

# RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 1065

Passed 8-15 1995

ORDINANCE ESTABLISHING A CURFEW FOR MINORS SIXTEEN YEARS AND YOUNGER IN THE VILLAGE OF PEMBERVILLE, WOOD COUNTY, OHIO, AND DECLARING AN EMERGENCY

WHEREAS, Council has noticed the increase in vandalism, property damage and gang activity within the surrounding areas and the Village itself; and

WHEREAS, said activity threatens the property, peace and particularly the safety of the youthful inhabitants of the Village of Pemberville; and

WHEREAS, Council has determined that a curfew is necessary in order to protect the peace, property and particularly the youth of the Village of Pemberville, Wood County, Ohio.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PEMBERVILLE, COUNTY OF WOOD AND STATE OF OHIO:

SECTION 1: It shall be unlawful for any person sixteen years of age or under to be or remain upon any street or alley or other public place in the Village after 11:00 o'clock P.M. unless such person is accompanied by a parent or guardian, or other person having custody of such minor or unless in the performance of duty directed by such parent or guardian or other person having custody, or unless such person is in lawful employment, or on a lawful errand, making it necessary to be in such places after 11:00 o'clock P.M.

SECTION 2: It shall be unlawful for anyone having the legal care and custody of any person, as described above, to allow or permit such person to go or be upon any public street, alley or other public place in the Village in the nighttime as restricted in the preceding section, accept in the case of necessity.

SECTION 3: Every member of the police force, while on duty, is hereby authorized to detain any such minor willfully violating the provisions of Section 1 of this ordinance until the parent or guardian of the child shall take him or her into custody; but such officer shall immediately, upon taking custody of the child communicate with the parent or guardian.

SECTION 4: If it shall appear that any child taken into custody for a violation of the first Section of this ordinance is growing up in vagrancy, is incorrigible, is being neglected, or has no home, proper proceedings shall be instituted in the Wood County Juvenile Court as provided by statute.

SECTION 5: A violation of Section 1 or Section 2 of this ordinance shall be a minor misdemeanor upon the first such offense and a misdemeanor of the fourth degree upon the second such offense within a one year period.

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SECTION 6: This ordinance constitutes an emergency measure necessary of the immediate preservation of the public peace, health and safety and shall therefore go into immediate effect upon the passage thereof. The reason for the emergency is that it is urgently necessary to safeguard the property, peace and especially the youth of the Village of Pemberville.

Passed: 8-15-95

Mustava Oberhouse  
Mayor

Attest:

Russell P. Phin  
Clerk/Treasurer

CAUGHEY, KUHLMAN, BECK & REDDIN  
VILLAGE LEGAL COUNSEL

First Reading 7 10 95

Second Reading 8 1 95

Third Reading 8 15 95

## POSTING CERTIFICATE

I hereby certify that the foregoing Ordinance No. 1065, passed by the Council of the Village of Pemberville, Ohio on the 15<sup>th</sup> day of August, 1995, was posted by me on August 17 1995, at five conspicuous places in the village of Pemberville as authorized by Ordinance No. 610 and remained posted for 15 days.

Russell P. Phin  
Clerk