

**STATE OF MICHIGAN
COUNTY OF HURON
VILLAGE OF PORT AUSTIN**

ORDINANCE NO. 95 - 04

**AN ORDINANCE TO AMEND VILLAGE OF PORT AUSTIN ORDINANCE NO.
35 PERTAINING TO THE CURFEW OF MINORS.**

THE VILLAGE OF PORT AUSTIN ORDAINS:

AMENDMENT TO ORDINANCE NO. 35:

Section I, Loitering of Minors Prohibited; Hours of Curfew is amended to provide as follows:

It shall be unlawful for any minor under the age of 17 years to loiter, idle, wander stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places, between the hours of 12 o'clock midnight and 6 o'clock a.m., immediately following, official Village time. It shall be unlawful for any minor under the age of 13 years to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10 o'clock p.m. and 6 o'clock a.m., immediately following, official Village time; provided, however, that the provisions of this section do not apply to a minor accompanied by his or her parent, guardian, or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor.

Each violation of the provisions of this section shall constitute a separate offense. (Ordinance No. 35 effective August 3, 1964)

Section II, Responsibility of Parents is amended to provide as follows:

It shall be unlawful for the parent, guardian, or other adult person having the care and custody of a minor under the age of 17 years to knowingly permit such minor to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots, or other unsupervised places between the hours of 12 o'clock midnight and 6 o'clock a.m., immediately following, official Village time. It shall be unlawful for the parent, guardian, or other adult person having the care and custody of a minor under the age of 13 years to knowingly permit such minor to loiter, idle, wander, stroll, or

play in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks, or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots, or other unsupervised places between the hours of 10 o'clock p.m. and 6 o'clock a.m. immediately following, official Village time; provided, however, that the provisions of this section do not apply when the minor is accompanied by his or her parent, guardian, or other adult person having the care and custody of the minor, or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian, or other adult person having the care and custody of the minor.

Violation of the provisions of this section shall be a misdemeanor, and each violation of the provisions of this section shall constitute a separate offense. (Ordinance No. 35 effective August 3, 1964).

Savings Clause. If any subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

Repealer Clause. All ordinances and or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Presented at a special meeting of the Village of Port Austin held in the Village Hall on the 11th day of October, 2004.

Motion by: Preston

Seconded by: Ruth

Yeas: Hogan, Loewe, Preston, Kasper, Radlinski, Ruth
Nays: None

Absent: Bruce

Abstain: None

Ordinance Adopted on the 11th day of October, 2004.

Judy Binkley, Clerk

Marilyn Bruce, President

Clerk's Certification

Judy Binkley, Clerk of the Village of Port Austin, certifies that:

- 1.) A regular meeting on the ordinance was conducted in the Village Hall on the 11th day of October, 2004 at 7:30 p.m.
- 2.) The ordinance was adopted on the 11th day of October, 2004.
- 3.) The ordinance or a synopsis thereof was published on the 26th day of October, 2004.
- 4.) The ordinance is effective 20 days thereafter, on the 15th day of November, 2004.