

ORDINANCE NO. 191

AN ORDINANCE TO AMEND AND REPLACE ORDINANCE NO. 128, ENTITLED,  
“AN ORDINANCE TO AMEND ORDINANCE NO. 89 ENTITLED CURFEW FOR  
MINORS UNDER 18 YEARS OF AGE”.

BE IT ORDAINED by the Town Council of the Town of Exmore:

To amend Ordinance No. 128, which was passed on November 6, 1995, entitled “An Ordinance to Amend Ordinance No. 128 entitled Curfew for Minors Under 18 Years of Age”, to become effective July 1, 2011, changed to read as follows:

- (a) It shall be unlawful for any parent, guardian or other adult person having the care and custody of any minor under eighteen years of age to knowingly permit, allow or encourage such minor to be and remain in and upon any street, avenue, road, alley, park, vacant lot, playground, place of amusement or in and upon any other public place whether of like kind or not, in the Town of Exmore between the hours of 9:00 p.m. and 5:00 a.m. of the following day, unless such minor is accompanied by his or her parent, guardian or other adult person having the care and custody of such minor or is on an emergency errand or legitimate business and has a written statement to that effect signed by such parent, guardian or other adult person having the care and custody of such minor.
- (b) It shall be unlawful for any minor under the age of eighteen years to remain in and upon any street, avenue, road, alley, park, vacant lot, playground, place of amusement or in and upon any other public place whether of like kind or not, in the Town of Exmore between the hours of 9:00 p.m. and 5:00 a.m. of the following day, unless such minor is accompanied by his or her parent, guardian or other adult person having the care and custody of such minor or is on an emergency errand or legitimate business and has a written statement to that effect signed by such parent, guardian or other adult person having the care and custody of such minor.
- (c) Whenever any police or other officer charged with the duty of enforcing the laws of this state, this Ordinance or other ordinances of the Town of Exmore shall discover or have his or her attention called to the fact that any minor under the age of eighteen years is in or on any street, avenue, road, alley, park, vacant lot, playground, place, whether of like kind or not, in the Town of Exmore between the hours of 9:00 p.m. and 5:00 a.m. of the following day, the officer shall make an immediate investigation for the purpose of ascertaining whether or not the presence of such minor is a violation of this Ordinance. If such investigation reveals that such presence of such minor is in violation of this Ordinance, the officer shall take the name and address of such minor and the name and address of the parent, guardian or other adult person having the care and custody of such minor and shall issue a summons or otherwise notify such minor and such parent, guardian or other adult person having care and custody of such minor, in writing, to appear before the judge of the juvenile and domestic relations court at a time to be specified in such summons or the notice to be there dealt with according to this Ordinance and the laws of the state applicable thereto. The officer shall also order such minor to forthwith proceed to his or

her home or place of abode, and should such minor refuse or fail to do so the officer shall take such minor to his or her home or place of abode should he or she deem such advisable.

- (d) Should any such minor refuse to give such officer his or her name and address or the name and address of his or her parent, guardian or other adult person having the care and custody of such minor, such officer shall take such minor to the Northampton County Sheriff's Office and there detain him or her until such time as such minor can be turned over to the officers of the juvenile and domestic relations court or be dealt with in the manner required by law.
- (e) Any person convicted of the violation of paragraph (a) or (b) of this ordinance shall be punished by a fine of not less than Fifty Dollars (\$50.00), nor more than One Hundred Dollars (\$100.00), and costs or by imprisonment in jail for not more than six (6) months, or by both such fine and imprisonment.

ORDAINED by the Mayor and Council at its special meeting held on June 27, 2011.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

APPROVED: \_\_\_\_\_  
William M. Moore, Jr., Mayor

At the meeting held on \_\_\_\_\_, by the motion made by Councilman \_\_\_\_\_ and seconded by Councilman \_\_\_\_\_ to adopt Ordinance No. 191, the vote was \_\_\_\_\_ for the adoption of the above ordinance.

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Ethel B. Parks  
Town Clerk