

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County  
City  
Town of FRANKLIN  
Village

Local Law No. 1 of the year 2010    

## A LOCAL LAW ESTABLISHING A CURFEW FOR MINORS

Be it enacted by the of the BOARD OF TRUSTEES of the  
*(Name of Legislative Body)*

County  
City  
Town of FRANKLIN as follows:  
Village

**Section 1: Legislative intent.**

The Village Board of Franklin has considered the reports with regards to persons under the age of 18 years who engage in acts of vandalism, trespassing, use of alcohol and drugs and other behavior that violates the laws of the State of New York and ordinances of the Village of Franklin . The Village has considered the health, safety, and general welfare of the residents of the Village of Franklin and finds that such behavior requires a curfew upon such persons under the age of 18.

**Section 2: Prohibited acts.**

Subject to the exceptions listed below, it shall be unlawful for any person under the age of 18 to congregate, loiter, play in or upon a public place between the hours of 11:00 p.m. and 6:00 a.m. the following day, except on weekends, when such restricted hours shall be from 12:00 midnight on Friday and Saturday to 6:00 a.m. of the following day.

**Section 3: Parental responsibility.**

A. It shall be unlawful for a parent, guardian or other adult having custody of a minor under the age of 16 years to knowingly or negligently, by insufficient control, permit, cause or allow to be or fail to prevent such minors from being in any public place in violation of this article.

B. A public place shall be defined as any place to which the public has access and includes but is not limited to highways, streets, parking lots, sidewalks, parks, alleys, vacant lots, public buildings and common areas of commercial or businesses such as their parking lots.

### **Exceptions**

The provisions of this article shall not apply to:

- A. A minor accompanied by his or her parent, guardian or other person having legal custody of such minor.
- B. A minor traveling on legitimate business directed by his or her parent, guardian or other person having legal custody of such minor.
- C. A minor traveling directly to or from any adult-supervised activity sponsored by any school, church, civic or not-for-profit agency.
- D. A minor traveling directly to or from his or her employment.

### **Section 4: Penalties for offenses.**

- A. Each violation under this article shall constitute a separate offense.
- B. Police officers are hereby authorized to take into custody any minor who shall violate the provisions of this article and to promptly notify his or her parent, guardian or other person having legal custody of such minor is in custody and where the child can be picked up.
- C. A parent, guardian or other person having legal custody of a minor or a minor the age of 16 and older who violates this article shall be punished by a fine of a maximum of \$250 for each offense.

### **Section 5: Severability.**

In the event that any word, phrase or part of this local law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this local law and shall not effect the remainder of said local law which shall remain in full force and effect.

**Section 6: Effective Date.** This local law shall take effect upon filing with the Secretary of State as required by law.