

TOWN OF JOHNSTOWN, COLORADO
ORDINANCE NO. 2024-253

AN ORDINANCE AMENDING SECTION 10-212 OF THE JOHNSTOWN MUNICIPAL CODE CONCERNING CURFEWS FOR MINORS

WHEREAS, the Town of Johnstown, Colorado (“Town”) is a Colorado home rule municipality, duly organized and existing under the laws of the State of Colorado and the Town’s Home Rule Charter; and

WHEREAS, the Town Council is vested with authority to administer the affairs of the Town; and

WHEREAS, Article XI of Chapter 10 of the Johnstown Municipal Code (“Code”) regulates offenses related to minors and Section 10-212 contained therein provides that it is unlawful for a parent, guardian or person having the care, custody or control of a child under the age of eighteen (18) years to cause or permit such child to be in any public street or alley or public place between the hours of 10:00 p.m. and 5:00 a.m.; and

WHEREAS, the Johnstown Police Department recommends that the Town Council amend Section 10-212 to include, in addition to offenses against parents, guardians and persons having the care, custody or control of a child, an offense against the minor child; and

WHEREAS, the Town Council desires to adopt the Johnstown Police Department’s recommendation; and

WHEREAS, the Town Council finds, determines and declares that this Ordinance is promulgated under the general police power of the Town and is in the best interests of the Town of Johnstown.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, AS FOLLOWS:

Section 1. Section 10-212 of the Johnstown Municipal Code shall be repealed and readopted in full to read as follows:

Sec. 10-212. Curfew.

(a) It is unlawful for any person under the age of eighteen (18) years to be or remain upon any public street, alley or other public place between the hours of 10:00 p.m. to 5:00 a.m.; provided, however, that, on Friday and Saturday, a person under the age of eighteen (18) years may be or remain upon any public street, alley or other public place between the hours 10:00 p.m. to 12:00 a.m. This section shall not apply to persons who meet any of the following criteria:

- (1) Any person engaged in lawful employment;
- (2) Any person accompanied by a parent or guardian or by a person over twenty-one (21) years of age having legal care, custody or control of such person;

- (3) Any person engaged upon an emergency errand;
 - (4) Any person traveling directly to or from an activity approved by such person’s parent or guardian or by a person over twenty-one (21) years of age having legal care, custody or control to: (i) such person’s residence or (ii) the private residence of another, if authorized by the parent, guardian or person over twenty-one (21) years of age having legal care, custody or control to go to such other private residence;
 - (5) Any person on the sidewalk abutting a residence where the person is lawfully entitled to be; or
 - (6) Any person attending or traveling to or from a supervised activity sponsored by a school, civic, religious or other recognized public organization.
- (b) It is unlawful for any parent, guardian or other person having legal care, custody or control of any person under the age of eighteen (18) years to allow or permit such person to violate any of the terms or provisions of subsection (a) above.

Section 2. Severability. If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and, to this end, the provisions and parts of this Ordinance are declared to be severable.

Section 3. Publication; Effective Date. This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Home Rule Charter of the Town of Johnstown, Colorado (“Charter”) and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk. This Ordinance shall become effective upon final passage as provided by the Charter. Copies of the entire Ordinance are available at the office of the Town Clerk.

INTRODUCED, AND APPROVED on first reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor

PASSED UPON FINAL APPROVAL AND ADOPTED on second reading by the Town Council of the Town of Johnstown, Colorado, this ____ day of _____, 2024.

TOWN OF JOHNSTOWN, COLORADO

ATTEST:

By: _____
Hannah Hill, Town Clerk

By: _____
Michael P. Duncan, Mayor