

ORDINANCE NO. 94- 3

AN ORDINANCE AMENDING MOROCCO TOWN CODE ORDINANCE NO.  
8-9 REGARDING CURFEW

The Board of Trustees of the Town of Morocco, having determined that certain language in its curfew ordinance is in need of updating, now makes the following recitals and amends the ordinance as follows:

WHEREAS, Morocco's existing ordinance for curfew is not in compliance with Indiana 31-6-4-2 in that the times for curfew set forth exceed limits placed on hours towns can use to set curfews; and,

WHEREAS, the current ordinance fails to provide any means to enforce curfew; and,

WHEREAS, the current ordinance fails to address the fact that curfew violations are the fault of parents, guardians or custodians of children who permit children to disobey curfew laws;

IT IS THEREFORE DECREED as follows:

1. Morocco Town Ordinance 8-9 [[Chapter 96](#) in revised code] is hereby repealed in its present form.

2. In its place the following language shall be substituted;

"8-9: Curfew; Permitting Curfew Violations.

(a) It is a curfew violation for a child under 18 years to be in a public place:

(1) On Mondays, Tuesdays, Wednesdays, and Thursdays, between the hours of 11:00 p.m. and 5:00 a.m.;

(2) On Fridays, Saturdays and Sundays between the hours of midnight and 5:00 a. m.

(b) A parent, guardian, or custodian of a child who permits or causes a child to be in a public place during curfew hours outside of the parent, guardian, or custodian's presence commits a Class C infraction and shall be fined \$50.00 for each such violation.

(c) It is a defense to this ordinance that a child is accompanied by his parent, guardian, or custodian during curfew hours, or that the child is participating in, going to, or returning from lawful employment, a school sanctioned activity, or a religious event.

(d) It is not a defense that the parent, guardian, or custodian who permits a child to violate the curfew hours did not know that the child was in a public place

during prohibited hours."

ALL OF WHICH IS DECREED this 13th day of July Sept. , 1994.

David R. Lindlow

Larry K. Dowty

ATTEST:

Dianne Hendryx

Clerk-Treasurer

Attachments:

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