

ORDINANCE 2004-03

AN ORDINANCE TO AMEND SECTION 17.03
OF THE CODE OF ORDINANCES,
TOWN OF DUNN,
DANE COUNTY, WISCONSIN

RELATING TO JUVENILE CURFEWS

The Town Board of the Town of Dunn, Dane County, Wisconsin, do ordain as follows:

Section 1: Section 17.03 of the Code of Ordinances, Town of Dunn, Dane county, Wisconsin, is hereby amended to provide as follows:

Sec. 17.03 Juvenile Curfew.

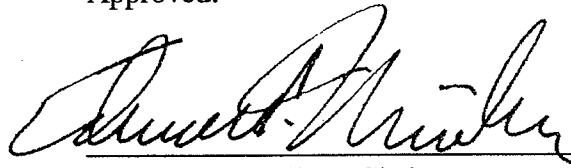
- (1) **Curfew Established.** It shall be unlawful for any juvenile to be in, on, or at (whether on foot, in or on any type of vehicle, or otherwise), any public street, avenue, highway, road, alley, park, school grounds, place of amusement and entertainment, cemetery, playground, public building, swimming beach, or any other public place in the Town during Curfew Hours unless accompanied by his or her parent, guardian, or person having legal custody of his or her person, or unless there exists a reasonable necessity therefor. The fact that said juvenile, unaccompanied by parent, guardian, or custodian, is found in, on, or at any such public place during the aforementioned hours shall be prima facie evidence that said juvenile is there unlawfully and that no reasonable excuse exists therefor.
- (2) **Curfew Hours.**
 - (a) Curfew Hours for juveniles younger than 15 years of age are as follows:
 - (i) On Sunday through Thursday, between the hours of 10:00 p.m. and 5:00 a.m. the following day.
 - (ii) On Friday and Saturday, between the hours of 11:00 p.m. and 5:00 a.m. the following day.
 - (b) Curfew Hours for juveniles 15 years of age and older are as follows:
 - (i) On Sunday through Thursday, between the hours of 11:00 p.m. and 5:00 a.m. the following day.
 - (ii) On Friday and Saturday, between the hours of 11:59 p.m. and 5:00 a.m. the following day.
- (3) **Exceptions.**
 - (a) This Section shall not apply to a juvenile:
 - (i) Who is performing an errand as directed by his or her parent, guardian, or custodian;
 - (ii) Who is on his or her own premises or in an area immediately adjacent thereto;
 - (iii) Whose employment makes it necessary to be in such a place during such hours;

- (iv) Who is going to or is returning home from, a supervised school, church, or civic function, but not more than 60 minutes before or after such function.
- (b) These exceptions shall not, however, permit a juvenile to unnecessarily loiter about said public places or be in a parked motor vehicle on the public streets.
- (4) **Parental Responsibility.** It shall be unlawful for any parent, guardian, or custodian to allow or permit such juvenile to violate the provisions of this Section. The fact that prior to the present offense a parent, guardian, or custodian was informed by any law enforcement officer of a separate violation of this Section occurring within 30 days of the present offense shall be prima facie evidence that such parent, guardian, or custodian allowed or permitted the present violation. Any parent, guardian, or custodian herein who shall have made a missing person notification to the Police Department shall not be considered to have allowed or permitted any juvenile to violate this Section.

Section 2: This ordinance shall take effect the day after passage and posting pursuant to law.

The foregoing ordinance was duly adopted by the Town Board of the Town of Dunn, Dane County, Wisconsin, at a meeting held on May 17, 2004.

Approved:



Edmond P. Minihan, Chairperson

Attest:



Rosalind Gausman, Clerk Treasurer