

ORDINANCE NO. 230

AN ORDINANCE TO PRESERVE THE PUBLIC PEACE AND SAFETY IN THE CITY OF MCCRORY, ARKANSAS AND FOR THE RESIDENTS THEREOF BY ESTABLISHING A CURFEW APPLICABLE TO JUVENILES AND REGULATING THEIR PRESENCE IN PUBLIC STREETS AND OTHER PLACES AND DEFINING THE DUTIES OF PARENTS AND GUARDIANS OF JUVENILES AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF MCCRORY, ARKANSAS:

SECTION 1. FINDING AND PURPOSE: The City Council of the City of McCrory hereby finds there has been significant breakdown in the supervision normally provided by certain parents and guidance for juveniles under eighteen (18) years of age resulting in juveniles being involved in a wide range of unacceptable behavior including vandalism, noisy and rowdy behavior, breaking and entering, public drinking and littering, harassment of residents, and more serious violent crimes including murder.

The City Council further finds that the offensive activities of the juveniles are not easily controlled by existing laws and other ordinances because the activities are concealed whenever police officers are present and that the establishment of reasonable curfew regulations will enable the community to better control the free and unobstructed access to the streets and public places by the majority of residents and will enable the police to act reasonable and fairly to prevent the violation of laws and ordinances by juveniles.

The City Council further finds and has determined that a curfew meets a very real local need and that curfew ordinance in other communities have been a factor in minimizing juvenile delinquency.

A curfew in Mccrory is particularly appropriate in view of the basic residential nature of the community and the sense of the community that there is a proper time for the cessation of outdoor activities of juveniles. That this attitude of the community is reflected in the curfew hours declared by this ordinance which takes into consideration the danger hours for nocturnal crime.

McCrorry is basically a family community. Parental responsibility for the whereabouts of children is the accepted norm by substantial majority of the community. Legal sanctions to enforce such responsibility have had demonstrated effectiveness in many communities over the years. The City Council has determined that as parents control increases there is a likelihood that juvenile delinquency decreases and that there is a need for nocturnal curfew for juveniles in the City of McCrorry and that the establishment of a curfew applicable to juveniles will reinforce the primary authority and responsibility of parents and guardians over juveniles in their care and custody.

SECTION 2: DEFINITIONS: For the purpose of the Curfew ordinance the following terms, phrases, words and there derivations shall have the meaning given herein. when not inconsistent with the context, words used in the present tense including the future, words in the plural number include the singular and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory.

(a) Juvenile or minor is any person under the age of eighteen (18) or, in equivalence phrasing often herein employed, any person who is seventeen (17) years of age or less.