

**TOWN OF GREENVILLE
ORDINANCE NO. 2009-T-012**

**ORDINANCE CONCERNING THE ESTABLISHMENT OF CURFEW FOR
MINORS WITHIN THE TOWN OF GREENVILLE, INDIANA**

WHEREAS, the town council for the Town of Greenville, Indiana, in the interest of public health, safety and welfare, has deemed it necessary that the Town develop an Ordinance which establishes a curfew for minors within the corporate limits of the Town of Greenville;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:

CURFEW FOR MINORS:

UNDER 18 YEARS OF AGE:

{A}. It is unlawful for any person under the following ages to remain in or on any of the public streets, alleys or public places in the Town of Greenville during the following times of day:

{1} For any person under the age of eighteen (18) years, the following curfew applies:

- 11 p.m. to five a.m. on Monday, Tuesday, Wednesday, Thursday, Friday, Saturday or Sunday;

UNDER 16 YEARS OF AGE:

{2} For any person under the age of sixteen (16) years, the following curfew applies:

- 10 p.m. to five a.m. on Monday, Tuesday, Wednesday, Thursday, Friday, Saturday or Sunday;

ANY CHILD UNDER 18 YEARS OF AGE:

{B}. Any child under eighteen (18) years of age who is found violating subsection {A} of this section by any police officer or the Greenville Town Marshal or his Deputies shall be taken before the juvenile court of the county or the judge thereof, to be charged, tried and punished for the violation of subsection {A} of this section, as now or hereafter provided by laws of the state for the punishment of juvenile offenders. The police officer or the Greenville Town Marshal or his Deputies may also have the option of issuing the same said child a written citation for this violation to pay a fine.

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THIS ORDINANCE DOES NOT APPLY TO A CHILD WHO IS:

- Accompanied by the child's parent, guardian or custodian;
- Accompanied by an adult specified by the child's parent, guardian or custodian;
- Participating in, going to, or returning from:
 - {1} Lawful employment;
 - {2} A school-sanctioned activity;
 - {3} A religious event;
 - {4} A necessary errand or duty directed by the child's parent, guardian, or custodian;
- Exercising First Amendment rights protected by the United States Constitution;
- In a vehicle involved in interstate travel;
- Involved in an emergency.

{C} It is unlawful for any parent, guardian, or other person having the legal custody of any child to allow, suffer, or permit such child to violate the provisions of subsection {A) of this section after having been warned in writing that such child has previously been found violating such section. Conviction of the child is not required to be proven in any prosecution for a violation of this section.

DEFINITIONS:

"Emergency" means unforeseen circumstances, or the status or condition resulting there from, requiring immediate action to safeguard life, limb or property. The term includes, but is not limited to, fires, natural disasters, automobile accidents, or other similar circumstances.

PENALTY:

Whoever violates any provision of this title for which no other penalty is otherwise specifically provided shall be fined not more than two hundred fifty dollars (\$250.00). A separate offense shall be deemed committed on each day that a violation occurs or continues.

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ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 9th
DAY OF MARCH, 2009.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA



Talbotte Richardson
TALBOTTE RICHARDSON,

Jack Travillian
JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

I AFFIRM, UNDER THE PENALTIES FOR PERJURY,
THAT I HAVE TAKEN REASONABLE CARE TO REDACT
EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT,
UNLESS REQUIRED BY LAW.
NAME *Jack Travillian*