

TITLE XIII: GENERAL OFFENSES

Chapter

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Section

Public Health and Safety Regulations

130.01 Curfew regulations

130.02 Unlawful to spit on sidewalks and public places

130.99 Penalty

PUBLIC HEALTH AND SAFETY REGULATIONS

§ 130.01 CURFEW REGULATIONS.

(A) It is a curfew violation for a child 15, 16, or 17 years of age to be in a public place:

- (1) Between 12:00 a.m. and 5:00 a.m. on Saturday and Sunday;
- (2) After 10:00 p.m. on Sunday, Monday, Tuesday, Wednesday, and Thursday; and
- (3) Before 5:00 a.m. on Monday, Tuesday, Wednesday, Thursday, or Friday.

(B) It is a curfew violation for a child under 15 years of age to be in a public place after 10:00 p.m. or before 5:00 a.m. on any day.

(C) This section does not apply to a child who is:

- (1) Accompanied by his or her parent, guardian, or custodian;
- (2) Accompanied by an adult specified by his or her parent, guardian, or custodian;
- (3) Participating in, going to, or returning from:
 - (a) Lawful employment;
 - (b) A school-sanctioned activity;

(c) A religious event;

(d) An emergency involving the protection of a person or property from an imminent threat of serious bodily injury or substantial damage;

(e) An activity involving the exercise of the child's rights protected under the First Amendment to the United States Constitution or Article 1, Section 31 of the Constitution of the State of Indiana, or both, such as freedom of speech and the right of assembly; or

(f) An activity conducted by a nonprofit or governmental entity that provides recreation, education, training, or other care under the supervision of 1 or more adults.

(4) Participating in an activity undertaken at the prior written direction of the child's parent, guardian, or custodian; or

(5) Engaged in interstate or international travel from a location outside the state to another location outside the state.

(I.C. 31-37-3-3.5(b))

(D) Based upon probable cause, the Town Marshal or any deputy may stop and question any minor suspected of violating this section's provisions and may take the minor into custody when a violation is found. The officer may take the minor to the Town Police Headquarters.

(1) The parent, guardian, or person having legal custody shall then be notified or summoned by the investigating officer to appear at headquarters.

(2) If the investigating officer is satisfied that a violation has occurred, he or she shall issue a citation for the violation to the parent, guardian, or custodian.

(1992 Code, § 6-60) (Ord. 952, § 1, passed 10-14-1997) Penalty, see § 130.99

Statutory reference:

State law for curfew violations, see I.C. 31-37-3

§ 130.02 UNLAWFUL TO SPIT ON SIDEWALKS AND PUBLIC PLACES.

It shall be unlawful for any person to spit or expectorate upon any sidewalk within the limits of the town, or spit or expectorate upon the steps or entrances of any store, church, theater, or public building within the town.

(1992 Code, § 6-61) Penalty, see § 10.99(B)

§ 130.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Each parent, guardian, or custodian receiving a citation under § 130.01(D) shall be fined as set forth in § 10.99(B).
(1992 Code, § 6-60) (Ord. 952, § 1, passed 10-14-1997)

(C) Violation of § 130.02 shall be as set forth in the Fee Schedule, Chapter 98 for first and second offenses.
(1992 Code, § 6-61)

