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TOWN COUNCIL CONSENT AGENDA COMMUNICATIONS

AGENDA DATE: July 1, 2024

SUBJECT: Second Reading of Ordinance 2024-253, Amending Section 10-212 of the Johnstown Municipal Code Concerning Curfews for Minors

ATTACHMENTS: 1. Ordinance No. 2024-253

PRESENTED BY: Ryan Oglesby, Chief of Police

AGENDA ITEM DESCRIPTION:

On June 17, 2024, Council approved Ordinance No. 2024-253 on first reading.

Enclosed for review and consideration is Ordinance No. 2024-253 that would amend Article XI of Chapter 10 of the Johnstown Municipal Code.

Article XI of Chapter 10 of the Johnstown Municipal Code (“Code”) regulates offenses related to minors and Section 10-212 contained therein provides that its 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. The regulation does not, however, expressly recognize an offense against a minor child who is out between the hours of 10:00 p.m. and 5:00 a.m. The Johnstown Police Department recommends that the Town Council amend Section 10-212 to include an offense against the minor child. The Police Department also recommends that the Town Council amend Section 10-121 to include updated exemptions and weekend times that are more in line with neighboring jurisdictions.

Original Ordinance:

Sec. 10-212. Curfew.

(a) It shall be unlawful for the 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

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street, alley or public place between the hours of 10:00 p.m. of one (1) day and 5:00 a.m. on the following day at any time unless accompanied by his or her parent, guardian, adult member of his or her family, or adult person in whose charge such minor child was placed.

(b) If said minor child is employed or has attended a school, church or other function duly organized and supervised by adults or persons over the age of twenty-one (21) years, which activity or employment terminates after 9:30 p.m. or commences before 5:30 a.m., then time requires specified in Subsection (a) above shall be expanded to the extent of one-half (½) hour after the termination of such activity or employment or one-half (½) hour before the commencement of said activity or employment if such minor is en route between his or her home and said activity or employment.

(Ord. 466 § 1, 1991)

- **STRATEGIC PLAN ALIGNMENT:**

- Safe & Welcoming community

- *Provide and maintain public safety services and awareness in our community.*

LEGAL ADVICE:

The Town Attorney drafted the Ordinance.

FINANCIAL ADVICE:

N/A

RECOMMENDED ACTION: Approve Ordinance No. 2024-253 on second reading.

Reviewed and Approved for Presentation,



Town Manager