

92.000 - CURFEW ORDINANCE Ord. No. 93-001 Adopted: January 18, 1993

For the purpose of protecting the life and safety of persons and property, and in recognition of the need and requirement for regulations governing the activity of minor persons in public places between the hours of 10:00 p.m. and 6:00 a.m., and for the encouragement of healthy and safe growth and peaceful coexistence of all persons in the Township of Atlas.

THE TOWNSHIP OF ATLAS ORDAINS:

*Footnotes:**--- (1) ---***Cross reference**— *House parties, etc., pt. 93; omnibus nuisance ordinance, pt. 94.*

ARTICLE I

92.100 - SHORT TITLE

92.101 - Short title.

Sec. 1.1. This Ordinance shall be known and may be cited and referred to as the Township of Atlas Curfew Ordinance, and shall hereinafter be referred to as "this Ordinance".

ARTICLE II

92.200 - SCOPE AND APPLICATION

92.201 - Application.

Sec. 2.1. The terms and provisions of this Ordinance shall be interpreted and applied as minimum standards and requirements for the promotion and protection of the public health, safety and welfare, and for the public peace and preservation of public and private property within the Township of Atlas.

92.202 - Scope.

Sec. 2.2. This Ordinance shall not interfere with, abrogate, annul or repeal any other law, ordinance, rule or regulation previously in effect, except as expressly stated, below; however, in instances where this ordinance specifically imposes a greater restriction or higher standard than the restrictions or standards of other laws, ordinances, rule or regulation, the provisions of this ordinance shall govern.

ARTICLE III

92.300 - PROHIBITIONS

92.301 - Restrictions on minors between 10:00 p.m. and 6:00 a.m.

Sec. 3.1. No minor under the age of 12 years shall loiter, idle or congregate in or on any public street, highway, alley, park or any place of business open to the public between the hours of 10:00 p.m. and 6:00 a.m., unless the minor is accompanied by a parent or guardian, or some adult delegated by the parent or guardian to accompany the child.

92.302 - Restrictions on minors between 12:00 midnight and 6:00 a.m.

Sec. 3.2. No minor under the age of 16 years shall loiter, idle or congregate in or on any public street, highway, alley, park or any place of business open to the public between the hours of 12:00 midnight and 6:00 a.m., except where the minor is accompanied by a parent or guardian, or some adult delegated by the parent or guardian to accompany the minor child, or where the minor is on legitimate business directed by his parent or guardian.

92.303 - Aiding and abetting violations.

Sec. 3.3. Any person 16 years of age or over who is assisting, aiding, abetting, allowing, permitting or encouraging any minor under the age of 16 to violate the provisions of this Ordinance shall be guilty of a violation of this Ordinance.

ARTICLE IV

92.400 - PENALTIES

92.401 - Penalties.

Sec. 4.1. Violation of this ordinance is a municipal civil infractions. In addition to pursuing a municipal civil infraction proceeding, the Township may also institute an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive. Each day a violation of this ordinance shall exist

shall be deemed a separate offense. In addition to a fine to be determined by the township board, the court, at its discretion, may award other costs, attorney's fees, damages, expenses and other remedies as provided by law.

(Amended: Ord. No. 16-02, §§ 1, 2, 6-20-16)

ARTICLE V

92.500 - SEVERABILITY

92.501 - Severability.

Sec. 5.1. In the event that any one or more sections, provisions, phrases or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity and/or enforceability of the remaining sections, provisions, phrases or words of this Ordinance unless expressly so determined by the court.

ARTICLE VI

92.600 - EFFECTIVE DATE

92.601 - Effective date.

Sec. 6.1. This Ordinance shall become effective 30 days after publication.