00 p.m. and 6:00 a.m. (Michigan time), unless the minor is accompanied by their parent or guardian, or some adult who is at least twenty-one (21) years of age and delegated by their parent or guardian to accompany the minor, or when the minor is upon an errand or other legitimate business directed by their parent or guardian.

**SECTION 3. Aiding or Abetting Violation.**

Any person who is seventeen (17) years of age or older who is assisting, aiding, abetting, allowing, permitting or encouraging any minor under the age of seventeen (17) years to violate the provisions of Sections 1 or 2 shall be guilty of violating this Ordinance and shall be subject to the penalty provision of Section 4(C).

**SECTION 4. Penalties for Violation of this Ordinance.**

- (A) **First offense violation:** The penalty for the first offense violation of this ordinance by any minor person may be no more than the detention, until the parent or guardian or any person having authorized custody of said minor, upon being ascertained, shall be notified by the Police Department of the violation by said minor person and summoned to report for the completion of the investigation of the violation. The minor will be directed by appearance citation to appear in Family Court for a disposition as deemed appropriate by the Court.
- (B) **Second and subsequent violations:** The penalty for the second or subsequent violations of this ordinance by any minor person shall be cause, whereby the parent, guardian or other person having authorized custody or the employer of such minor person, for contributing to the neglect of said minor person, and said individual may be directed to appear along with said minor person in Family Court for a disposition as deemed appropriate by the Court.
- (C) **General provision:** Any adult person violating any provision of this ordinance may, upon conviction, be punished by a fine not to exceed One Hundred and 00/100 (\$100.00) Dollars or imprisonment in the Cass County Jail for a period of not more than thirty (30) days, or by both such fine and imprisonment as directed by the Court. The Court shall have power to commit the offender to the Cass County Jail until such time as said fine is paid, not exceeding, however, a period of thirty (30) days.

**SECTION 5. Severability.**

It is the intention of the Village Council of the Village of Edwardsburg that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is the further intention of the Village Council of the Village of Edwardsburg that if any provision of this ordinance shall be declared invalid, all other provisions shall remain in full force and effect.

**SECTION 6. Effective Date.**

This ordinance shall become effective and be in force from and after thirty (30) days after publication of this ordinance.

**SECTION 7. Adoption Provision.**

This ordinance is hereby declared to have been adopted by the Village Council of the Village of Edwardsburg, Cass County, Michigan at a regular meeting held on the 16 day of December, 2002, and is ordered to be published forthwith in the Edwardsburg Argus.