

ORDINANCE NO. 556

AN ORDINANCE REPEALING SECTIONS 12-4 AND 12-5 OF THE LAS ANIMAS CITY CODE REGARDING THE JUVENILE CURFEW AND RE-ENACTING SECTION 12-5 OF THE SAME.

WHEREAS, it has come to the attention of the Las Animas City Council that certain provisions of Section 12-4 and all of Section 12-5 of the Las Animas City Code need to be repealed and a new ordinance enacted to replace the outmoded sections; and

WHEREAS, the Las Animas City Council has determined that it is in the best interests of the citizens of the City of Las Animas to repeal and re-enact Section 12-4 of the Las Animas City Code and to repeal Section 12-5 of the Las Animas City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO, THAT:

1. Sections 12-4 and 12-5 of the Las Animas City Code are hereby repealed and replaced by Paragraphs 2,3 and 4 below, which are hereby enacted as Section 12-4 of the Las Animas City Code.

2. Definitions.

a. Juvenile. Any person under the age of eighteen (18) years.

b. Private Place. Any privately owned property or business, including any parking lot, vacant lot, yard, building, place of amusement, eating establishment, and the like, where juveniles may congregate or be found without the consent or permission of the owner or occupant of the property or when the property or business is closed to the public.

c. Public Place. Any publicly owned property or facility, including any street, road highway, sidewalk, alley, parking lot, park, playground, common area, school or other public building, where juveniles may congregate or be found, except for public facilities that are holding events or activities expressly open to the juveniles at the time when they congregate or are found there.

d. Reasonable Necessity. A compelling reason involving an exceptional or uncommon situation such as traveling to or from an event or activity sponsored by a school district, civic organization or church group, or an emergency or crises requiring immediate action or an unusual circumstance where the juvenile is acting on behalf of or at the request of the parent, guardian or legal custodian.

e. Specified Nighttime hours. Saturday and Sunday mornings between the hours of 12:00 A. M. (midnight) and 5:00 A. M. and the Sunday evenings through Friday morning between the hours of 10:30 P. M. and 5:00 A. M.

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3. Unlawful Acts.

a. It shall be unlawful for any juvenile to be found in any public place or private place during specified nighttime hours. Any juvenile found in any public place or private place during specified nighttime hours shall be presumed to be in violation of this provision, except as otherwise provided in Paragraph 4. below. Satisfactory proof of "reasonable necessity" may be presented to rebut the presumption.

b. It shall be unlawful for any juvenile to fail or refuse to comply with any order issued pursuant to this Section.

4. Exceptions. The following shall not be in violation of Paragraph 3.

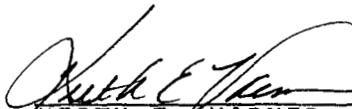
a. Any juvenile accompanied by a parent, guardian, or other person having legal custody of the juvenile.

b. Any juvenile traveling to or from lawful employment, for up to one-half hour of travel time to and from the place of employment when the juvenile is carrying an employer's written and signed statement specifying the type, hours and place of employment.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED IN THE BENT COUNTY DEMOCRAT IN ITS ENTIRETY THIS 8th DAY OF February, 1994.

ADOPTED ON SECOND READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 8th DAY OF March, 1994.

THE CITY OF LAS ANIMAS

  
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KEITH E. VARNER, Mayor



  
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LESLIE UNCEL, City Clerk