

TITLE XIII: GENERAL OFFENSES

Chapter

130. GENERAL OFFENSES

Section

- 130.01 Curfew for minors
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- 130.03 Tampering with or destroying city property
- 130.04 Illegal discharge of firearms

§ 130.01 CURFEW FOR MINORS.

(A) Curfew. It is a curfew violation for a child under 18 years of age to be in a public place after 10 p.m. and before 6:00 a.m. on any day. (Ord. 79, passed 8-4-69, Am. Ord. 79-69A, passed 3-2-92)

(B) Exemptions. This section does not apply to a child who is:

- (1) Accompanied by his parent, guardian, or custodian;
- (2) Accompanied by an adult specified by his parent, guardian, or custodian;
- (3) Carrying out an errand or other lawful activity as directed by his parent, guardian, or custodian; or

(4) Participating in, going to, or returning from:

- (a) Lawful employment; or
- (b) A lawful athletic, educational, entertainment, religious, or social event.

(C) Authority of police during curfew hours.

(1) Any police officer may stop and question any minor suspected of violating this section's provisions and may take the minor into custody when found violating provisions of this section. The officer shall take the minor to the city police headquarters where the name of the minor's parent, guardian, or person having legal custody of him shall be ascertained.

(2) The parent, guardian, or person having legal custody shall be notified of the child's detention as required by KRS 610.200 and summoned by the investigating officer to appear at police headquarters to assist in the completion of the investigation. If the parent, guardian, or person having legal custody fails to appear within two hours from the time the child was taken into custody, the investigating officer shall follow the requirements set forth in KRS Chapter 610 and other applicable provisions of the Kentucky Unified Juvenile Code, regarding detention or release of the child.

(3) Unless the nature of the offense or other circumstances are such as to indicate the necessity of keeping the child in secure custody, the officer shall release the child to the custody of his parent, guardian, person having legal custody, or other responsible adult.

(4) If the investigating or apprehending officer is satisfied that a violation of division (A) of this section has occurred, he shall cause formal charges to be filed requiring the child and his parent, guardian, or person having legal custody to appear in the appropriate court to answer the charge of a violation of division (A).

(5) If formal charges are to be brought, before a child is released to the custody of a parent, guardian, person with legal custody, or other responsible adult, the investigating officer shall obtain a written promise signed by such person that the person will bring the child to the court at the stated time or at such time as the court may order. The written promise, along with the written report of the investigating officer, shall be submitted to the court as required by KRS 610.200.

(D) Penalty. Any child violating any provision of division (A) of this section shall be subject to the procedures and penalties provided for by the Kentucky Unified Juvenile Code. Any parent, guardian, or person having legal custody of a child who violates any provision of division (A) of this section may be subject to the financial penalty provided for in KRS 610.180.

§ 130.02 THROWING MISSILES.

No person shall do or cause the throwing or propelling of missiles capable of causing harm to persons or property, including but not limited to stones, gravel, metallic pellets, or things of like nature from, to, or across public ways and property of the city, or from, to, or across private property within the city if such is objected to by any person owning an interest in such property.

(Ord. 78, passed 2-3-69) Penalty, see § 10.99

§ 130.03 TAMPERING WITH OR DESTROYING CITY PROPERTY.

No person shall intentionally or wantonly destroy or tamper with city street lights, fire hydrants, water system, or any other property that is owned or under contract with the city. Any person violating this provision shall be subject to immediate arrest under a charge of criminal mischief.

(Ord. 28, passed 9-2-57)

Statutory reference:

Criminal mischief, see KRS 512.020 through 512.040

§ 130.04 ILLEGAL DISCHARGE OF FIREARMS.

(A) It shall be unlawful to discharge any firearm within the city limits. Excepted from the provisions of this section is a discharge of a firearm by:

- (1) A peace officer performing his duties.

(2) A citizen in the act of self defense if an event may cause severe injuries or death to them.

(3) A citizen protecting himself from vicious animals.

(B) Any person who violates this section shall be guilty of a misdemeanor and may be fined up to five hundred dollars (\$500.00). Each incident shall be a separate offense.

(Ord. 209-93, passed 6-7-93)

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