

PEACE AND GOOD ORDER ORDINANCE

CHAPTER 91 (as codified in 1999 and amended by Ordinances 972 and 974)

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ARTICLE I Curfew

§ 91-1. Definitions

As used in this article, the following terms shall have the meanings indicated:

GUARDIAN--the parent of the juvenile, a person other than a parent to whom legal custody of the juvenile has been given by court order or who is acting in the place of the parent or is responsible for the care and welfare of the juvenile.

JUVENILE--an individual who is under the age of 18.

PUBLIC PLACE--any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot or any other public building, structure or area.

§ 91-2. Curfew established

A. It shall be a violation of this article for any juvenile to be in a public place between the hours of 10:30pm, prevailing time, and 6:00am, prevailing time, except on Friday and Saturday, when the hours shall be fixed between 12:00am, prevailing time, and 6:00am, prevailing time, unless accompanied by the juvenile's guardian or unless engaged in or traveling to or from a business or occupation which the laws of this state authorized a juvenile to perform.

B. Annual Halloween curfew. From October 26 through October 31 of each year, it shall be a violation of this article for any juvenile to be in a public place between the hours of 8:00pm prevailing time and 6:00am prevailing time, unless accompanied by the

juvenile's guardian, engaged in or traveling to or from a business or occupation which the laws of this State authorize a juvenile to perform, and subject to the exceptions of 91-3.

§ 91-3. Other exceptions

A. The foregoing curfew shall not apply to any juvenile who shall be a bona fied student attending a school activity or a juvenile who shall be in attendance at a function sponsored by a religious or school organization or a juvenile who shall be in attendance at a properly supervised recreational program during the time necessarily required to travel between the juvenile's residence and the place of assembly.

B. The foregoing curfew shall not apply to emergency situations necessitating the juvenile to be in a public place during the prohibited hours.

§ 91-4. Guardian responsibility

It shall be a violation of this article for a guardian of a juvenile to allow that juvenile to be in a public place between the hours of 10:30pm prevailing time and 6:00am prevailing time, subject to the exceptions of 91-2 and 91-3.

§ 91-5. Violations

Any violations of this article shall be prosecuted in the Barrington Municipal Court. Upon a finding of guilt, the Municipal Court shall impose a sentence of community service and a fine not to exceed \$1000.00. If both a juvenile and that juvenile's guardian violate this article, they shall be required to perform community service together.

ARTICLE II Loitering

§ 91-13. Definitions

As used in this article, the following terms shall have the meanings indicated:

PUBLIC PLACE--any place to which the general public has access and a right to resort for business, entertainment, worship education or other lawful purpose, but does not necessarily mean a place devoted exclusively to the uses of the general public. It shall include the front or immediate area of any store, shop restaurant, tavern, school building, place of worship and also public grounds, public buildings, areas or parks.

§ 91-14. Obstruction of public ways and places

A. It shall be unlaawful for any persono to:

1. Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering, molesting or impeding the free and uninterrupted passage of vehicles, traffic or pedestrians.

2. Commit in or upon any public street, public highway, public sidewalk or any other public place or building, any act or thing which is an obstruction, molestation or interference with the free and uninterrupted use of property; or with any place of worship, school or university; or with any business lawfully conducted by anyone in or upon or facing or fronting upon any such public public street, public highway, public sidewalk or any other public place or building, all of which prevent the free and uninterrupted ingress, egress and regress therein, thereon and thereto.

3. Commit in or upon any public street, public highway, public sidewalk or any other public place or building, any act or thing which will clearly cause an immediate, actual, physical, violent reaction from any person lawfully occupying any such public street, public highway, public sidewalk, public place or building, which violent reaction will cause a threat to the peace and order of the public.

B. When any person causes or commits any of the conditions enumerated in Subsection A herein, a police officer or any law enforcement officer shall order that person or persons to stop causing or committing such condition and to move on or disperse. Any person who fails or refuses to obey such orders shall be guilty of a violation of this Article.

§ 91-15. Violations and penalties

Any person who shall violate any of the provisions fo this Article shall be punishable as provided in Chapter 1, General Provisions, Article III, General Penalties.