

VILLAGE OF MARION

ORDINANCE NO. 04-69

AN ORDINANCE TO REGULATE THE HOURS THAT CHILDREN UNDER THE AGE OF 17 YEARS MAY BE ON THE PUBLIC STREET, HIGHWAY, ALLEYS, PARKS, AND OTHER PUBLIC PLACES: AND THE PRESCRIBED PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE:

SECTION 1 – MINORS UNDER 12

No minor child under the age of 12 years shall loiter, idle, nor congregate in or on any public street, highway, alley, park, or other public place between the hours of 10:00 P. M. and 6:00 A. unless the child is accompanied by a parent or guardian, or some adult person over the age of 21 years delegated by a parent or guardian to accompany said child.

SECTION 2 – MINORS UNDER 15

No minor child under the age of 15 shall loiter, idle, or congregate in or on any public street, highway, alley, park or other public place between the hours of 11:00 P. M. and 6:00 A. m. except where the child is accompanied by a parent or guardian or some adult person over the age of 21 years delegated by the parent or guardian to accompany the minor, or where the minor child is upon an errand or other legitimate business directed by his parent or guardian.

SECTION 3 – MINORS UNDER 17

No minor under the age of 17 years shall loiter, idle, or congregate in or on any public street, highway, alley, park or other public place between the hours of 12:00 P. M. and 6:00A.M. except where the minor is accompanied by a parent or guardian or some adult person over the age of 21 years, delegated by the parent or guardian to accompany said minor child or where the minor is upon an errand or other legitimate business directed by his parent or guardian.

SECTION 4- AIDING UNDERAGE CHILDREN TO VIOLATE LAW, MISDEMEANOR

Any person of the age of 17 years or over who shall assist, aid, abet, allow, permit, or encourage any minor under the age of 17 years to violate the provisions of the sections, hereof, or shall harbor any such child in any other public place or on its premises, contrary to the provisions of Sections 1, 2, 3, or 4, hereof shall be guilty of a misdemeanor.

SECTION 5 – PARENTS, GUARDIANS, ETC.

Any parent, guardian, or other person having the legal care or custody of any minor child under the age of 17 years who shall allow or permit such minor child while in his legal custody to loiter, idle, or congregate in or upon any public streets, highway, alley, park or other public place, contrary to Sections 1, 2, 3, shall be guilty of a misdemeanor.

## SECTION 6 – JUVENILE ARREST PROCEDURE

Arrest and prosecution of minors under the age of 17 years for violation of this Ordinance shall be in accordance with Section 14 and the other provision of Chapter XIIA (M.S.A. 27.3178-27.3198.11 of Act 288 of the Michigan Public Acts of 1939, as amended.

## SECTION 7 – DEFINITIONS OF WORDS AND PHRASES

The following words and phrases used in this ordinance are defined as follows, to-wit: The word LOITER, as used herein shall include aimlessly driving or riding in or on any automobile, motorcycle, motor driven cycle, or any other motor driven vehicle, on the streets, alleys, highways, or public thoroughfares of the city without an immediate and predetermined destination.

The phrase OTHER PUBLIC PLACES SHALL include privately owned places of business, and the premises thereof, serving the public or open to the public, such as restaurants, laundromats, gas stations, theaters, and other places of public amusement.

The word HARBOR shall include the tacit or express permission to said child by the owner, proprietor, occupant, or any of their agents to remain on or about the premises for a time longer than reasonably necessary for said child to transact such business as he may have there.

This Ordinance shall take effect fifteen (15) days after its passage.

Enacted by the Council of the Village of Marion on this 14<sup>th</sup> day of April, 1969.

Approved by the Village President of Village of Marion this 14 day of April, 1969

Arlene Swiler, Village Clerk

April 29, 1969

October 7, 2013

Amendment to Ordinance No. 04-69 Curfew Ordinance to replace penalty wording from misdemeanor to civil infraction.

Amendment to be effective October 27, 2011.

Marsha Turner, Clerk.