

Chapter 29

Chapter 29

CURFEW LAW

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History: Adopted by the Hamlin Town Board of the Town of Hamlin on 12/10/2007 as L.L. No.13-2007

§29-1. Definition.

MINOR – For the purpose of this Local Law, “minor” shall mean any individual who has not yet attained his or her eighteenth birthday.

§29-2. Statement of Purpose and Finding.

The Town Board has determined that large numbers of minors have been congregating in public areas of the Town after dark causing general disturbance to residents. In order to reduce juvenile crime and vandalism, to protect the children of this municipality, and to reinforce parental authority, it is necessary that a curfew be established to keep minors out of public areas after dark.

§29-3. Restrictions.

It shall be unlawful for any minor to remain in or upon any public street, sidewalk, park, vacant lot or other public place between the hours of 11:00 p.m. of any day from Sunday through Thursday and 5:00 a.m. of the following day, or between the hours of 11:59 p.m. on any Friday or Saturday and 5:00 a.m. of the following day.

§29-4. Exemptions.

The following shall constitute valid exceptions to the operation of the curfew.

- (a) At any time, if the minor is accompanied by his or her parent, legal guardian, or other responsible person who is over the age of twenty-one and approved by the minor's parent or legal guardian.
- (b) If the minor is legally employed, for the period from one-half hour before to one-half hour after work, while going directly between his or her home and place of employment. This exception shall also apply if the minor is in a public place during curfew hours in the course of his or her employment. To come under this exception, the minor must be carrying a written statement from the employer attesting to the place and hours of employment.
- (c) If the minor is coming directly home from a school activity or an activity of a religious or other voluntary association, or a place of public entertainment, such as a movie, play or sporting event. This exception will apply for one-half hour after the completion of such event, but in no case beyond 1:30 a.m.
- (d) If the minor is exercising first amendment rights protected by the Constitution, such as the free exercise of religion, speech, or assembly, provided the minor first has given notice to the Code Enforcement Officer by delivering written communication signed by the minor and countersigned by a parent of the minor which specifies when, where, in what manner, and for what first amendment purpose the minor will be in a public area at night during the curfew period.

§29-5. Violations.

Failure to comply with this law shall be a violation as defined in Section 55.10 of the New York State Penal Law and penalties may be imposed thereunder and pursuant to Section 80.05 of the New York State Penal Law. Any penalties or damages recovered or imposed under this law are in addition to any other remedies available at law or equity.

§29-6. Severability.

In the event that any word, phrase or part of this local law shall be declared unenforceable or illegal, the same shall be severed and separated from the remainder of this local law and shall not effect the remaining provisions of this local law which shall remain in full force and effect.