

CHAPTER 76

CURFEW

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[HISTORY: Adopted by the Board of Trustees of the Village of Windsor: Art. I, 9-5-78 as L.L. No. 1978. Amendments.]

GENERAL REFERENCES

Peace and good order - See Ch. 143.

ARTICLE I GENERAL

§ 76-1. Title.

This Article shall be known and may be cited as the “Local Law Providing for an Annual Halloween Curfew.”

§ 76-2. Definitions.

- A. For the purposes of this Article, the following terms, phrases, words and their derivations shall have the meanings given herein.

CUSTODIAN - Any person over the age of twenty-one (21) who is in loco parentis to a minor.

GUARDIAN - Any person, other than a parent, who has legal guardianship of a minor.

MINOR - any individual under the age of eighteen (18).

PARENT - The natural or adoptive parent of a minor.

PUBLIC PLACE - Any street, alley, highway, sidewalk, park, playground or place to which the general public has access and a right to resort for business, entertainment or other lawful purpose. A "public place" shall include but not be limited to any store, shop, restaurant, tavern, bowling alley, café, theater, drugstore, pool room, shopping center and any other place devoted to amusement or open to the general public. It shall also include the front or immediate area of the above.

VILLAGE - The Village of Windsor.

B. The word "shall" is always mandatory and not merely directory.

§ 76-3. Restriction at certain times.

It shall be unlawful for any minor to remain idle or remain in any public place, either on foot or to cruise about without a set destination in a vehicle, in, about or upon any place in the village between the hours of 10:00 p.m. and 6:00 a.m. unless accompanied by a parent, guardian, custodian or other adult person having custody or control of such minor or unless the minor is on an emergency errand or specific business or activity directed or permitted by his parents, guardian or other adult person having custody and care of the minor or where the presence of such minor is connected with or required by some legitimate employment, trade, profession or occupation.

§ 76-4. Exceptions.

Any minor attending a special function or entertainment of any church, school, club or other similar organization that requires such minor to be out at a later hour than that called for in § 76-3 of this Article shall be exempt from the provisions of § 76-3.

§ 76-5. Responsibility of owners of public places.

It shall be unlawful for any person, firm or corporation operating or having charge of any public place to knowingly permit or suffer the presence of minors under the age of eighteen (18) between the hours of 10:00 p.m. and 6:00 a.m.

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§ 76-6. Responsibility of parents or guardians.

It shall be unlawful for the parent, guardian or other adult person having custody or control of any minor under the age of eighteen (18) to permit or, by inefficient control, to allow such person to be on the streets or sidewalks or on or in any public property or public place within the village between the hours of 10:00 p.m. and 6:00 a.m. However, the provisions of this section do not apply to a minor accompanied by his parent, guardian, custodian or other adult person having the care, custody or control if the minor is on an emergency errand or specified business or activity directed by his parent, guardian, custodian or other adult having the care and custody of the minor or if the parent, guardian, custodian or other adult person herein has made a missing person notification to the applicable police authority.

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