

**VILLAGE OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2017-06**

**AN ORDINANCE AMENDING ORDINANCE NO. 94-09 AND ESTABLISHING A
CURFEW FOR MINORS**

WHEREAS, The Village of South Lebanon passed Ordinance No. 94-09, which established regulations for the curfew of minors within the municipal limits; and

WHEREAS, the Village of South Lebanon now desires to amend Ordinance No. 94-09.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, at least a majority of all members elected thereto concurring:

Section 1. The Village hereby amends Section I(b) as follows:

(a) "Minor" means any person under the age of eighteen years.

Section 2. The Village hereby amends Section V(b) as follows:

(b) Any parent who shall violate any provision of Section III, after having received notice of a prior violation as provided in subsection (a) hereof, shall be fined not more than one hundred dollars (\$100.00), together with costs.

Section 3. The Village hereby amends Section V(c) as follows:

(c) Any operator of an establishment and any agents or employees of any operator who shall violate the provisions of Section IV, shall be fined not more than one hundred (\$100.00), together with costs.

Section 4. That the Council is acting in its administrative capacity in passing this Resolution.

Section 5. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 6. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open

meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 1st day of June, 2017.

Attest: Nicole Armstrong James D. Smith
Nicole Armstrong, Fiscal Officer/Clerk James D. Smith, Mayor

Rules Suspended: / /2017 (if applicable) Effective Date – / /2017

Vote - ____ Yeas
____ Nays

First Reading – 5/4/2017
Second Reading – 5/18/2017
Third Reading – 6/1/2017

Effective Date – / /2017

Vote - 6 Yeas
____ Nays

Prepared by and approved as to form:

PAUL R. REVELSON
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: [Signature]
Date: 6/1 /2017

CERTIFICATE OF POSTING

I, Nicole Armstrong, Fiscal Officer of the Village of South Lebanon, Ohio do hereby certify I posted a true and accurate copy of this ordinance or resolution, summary of ordinance or resolution, or statement, order, proclamation, notice or report, at five public places within the Village as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of Village of South Lebanon, Ohio.

6/2/17
Date

Nicole Armstrong
Nicole Armstrong
Fiscal Officer
Village of South Lebanon,
Ohio

ORDINANCE NO. 94-09

AN ORDINANCE ESTABLISHING
A CURFEW FOR MINORS

NOW, THEREFORE, BE IT RESOLVED by the legislative authority of
the Village of South Lebanon, Ohio, that:

SECTION 1: DEFINITIONS

The following words and phrases shall have the meanings as set
forth herein:

- (a) "Establishment" means any privately owned place of business carried on for a profit, or any place of amusement or entertainment to which the public is invited.
- (b) "Minor" means any person under the age of ~~seventeen~~ ^{Eighteen} years.
- (c) "Official City Time" means Eastern Standard Time.
- (d) "Operator" means any individual, firm, association, partnership, or corporation operating, managing or conducting any establishment; whenever used in any clause prescribing a penalty, the term "operator", as applied to associations or partnership, includes the members or partners thereof, and as applied to a corporation, includes the officers thereof.
- (e) "Parent" means any natural parent of a minor, a guardian or any adult person twenty-one years of age or over, responsible for the care and custody of a minor.
- (f) "Public Place" means any public street, highway, road, alley, park, playground, public building or vacant lot.
- (g) "Remain" means to loiter, idle, wander, stroll or play in or upon.
- (h) "Drive or ride aimlessly" means to drive or to ride as a passenger in or upon any public place by an unnecessarily circuitous route or to retrace the same route.

SECTION II: CURFEW HOURS; PROHIBITED CONDUCT; EXCEPTIONS

- (a) No minor shall remain in or upon any public place or any establishment between the hours of 10:30 p.m. and 6:00 a.m. of the following day, official City time, except that on Fridays and Saturdays the hours shall be from 12:00 midnight to 6:00 a.m.
- (b) No minor shall drive or ride aimlessly in an automobile, a truck or a motorcycle between the hours of 10:30 p.m. and 6:00 a.m. of the following day, official City time, except that on Fridays and Saturdays the hours shall be from 12:00 midnight to 6:00 a.m.
- (c) The provisions of this section shall not apply to any minor accompanied by a parent, or to a minor upon an errand or other legitimate business directed by such minor's parent, or to any minor who is engaged in gainful lawful employment during the curfew hours.
- (d) Any school, church, lodge or other organization which desires to hold any entertainment for minors under ~~seventeen~~ ^{eighteen} years of age, and which entertainment shall require such minors to be out at a later hour than provided in this section, shall make application to the City Manager for permission to have the minors stay out to a later hour. The application shall state the time the entertainment will end, and the minors who attend such entertainment shall be required to be off the streets and public places one hour after the entertainment is ended.

SECTION III: PARENTS' RESPONSIBILITIES

- (a) No parent shall knowingly permit any minor to remain in or upon any public place or any establishment between the hours of 10:30 p.m. and 6:00 a.m. of the following day, official City time, except that on Fridays and Saturdays the hours shall be from 12:00 midnight to 6:00 a.m.
- (b) The provisions of this section shall not apply to any parent who accompanies a minor, or to a parent who directs a minor upon an errand or other legitimate business, or to any parent of a minor engaged in gainful lawful employment during the curfew hours, or to any parent of a minor who shall attend any entertainment in accordance with the provisions of Section 531.02(d).

SECTION IV: OWNERS' AND OPERATORS' RESPONSIBILITIES

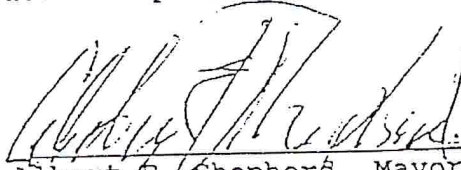
No operator of an establishment or their agents or employees shall knowingly permit any minor to remain upon the premises of such establishment between the hours of 10:30 p.m. and 6:00 a.m. of the following day, official City time, except that on Fridays and Saturdays the hours shall be from 12:00 midnight to 6:00 a.m.

SECTION V: ENFORCEMENT AND PENALTIES


- (a) Any police officer who finds a minor violating any provisions of Section II shall obtain information from such minor as to his name and address, age and the name of his parent or parents. The minor shall thereupon be instructed to proceed to his home forthwith. A written notice shall then be mailed by the Chief of Police to the parent or parents of the minor, advising of the violation of Section II.
- (b) Any parent who shall violate any provision of Section III, after having received notice of a prior violation as provided in subsection (a) hereof, shall be fined not more than ~~fifty~~ ^{one hundred} dollars (\$~~50.00~~) ^(100.00), together with costs.
- (c) Any operator of an establishment and any agents or employees of any operator who shall violate the provisions of Section IV shall be fined not more than ~~fifty~~ ^{ONE HUNDRED} dollars (\$~~50.00~~) ^(100.00), together with costs.
- (d) Each violation of the provisions of this chapter shall constitute a separate offense.

Passed:

9-21-94


Albert E. Shepherd, Mayor

Attest:


Debra L. Humston, Clerk-Treasurer