

BINGEN MUNICIPAL CODE

Chapter 9.16

PARENTAL RESPONSIBILITY FOR PERSONS UNDER EIGHTEEN

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9.16.010 Short title.

This chapter shall be known as the “parental responsibility law”. (Ord. 376 §1, 1987).

9.16.020 Definitions.

For the purpose of this chapter, the following meanings:

- A. “Child” means any un-emancipated person, under the age of eighteen years.
- B. “Parent” means the mother, father, or both (both being referred to in the singular as “parent”, guardian or other adult person having the legal care, custody or control of a child. (Ord. 376 §2, 1987).

9.16.030 Curfew for persons under eighteen-Parental responsibility.

No parent shall allow his or her child to remain in, on or occupy any area of the public streets, roads, alleys, playgrounds, any other public grounds, places of amusement, places of entertainment, commercial establishments, or any unsupervised area between the hours of twelve midnight and five a.m., and city parks between the hours of ten p.m. and five a.m., except as allowed under this chapter. (Ord. 376 §3, 1987).

9.16.040 Enforcement-Exemptions.

A parent of the following children shall be exempt from the enforcement provisions of this chapter:

- A. A child accompanied by his parent;
- B. A child engaged in lawful employment or legitimate business;

- C. A child involved in an emergency concerning the person or property of himself or another;
- D. A child returning home from school or church sponsored activities, or activities supervised by an adult. The term “returning home” means immediately and directly after participation in such activity, without a broken chain of sequences and time between the end of such event and the time such child returns to his or her residence or such place as shall be authorized by his or her parent, legal guardian, or the child’s custodial adult. (Ord. 376 §4, 1987).

9.16.050 Enforcement-Authorized officers and procedures.

Law enforcement officers of the city, or law enforcement officers with mutual aid powers, shall have the authority to reasonably stop and momentarily detain a child to obtain his or her name, age and address, as well as the name and address of his or her parent whenever such law enforcement officers shall reasonable suspect that the parent or legal guardian of such child is in violation of this chapter. Upon determining that the parent or guardian of such child is in fact in violation of this chapter and not exempt under this chapter, the law enforcement officers shall direct or deliver the child to the residence of his or her parent. (Ord. 376 §5, 1987).

9.16.060 Violation-Penalty.

Upon a parent’s or legal guardian’s first violation, notice thereof shall be given to the parent or legal guardian. Upon a second violation, a summons shall be served on the parent or legal guardian and a hearing shall be held before West District Court, at which time the parent shall appear and answer to the charge of violating this chapter. Upon a determination by the judge that a second violation has occurred, a fine of not less than twenty-five dollars nor more than three hundred dollars shall be imposed upon the parent or legal guardian. Upon a third or subsequent violation involving the same child, the parent or guardian shall be subject to a fine of not less than fifty dollars nor more than three hundred dollars. (Ord. 376 §6, 1987).