

ORDINANCE NO. 904

AN ORDINANCE REPEALING CHAPTER 9.54 OF THE MUNICIPAL CODE OF THE CITY OF PAYETTE, IDAHO AND ADOPTING NEW PROVISIONS FOR THE CONTROL OVER CHILDREN UNDER EIGHTEEN YEARS OF AGE WHO ARE RUNAWAY CHILDREN, FOR ESTABLISHING CURFEW HOURS FOR CHILDREN UNDER THE AGE OF EIGHTEEN (18) YEARS OF AGE, AND FOR PROVIDING PENALTIES FOR VIOLATIONS.

Be It Ordained by the Mayor and Council of the City of Payette, Idaho that Chapter 9.54 of the Municipal Code of the City of Payette be repealed and that the following ordinance be adopted and enacted:

9.54.010. It shall be unlawful for any person under the age of eighteen (18) years, living or found in the City of Payette, State of Idaho, to attempt to run away or to run away from his parents, guardian or other legal custodian, or to be or remain a person who has run away from his parents, guardian or other legal custodian or who commits or has committed any act or acts placing him beyond the control of his parents, guardian, or other legal custodian.

9.54.020. It shall be unlawful for any person under the age of sixteen (16) years to be or to remain, and it shall be unlawful for any parent, guardian or other person having the care and custody of any person under the age of sixteen (16) years to permit such person to be or to remain, in or upon any street, alley, public ground, public places or any place open to the public or exposed to public use within the City of Payette, State of Idaho, between the hours of eleven o'clock (11:00) p.m. and five o'clock (5:00) a.m.

It shall be unlawful for any person from the age of sixteen (16) years to the age of eighteen (18) years to be or to remain, and it shall be unlawful for any parent, guardian or other person having the care and custody of any person between the age of sixteen (16) years to eighteen (18) years to permit such person to be or to remain, in or upon any street, alley, public ground, public places or any place open to the public or exposed to public use within the City of Payette, State of Idaho, between the hours of twelve (12:00) midnight and five o'clock (5:00) a.m.

9.54.030. The provisions of Section 9.54.020 shall not apply to any person who is accompanied by his parent, guardian or other adult person having the care and custody of him, nor to any person who is in the performance of an errand or duty directed by his parent, guardian or other adult person having the care and custody of him, nor to any person who is actually at the time engaged in legitimate employment for profit.

9.54.040. It shall be unlawful for any person by any act or neglect to encourage, aid or cause any person under the age of eighteen (18) years to come within the purview of Sections 9.54.010 and 9.54.020 of this Ordinance.

9.54.050. The presence of a person under the age of sixteen (16) years in or upon any street, alley, public ground, public places or any place open to the public or exposed to public use within the City of Payette, State of Idaho, between the hours of 11:00 p.m. and 5:00 a.m. not being accompanied by his parents, guardian or one having legal custody of said child nor being in the performance of an errand or duty directed by his parent, guardian or other adult person having the care and custody of him, nor being actually engaged in legitimate employment for profit shall be prima facie evidence of a violation of this Ordinance. The presence of a person between the ages of sixteen (16) years and eighteen (18) years in or upon any street, alley, public ground, public places or any place open to the public or exposed to public use within the City of Payette, State of Idaho, between the hours of 12:00 p.m. and 5:00 a.m. not being accompanied by his parent, guardian or one having legal custody of said child, nor being in the performance of an errand or duty directed by his parent, guardian or other adult person having the care and custody of him, nor being actually engaged in legitimate employment for profit, shall be prima facie evidence of a violation of this ordinance.

9.54.060. Violation of this Ordinance by a minor child shall bring said child within the purview of the Youth Rehabilitation Act of the State of Idaho, and violation of this Ordinance by an adult shall be punishable by imprisonment in the Payette County Jail for a period not to exceed six (6) months or by a fine not to exceed Three Hundred Dollars (\$300.00), or by both such imprisonment and fine.

That this Ordinance shall take effect and be in force from and after its publication in the Independent Enterprise, a newspaper of general circulation in the City and County of Payette, Idaho.

PASSED and APPROVED By the Mayor and Council this 4<sup>th</sup> day of

February, 1980.



Dick E. Butcher, Mayor of the City of Payette, Idaho

ATTEST:



Barbara A. Millard, Clerk of the City of Payette, Idaho