

a.

Ordinance No. 04-01-03-03

**AN ORDINANCE ESTABLISHING A CURFEW IN THE CITY OF CAMP WOOD,
TEXAS: PROVIDING DEFENSES: AND PRESCRIBING PENALTIES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMP WOOD,
TEXAS**

Section 1: Children in Public Places at Night.

It is unlawful for a parent, guardian, conservatorship, or control of a child under the age of 15 years to permit such a child to be or remain upon any public street, alley, or thoroughfare, or in any other public place within the city limits, of the City of Camp Wood, Texas. Unless such child is in the presence of or accompanied by his or her parent, guardian, managing conservator, or other person having legal custody, conservatorship, or control of such child, between the hours of 9:00 pm. and 6:00 am. The following day, on a Sunday, Monday, Tuesday, Wednesday, or Thursday, and between the hours of 10:30 pm. And 6:00 am, the following days, on any Friday or Saturday.

It is unlawful for a parent, guardian, managing conservator, or any other person having legal custody, conservatorship, or control of a child fifteen (15) years of age or older, but younger than eighteen (18) years of age, permit such a child to be or remain upon any public street, alley, thoroughfare, or any other public place within the city limits, of the City of Camp Wood, Texas. Unless such child is in the presence of or accompanied by his or her parent, guardian, managing conservator, or other person having legal custody, conservatorship, or control of such child, after the hours of 10:30 p.m., on any Sunday, Monday, Tuesday, Wednesday, or Thursday, until 6:00 am. the following day, and between the hours of 1:00 am. and 6:00 am. on any Friday or Saturday.

Section 2: Exceptions

It is a defense to prosecution under subsections (a) or (b) of section 1. above, that: the child is about emergency business or upon an emergency errand: or the child is in: lawful employment making it necessary for him or her to be in such places at prohibited times. Special events (for example, City or Church events) at which time the peace officer will make the discretion as to whether ample time to return home was given.

Section 3: Duties of peace officers

It is the duty of a peace officer to detain any child found upon any public street, alley, or thoroughfare, or any other public place within the City Limits of the City of Camp Wood, Texas. In violation of the provisions 1 of this ordinance, and to thereupon notify the parent,

guardian, managing conservator, or other person having legal custody, conservatorship or control of such child shall take such child into his or her custody.

If the child has no parent, guardian or managing conservator, and there is no person to whom the legal custody of the child has been granted by the court having jurisdiction, the all proper proceedings shall be instituted to have the child placed in the care and custody of an appropriate state agency, as provided by statute.

Section 4: Penalties

Any person found guilty of violating any provision of this ordinance shall upon conviction, be fined in the amount not less than \$50.00 nor exceeding \$500.00. after the first offense to the minor, the parent of said violator will also be fined amount not less than \$50.00 nor exceeding \$500.00.

§ 341.905. JUVENILE CURFEW IN GENERAL-LAW MUNICIPALITY

(A) TO PROVIDE FOR THE PUBLIC SAFETY, THE GOVERNING BODY OF A GENERAL-LAW MUNICIPALITY HAS THE SAME AUTHORITY TO ADOPT A JUVENILE CURFEW ORDINANCE THAT A COUNTY HAS UNDER SECTION 351.903.

(B) THE GOVERNING BODY OF A GENERAL-LAW MUNICIPALITY MAY ADOPT BY ORDINANCE A JUVENILE CURFEW ORDER ADOPTED BY THE COMMISSIONERS COURT OF THE COUNTY IN WHICH ANY PART OF THE MUNICIPALITY IS LOCATED AND MAY ADAPT THE ORDER TO FIT THE NEEDS OF THE MUNICIPALITY.

(C) IF THE GOVERNING BODY OF A GENERAL-LAW MUNICIPALITY ADOPTS AN ORDINANCE UNDER THIS SECTION, A PERSON COMMITS AN OFFENSE IF THE PERSON VIOLATES A RESTRICTION OR PROHIBITION IMPOSED BY THE ORDINANCE.

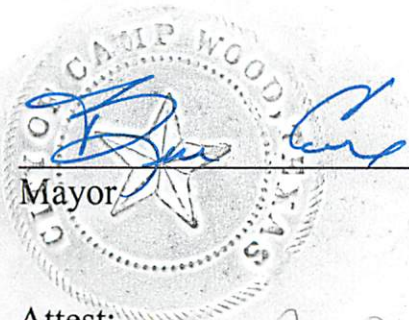
(D) AN OFFENSE UNDER THIS SECTION IS A CLASS C MISDEMEANOR.

A COUNTY IS AUTHORIZED TO ENACT A JUVENILE CURFEW UNDER THE FOLLOWING SECTION:

Section 5: Effective Date

This Ordinance Shall Become Effective 1st day of April of 2003.

PASSED AND APPROVED THIS 14TH DAY MARCH OF 2003.



Attest:

City Secretary