

ORDINANCE NO. 573

AN ORDINANCE PRESCRIBING CURFEW HOURS FOR MINORS; PROVIDING PENALTIES FOR PARENTS FOR VIOLATIONS BY THEIR MINORS; REPEALING ORDINANCES NO. 309, 447, 477 and 507 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

THE CITY OF CANBY ORDAINS AS FOLLOWS:

* Section 1. Ordinance No. 309 (A General Offense Ordinance) enacted January 3, 1939, Ordinance No. 447 (Relating to Minors) enacted February 4, 1963, Ordinance No. 477 (Relating to Curfew Hours) enacted January 4, 1965, and Ordinance No. 507 (Relating to Vagrancy) enacted July 3, 1967 are HEREBY REPEALED.

Section 2. It shall be unlawful for any child under the age of 18 years to be in, or remain in, or upon any street, alley, park or other public place in the City of Canby between the hours specified herein, unless such child is accompanied by a parent, guardian or other person of the age of 21 years or more specially chosen by the parent or guardian to escort the child on the occasion in question or unless such child is then engaged in an entertainment or night school, or going to or from an employment or night school which makes it necessary to be in or upon such street, alley, park or other public place during the night time between such specified hours. For the purpose of this section the applicable hours shall be:

A. As to children under 14 years who have not begun high school, between 9:15 o'clock P.M. and 6:00 o'clock A.M. of the following morning except that during the months of June, July and August the hours shall be 10:15 o'clock P.M. and 6:00 o'clock A.M. of the following morning.

B. As to children 14 years of age or over who have begun high school, the hours shall be between 10:15 o'clock P.M.

Sunday, Monday, Tuesday, Wednesday or Thursday, and 6:00 o'clock A.M. of the following morning and between 12:00 midnight on Friday or Saturday, or any day prior to a legal holiday when no school is scheduled for said legal holiday, and 6:00 o'clock A.M. of the following morning; except that during the months of June, July and August the hours shall be between 12:00 midnight and 6:00 o'clock A.M. of the following morning.

C. Any child under the age of 18 years employed in selling, delivering or wrapping newspapers shall obtain from the newspaper employer, and the employer shall issue to the employed child, a card showing such employment. A child failing to carry and produce such card shall not be deemed to be within the protection of the preceding provision.

Section 3. It shall be unlawful for any parent or guardian, or the person having the care or custody of any child under the age of 18 years, to permit or by inefficient control to allow such child to be in or remain in or upon any street, alley, park or other public place between the hours herein set forth in Section 2 of this Ordinance contrary to the provisions of this Ordinance. Proof that such child was on any street, alley, park or other public place at a time prohibited shall, prima facie, be sufficient evidence to sustain a conviction of a violation of this Ordinance.

Section 4. All peace officers, juvenile department counsellors, state or county welfare department employees or any other person authorized by the juvenile court of the county in which the child resides or is found may take into temporary custody any child violating any of the provisions of this Ordinance, and, for the first violation, shall as soon as practicable thereafter, notify the child's parent, guardian or other person

responsible for the child of the violation and shall take or send such child home and release the child to the custody of his parent or other responsible person in this state except where the juvenile court otherwise orders. In case any child under the age of 18 years shall again violate any of the provisions of this Ordinance, such child may be apprehended and taken into temporary custody as a juvenile offender and delinquent and may be brought before the juvenile court of the county in which such child resides or is found.

Section 5. Any person or persons violating the provisions of Section 3 of this Ordinance shall, upon conviction, be punished by a fine of not more than \$300.00, or by imprisonment for not more than 30 days, or by both fine and imprisonment.

Section 6. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of Canby, in this: That it is necessary that the rules and regulations of the hours and control of children on the streets of Canby, Oregon, be amended toadequately and properly control the same, and to conform to a uniform curfew ordinance for the greater metropolitan area of which Canby is a part, therefore an emergency is declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Canby City Council and approval by the Mayor.

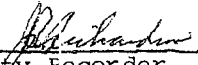
Passed on first reading at a regular meeting of the Canby City Council held on the 1st day of October, 1973; ordered posted in three public and conspicuous places in the City of Canby for a period of two full calendar weeks as provided by the Canby City Charter, and to come up for final reading and

action of the Canby City Council at a regular meeting thereof to be held on Monday, the 5th day of November, 1973, at the hour of 8:00 o'clock P.M., Oregon Daylight Saving Time, at the Canby City Hall.



Paul N. Roth, Mayor

ATTEST:



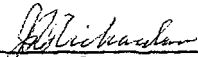
City Recorder

Passed on second and final reading at a regular meeting of the Canby City Council held on the 5 day of NOVEMBER, 1973, by the following vote: Yeas 4. Nays 0; and approved by the Mayor.



Paul N. Roth, Mayor

ATTEST:



City Recorder