

AN ORDINANCE PROVIDING FOR AN ESTABLISHED CURFEW, EXCEPTION TO CURFEW HOURS, PENALTIES, SEVERABILITY, EXCEPTIONS THERETO AND PENALTIES AND VIOLATIONS.

WHEREAS, Gooding County has a special interest in protecting the health, safety and well being of minors and;

WHEREAS, the minors are particularly susceptible by their lack of maturity and experience, which may lead to the commission of crimes and other activities which may endanger the minor's well being, as well as that of others;

WHEREAS, Gooding County has a special interest in promoting parental control over their children, and for the protection of the general public, and for the deduction of juvenile criminal activity;

NOW, THEREFORE, BE IT ORDAINED BY BOARD OF COUNTY COMMISSIONERS IN AND FOR THE COUNTY OF GOODING, STATE OF IDAHO:

SECTION 1: CURFEW ESTABLISHED:

It shall be unlawful for any person under the age of eighteen years to be or remain, and it shall be unlawful for any parent, guardian or other person having care/custody of any person under the age of eighteen years to permit such person to be or to remain in or upon any street, alley, public ground, public place or any place open to the public or exposed to public use within Gooding County between the hours of 12:00 midnight and 5:00 a.m.

SECTION 2: EXCEPTION TO CURFEW HOURS:

A minor shall not be subject to curfew hours under the following conditions:

1. When accompanied by their parent, guardian or other adult person.
2. When engaged in legitimate employment for profit or going to or returning home a legitimate employment activity without any detour or stops.
3. When engaged in the performance of an errand or duty at the direction of their parent, guardian or other adult person having care and custody of the minor.

4. When attending an official school, religious or other recreational activity supervised by adults and sponsored by the county, city, school district, recreational district, any other civic organization, religious organization or other similar entities that take responsibility for the minor for going to returning home from without any detour or stops, an official school, religious or other recreational activity supervised by adults and sponsored by one of the entities previously stated.
5. When involved in an emergency, which includes but is not limited to a fire, natural disaster, automobile accident or any situation requiring immediate action to protect personal injury or loss of life.
6. When emancipated by marriage or a minor who is in active military service.
7. When exercising First Amendment Rights protected by the United States Constitution such as the Free Exercise Religion, Freedom of Speech and the Right to Assemble.

SECTION 3: PENALTIES:

Any person violating a provision of this chapter shall be deemed guilty of a misdemeanor.

SECTION 4: SEVERABILITY:

If any section, paragraph, or clause of the provision shall be held to be invalid or unenforceable for any reason such invalidity or unenforceability shall be in no manner affect the remaining provisions of this ordinance.

SECTION 5:

This ordinance shall be in full force and effect from and hereafter its passage, approval and publication.

THIS RESOLUTION PASSED AND ADOPTED by the GOODING COUNTY BOARD OF COMMISSIONERS on the 30th day of April, 1998.

ATTEST Helen P. Edwards
Helen P. Edwards, Clerk

Win Henslee
Win Henslee, Chairman

Michael Arkoosh
Michael Arkoosh, Commissioner

Tom Faulkner
Tom Faulkner, Commissioner

DO NOT COPY OR PRINT