

1 Introduced February 18, 2020, by Councilman
2 Borchert, seconded by Councilman Tamborella,
3 (by request of Administration)

4 **Item No. 20-02-3313**

5
6 **ORDINANCE NO. 3979**

7 An ordinance amending the Code of Ordinances of the City of Slidell,
8 Louisiana, reserved Article II of Chapter 11 (CRIMINAL CODE) to provide laws relative to
9 juvenile curfew.

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11 WHEREAS, Article II of Chapter 11 (CRIMINAL CODE) of the Code of
12 Ordinances, City of Slidell, Louisiana is currently reserved; and

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14 WHEREAS, the City of Slidell is authorized to exercise any power and
15 perform any function necessary, requisite, or proper for the management of its affairs not
16 denied by law; and

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18
19 WHEREAS, the City of Slidell has determined that, in order to further provide
20 for and promote good order, peace, and safety in the City, it is necessary to enact a
21 juvenile curfew and to fix penalties for the violation thereof.

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23
24 NOW THEREFORE, BE IT ORDAINED by the Slidell City Council that it
25 does hereby amend the Code of Ordinances of the City of Slidell, Louisiana, Article II of
26 Chapter 11 (CRIMINAL CODE) to read and provide as follows:

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30 **ARTICLE II. - CURFEW FOR JUVENILES**

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32 **Sec. 11-26. – Definitions**

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34 The following words, terms, and phrases, when used in this article, shall
35 have the meanings ascribed to them in this section, except where the context
36 clearly indicates a different meaning:

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4 *Curfew hours* means the hours, beginning on Sunday through Thursday
5 nights, between 11:00 p.m. and lasting through the following morning at 5:00
6 a.m., and the hours, beginning on Saturday and Sunday mornings, between
7 12:01 a.m. and lasting through 5:00 a.m. the same morning. Notwithstanding
8 anything in the foregoing to the contrary, for purposes of new year's day
9 each year and its preceding night, *curfew hours* means the hours between
10 1:00 a.m. on January 1 and 5:00 a.m. on January 1.

11
12 *Juvenile* means a person who has not attained 17 years of age and who is
13 not fully emancipated.

14
15 *Custodian* means a natural or adoptive parent of a subject juvenile or any
16 person who has legal custody of a subject juvenile as ordered by a court of
17 competent jurisdiction.

18
19 *Public business* means any privately owned enterprise operated within the
20 city.

21
22 **Sec. 11-27. – Prohibitions**

- 23
24 (a) Except as otherwise provided in section 11-28, it shall be unlawful for any
25 juvenile to remain in or upon any public property in the city during the
26 curfew hours.
- 27 (b) Except as otherwise provided in section 11-28, it shall be unlawful for any
28 juvenile to remain in or upon the premises of any public business in the
29 city during the curfew hours.
- 30
31 (c) Except as otherwise provided in section 11-28, it shall be unlawful for a
32 custodian to permit or, by failure to exercise reasonable control, allow his
33 juvenile to be in or upon any public property or in or upon the premises of
34 a public business within the city during the curfew hours.
- 35 (d) Except as otherwise provided in section 11-28, it shall be unlawful for any
36 owner, operator, or employee of a public business to permit a juvenile to
37 remain in or upon the premises of such public business within the city
38 during curfew hours.
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5 **Sec. 11-28. – Exceptions**

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7 Section 11-27 shall not apply under the following circumstances

- 8
9 (1) When a juvenile is accompanied by his custodian or another adult person
10 authorized by the juvenile's custodian to supervise the juvenile.
11
12 (2) When authorized by his custodian, the juvenile is attending a function or
13 activity sponsored by an educational, religious, or nonprofit organization
14 that requires or permits the juvenile to be in a public place or public
15 business at a time later than that authorized in section 11-27. Juveniles
16 attending such activities shall be subjected to the provisions of section
17 11-27 if they remain in any public place or public business one hour past
18 the time the activity is ended.
19
20 (3) When the juvenile is on an errand or specific business or activity directed
21 or permitted by his custodian or where the juvenile is acting within the
22 scope of legitimate employment or returning home from the errand,
23 activity or employment without any detour or stop.
24
25 (4) When the juvenile is involved in an emergency.
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27 (5) When the owner of a public business is the sponsor or co-sponsor of an
28 activity which requires or permits the juvenile to remain overnight on the
29 premises of such business when authorized by his custodian.

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31 **Sec. 11-29. – Enforcement Procedures and Penalties**

- 32 (a) *Enforcement procedures.* If a police officer reasonably believes that a
33 juvenile is in violation of section 11-27, the officer shall request the
34 juvenile to give his complete name and address, and information on how
35 to contact his custodian. The officer shall then advise the juvenile that the
36 juvenile is in violation of this section and shall direct the juvenile to
37 proceed immediately to his residence without any detour or stop, and the
38 officer may so escort the juvenile; or the police officer may take the
39 juvenile into custody and shall release such juvenile to his custodian.
Additionally, a police officer may cite the custodian of the juvenile for
violation of this section.

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4 (b) Penalty provisions. The following penalties for violation of section 11-27
5 shall apply:

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- 7 (1) Any juvenile violating the provisions of section 11-27 may be
8 referred to the district attorney's office for further proceedings in
9 accordance with applicable provisions of the Louisiana Children's
10 Code.
- 11 (2) Any custodian violating the provisions of section 11-27 shall, upon
12 conviction, be punished by a fine not exceeding \$1,000.00 or
13 imprisonment for a term not exceeding six months, or by both fine
14 and imprisonment, within the discretion of the court.
- 15 (3) Any owner, operator, or employee of a public business violating
16 the provisions of section 11-27 shall, upon conviction, be punished
17 by a fine not exceeding \$1,000.00 or imprisonment for a term not
18 exceeding six months, or by both fine and imprisonment, within the
19 discretion of the court.

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21 **ADOPTED** this 26th day of May, 2020.

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24 Bill Borchert
25 President of the Council
26 Councilman-at-Large

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28 Greg Cromer
29 Mayor

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33 Thomas P. Reeves
34 Council Administrator

DELIVERED	5-28-20
3:45 pm	to the Mayor
RECEIVED	6-1-20
2:50 pm	from the Mayor