

# A Local Law Relating To A Curfew

Adopted 5-25-36

## Section 7.1 CURFEW ON MINORS

No person under the age of sixteen (16) years shall be or remain in or upon any streets, alleys or public places of the Village of Wellsville, New York, at night after the hour of 10:00 P.M., unless such person is accompanied by a parent, guardian or other person having the legal control or custody of such minor person or unless the employment of such person makes it necessary to be upon said streets, alleys or public places, during the night time after said specified hours, provided the exception shall not apply when the person under age shall be playing or unnecessarily loitering in or upon such street, alley or public place.

## Section 7.2 PERMIT TO EXEMPT HOLDER

Provided, however, that nothing in Section 7.1 and 2 of this ordinance shall be so construed as to authorize the arrest of any such minor person who shall have in his possession a written or printed permit signed by the parent or guardian, or person having the legal custody of such minor person, and dated in ink for the day it is to be used, which said permit shall state that the said minor person is absent from home for some necessary purpose. But, in order that the said permit shall exempt such minor person from arrest on the evening for which it is dated, the said minor person shall not be found unnecessarily loitering or playing upon any of the streets, alleys or public places of the village.

## Section 7.3 PARENT OR GUARDIAN RESPONSIBLE

It is hereby declared to be unlawful for any parent, guardian or other person having the legal care, custody or control of a person under the age of sixteen (16) years, to allow or permit any such child, ward or other person under such age, while in such legal custody, to go or be in or upon any of the streets, alleys or public places, of this village after the

hour prohibited by Section 7.1 of this ordinance, unless there exists a reasonable necessity therefor, and they shall have furnished the said minor person with the permit hereinafore specified.

Section 7.4 PENALTY FOR VIOLATION

Any person violating any of the provisions of this section shall, on conviction, be fined in a sum not exceeding twenty-five dollars (\$25.00) for each offense, and stand committed until such fine is paid, such commitment not to exceed one (1) day for each dollar of the fine imposed.

Section 7.5 ARREST WITHOUT WARRANT

Each member of the police force, while on duty, is hereby authorized to arrest without warrant any person willfully violating any provision of Section 7.1 of this ordinance and retain such person for a reasonable time in which complaint can be made and a warrant issued and served.

Section 7.6 PARENT OR GUARDIAN TO BE NOTIFIED

But no child or minor person arrested under the provisions of this ordinance, shall be placed in confinement, until the parents or guardians of such minor person shall have been notified of such arrest, and shall have refused to be held responsible for the observance of the provisions of this ordinance by such minor person.