

AN ORDINANCE AMENDING THE CITY CODE CHAPTER 210 ARTICLE XII OFFENSES CONCERNING MINORS.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHILLICOTHE, MISSOURI as follows:

Section 1: Chapter 210 of the City Code of the City of Chillicothe is amended as follows:

a. Section 210.590 is amended to read:

Section 210.590 Curfew For Persons Under Eighteen.

A. It shall be unlawful for any minor under the age of eighteen (18) years to loiter, idle, wander, stroll or to drive or ride in an automobile 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 11:00 P.M. and 6:00 A.M. of the following day, except on Fridays and Saturdays when the hours shall be 12:00 Midnight to 6:00 A.M. of the following day, except that this Section does not apply to a minor accompanied by his/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/her parent, guardian or other adult person having the care and custody of the minor.

B. It shall be unlawful for the parent, guardian or other adult person having the care and custody of a minor under the age of eighteen (18) 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 11:00 P.M. and 6:00 A.M. of the following day, except this Section does not apply when the minor is accompanied by his/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/her parent, guardian or other adult person having the care and custody of the minor.

C. Any Police Officer finding a minor under the age of eighteen (18) years violating the provisions of this ordinance shall warn the minor to cease and desist immediately from such violation. The Police Officer may take the child into custody and release him/her to his/her parent or guardian or release the child at the scene, with a written notice of referral to the Juvenile Court.

D. After receiving notice of the first (1st) violation by a minor, any parent, guardian or other person in charge of such minor who permits such minor to thereafter violate the provisions of this ordinance shall be deemed guilty of an ordinance violation which is punishable as provided in Section 100.340.

b. All other sections of Chapter 210 Article XII of the City Code are amended by replacing in each place the word “seventeen (17) years of age” appears with the words “eighteen (18) years of age.”

Section 2: The portions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining portions of this Ordinance are valid, unless the court finds the valid portions of this Ordinance are so essential and inseparably connected with and dependent upon the void portion that it cannot be presumed that the City Council would have enacted the valid portions without the invalid one, or unless the court finds that the valid portions standing alone are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 3: This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

Section 4. It is the intent of the City Council that this Ordinance be made a part of the City Code and such inclusion shall have the same force and effect as if the ordinance had been included in the original code at the time of its adoption by the City Council.

Section 5: This ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED THIS 9th DAY OF AUGUST 2021.

CITY OF CHILLICOTHE, MISSOURI

Theresa Kelly, Mayor

ATTEST:

Rozanne Frampton, City Clerk