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Document Control Changes: Created 1 Apr 1994, (was CFO-019-CW-94), Revised Oct 2016, New Format Oct 2016

## JUVENILE CURFEW ORDINANCE

BE IT ORDAINED by the Town Council of the Town of Cedar Fort, Utah County, Utah, that an ordinance relating to the establishment of a Juvenile Curfew for the Town of Cedar Fort be enacted as follows:

### 1.0 - PURPOSE

The governing body of Cedar Fort finds, due to a seemingly ever increasing incidence of violence and other crime among juveniles in Utah County, that such crimes may be significantly inhibited and reduced by the enactment and enforcement of local law establishing a curfew prohibiting juveniles from remaining idly and purposelessly on the public streets late at night.

### 2.0 - DEFINITIONS

2.1 "Care and custody" means the legal authority of a parent or guardian to supervise or otherwise be responsible for a minor, or the express authority given from such parent or legal guardian of a minor to a responsible adult to supervise or otherwise be responsible for the activities and care of the minor.

2.2 "Emergency errand" means any errand or travel undertaken to directly and immediately seek to prevent or reduce the consequences of an illness or injury, criminal or potential criminal activity, or fire or other accident and shall include the seeking of aid and assistance from medical or emergency response personnel or the purchase of medications.

2.3 "Minor" means any unmarried, unemancipated person who is not a member of the armed forces of the United States and who is under the age of sixteen (16) years for the purposes of section 3 hereof or who is under the age of eighteen (18) years for the purpose of section 4 hereof.

2.4 "Public places" means any place open to the public whether privately owned, including but not limited to, parking lots and the interiors and exteriors of commercial establishments such as restaurants, stores or places of entertainment.

### 3.0 - SIXTEEN-YEAR-OLD CURFEW

It shall be unlawful for any minor under the age of sixteen (16) years to remain or loiter upon any of the sidewalks, streets, alleys or public places in Cedar Fort between the hours of 11 P.M. and 5 A.M. the following morning.

#### 4.0 - EIGHTEEN-YEAR-OLD CURFEW

It shall be unlawful for any minor under the age of eighteen (18) years to remain or loiter upon any of the sidewalks, streets, alleys or public places in Cedar Fort:

- 4.1 After 11 P.M. Sunday through Thursday,
- 4.2 Prior to 5 A.M. Monday through Friday, and
- 4.3 Between 1 A.M. and 5 A.M. Saturday and Sunday.

#### 5.0 - PARENTAL LIABILITY

It shall be unlawful for any parent, guardian or other person having care and custody of any minor to knowingly allow or permit the minor to violate the provisions of this chapter.

#### 6.0 - EXCEPTIONS

The provision of this chapter shall not apply to any circumstance in which the minor is:

- 6.1 Accompanied by a parent, guardian, or other responsible adult having care and custody of such minor;
- 6.2 Engaged in a legitimate trade, employment or occupation which requires the minor's presence in or on the sidewalks, streets, alleys or public places while working at or traveling to or from such employment;
- 6.3 Engaged on an emergency errand directed by the minor's parent, guardian or other responsible person having care and custody;
- 6.4 In a motor vehicle engaged in normal interstate travel beginning in, traveling through, or ending in Cedar Fort;
- 6.5 Attending or engaged in traveling between the minor's home or place of residence and a place where any religious, municipal, social, entertainment, sporting, political, library, or school function is occurring; or
- 6.6 Within the boundaries of the minor's place of residence.

#### 7.0 - ENFORCEMENT -

- 7.1 Any minor who is in violation of the provisions of this ordinance is subject to arrest and citation.

7.2 Upon arrest, the minor shall be returned to the custody of the parent, guardian or other person charged with the care and custody of the minor.

7.3 It shall be unlawful for any parent, guardian or other person charged with the care and custody of a minor, who is in violation of this chapter, to knowingly refuse to appear and take custody of said minor after being ordered to do so by a peace officer.

7.4 Any person who violates the provisions of this chapter is guilty of a Class B Misdemeanor.

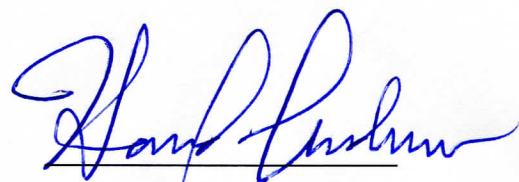
8.0 - SEVERABILITY

If any section, sub-section, sentence or word of this ordinance is held, by a court of competent jurisdiction, to be invalid, the remaining unaffected portions shall remain in full legal force and effect.

9.0 EFFECTIVE DATE


In order to establish juvenile control measures for the Town of Cedar Fort in a concise and expedient manner, this ordinance will become effective upon passage vote of the Town Council and posting in three (3) public places.

PASSED AND DATED this 25<sup>th</sup> day of October 2016.



Howard Anderson, Mayor

Attested By:



Town Clerk

Councilmember Howard Anderson

Voted yea 9/11

Councilmember Ellen Cibula

Voted Yea no

Councilmember Larry Mohler

Voted no no

Councilmember Chris Murphy

Voted YEA no

Councilmember Richard Stark

Voted YEA no

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, VONDA COOK, Town Recorder of Cedar Fort Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Cedar Fort Town, Utah, on the 25<sup>th</sup> day of October 2016, entitled:

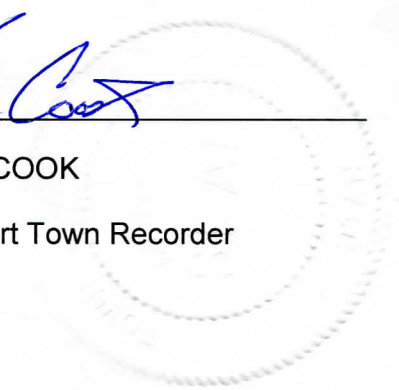
**“JUVENILE CURFEW ORDINANCE FOR THE TOWN OF CEDAR FORT“**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Cedar Fort Town Utah this 25<sup>th</sup> day of October 2016.



VONDA COOK  
Cedar Fort Town Recorder

(SEAL)



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**AFFIDAVIT OF POSTING**

STATE OF UTAH                    )  
  ) ss.  
COUNTY OF UTAH                )

I, Vonda Cook, Town Recorder of Cedar Fort Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Cedar Fort Town Council on the 26<sup>th</sup> day of October 2016 and herein referred to as:

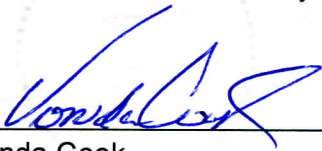
**“JUVENILE CURFEW ORDINANCE FOR THE TOWN OF CEDAR FORT“**

**SUMMARY:**

The above named ordinance was enacted to define and describe the requirements, limitations and restrictions (curfew) on juvenile activity within the Town of Cedar Fort at certain times and locations.

The three places are as follows:

1. Post Office
2. Town Hall
3. Cedar Valley Store

  
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Vonda Cook  
Cedar Fort Town Recorder

Date of Posting 26 October 2016