

STATE OF MICHIGAN
COUNTY OF ARENAC
THE VILLAGE OF STERLING
ORDINANCE NUMBER 35
CURFEW ORDINANCE

Sec. 1. Minors Twelve and Under.

No minor twelve (12) years of age and under shall loiter, idle, congregate, traverse or remain in or upon any public street, alley or park between the hours of 10:00 p.m. and 6:00 a.m. unless the minor is accompanied by a parent or guardian, or some adult over the age of twenty-one (21) years delegated by the parent or guardian to accompany the minor child, or where the minor is upon an errand or other legitimate business directed by his or her parent or guardian.

Sec. 2. Minors Fifteen and Under.

No minor fifteen (15) years of age and under shall loiter, idle, traverse, congregate or remain in or upon any public street, alley or park between the hours of 11:00 p.m. and 6:00 a.m., except where the minor is accompanied by a parent or guardian, or some adult over the age of twenty-one (21) years delegated by the parent or guardian to accompany the minor child, or where the minor is upon an errand or other legitimate business directed by his or her parent or guardian.

Sec. 3. Minors Seventeen and Under.

No minor seventeen (17) years of age and under shall loiter, idle, congregate, traverse or remain in or upon any public street, alley or park between the hours of 12:00 midnight and 6:00 a.m., except where the minor is accompanied by a parent or guardian, or some adult over the age of twenty- one (21) years delegated by the parent or guardian to accompany the minor child, or where the minor is upon an errand or other legitimate business directed by his or her parent or guardian.

Sec. 4. Aiding or Abetting Violation.

No person of the age of eighteen (18) years or over shall assist, aid, abet or encourage any minor under the age of eighteen (18) years to violate the provisions of Sections 1, 2 or 3.

Sec. 5. Parents, Guardians, Etc.

No parent, guardian or other person having the legal care and custody of any minor under the age of eighteen (18) years shall knowingly allow, permit or encourage any such minor while in his or her legal custody to loiter, idle, congregate, traverse or remain in or upon any public street, highway, alley or park as prohibited in Sections 1, 2 or 3.

Sec. 6. Juvenile Arrest Procedure.

Arrests and prosecution of minors under the age of seventeen (17) years for violation of this Chapter shall be in accordance with Section 17 and the other provisions of Chapter XIA (MCL 712A.1) of Act 288 of the Michigan Public Acts of 1939, as amended.

Sec. 7. Parental or Guardian Neglect.

No parent, guardian or other person having the legal care and custody of any minor under the age of eighteen (18) years shall fail to exercise a sufficient or reasonable control over the minor so as to prevent the minor from committing a violation of the State laws or Village of Sterling ordinances, including traffic violations, where said parent, guardian or other person had knowledge of the fact that said minor had previously committed three (3) or more violations of the statutes of the State of Michigan or the ordinances of the Village of Sterling, including traffic violations.

Sec. 8. Repealed.

All ordinances or parts of an ordinance in conflict with this ordinance are repealed only to the extent necessary to give this Curfew Ordinance full effect.

Sec. 9. Election of Remedies.

If the Village pursues one remedy in regard to the enforcement of this ordinance, the Village may also pursue other remedies until the violation is completely remedied.

Sec. 10. Severability.

Should any section, subdivision, clause, or phrase of this Curfew Ordinance be declared by the courts to be invalid, the validity of the ordinance, or in part, shall not be affected other than the part invalidated.

Sec. 11. Right to Appeal

Anyone who is accused on behalf of the Village of violating any of the terms of this ordinance may appeal the decision of the enforcing officer to the Village Council at their next monthly meeting.

Sec. 12. Effective Date.

This Curfew Ordinance shall become effective in the Village following adoption by the Village Board and publication being effective June 3, 2024. Any condition which constitutes a violation of this ordinance is not excused or permitted by the fact that the condition may have existed prior to the adoption of this ordinance.

Motioned by Trustee Chidley, seconded by Trustee Grandchamp.

Voting for: Janice Yenior, Jeannine Coughlin, Cindy Chidley, Leann Grandchamp, J. Austin Hazeltine.

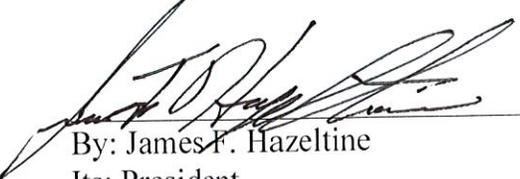
Voting against: None.

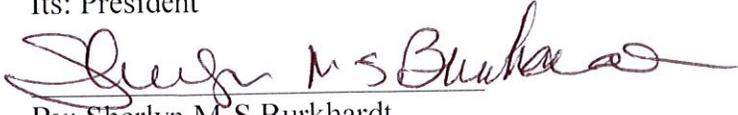
Absent: Elijah Burkhardt

The President declared the Ordinance Passed.

Dated: May 14, 2024

Dated: May 14, 2024


By: James F. Hazeltine
Its: President


By: Sherlyn M-S Burkhardt
Its: Clerk

CERTIFICATION

The foregoing is a true copy of Ordinance Number 35, which was enacted by the STERLING VILLAGE Board at a regular meeting on the 14th day of May 2024.

A handwritten signature in cursive script, appearing to read "Sherlyn Burkhardt", written over a horizontal line.

By: Sherlyn M-S Burkhardt

Its: Clerk