

AN ORDINANCE TO BE KNOWN AS THE CURFEW LAW, MAKING IT UNLAWFUL FOR A MINOR UNDER EIGHTEEN YEARS TO BE UPON THE STREETS AND CERTAIN OTHER PUBLIC PLACES UNATTENDED, BETWEEN 12:00 MIDNIGHT AND 5:00 A. M. OF THE FOLLOWING DAY, AND TO PROVIDE PENALTY FOR VIOLATION.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, That

1) It shall be unlawful for any parent, guardian or other adult person having the care and custody of any minor under eighteen years of age to knowingly permit, allow or encourage such minor to be and remain in and upon any street, avenue, road, alley, park, vacant lot, playground, wharf, dock, place of amusement, or in and upon any other public place, whether of like kind or not, in the county of James City between the hours of 12:00 Midnight and 5:00 A. M. of the following day unless such minor is accompanied by such parent, guardian or other adult person having the care and custody of such minor, or is on an emergency errand or legitimate business and has a written consent to that effect signed by such parent, guardian or other adult person having the care and custody of such minor.

2) It shall be unlawful for any minor under the age of eighteen years to be and remain in and upon any street, avenue, road, alley, park, vacant lot, playground, wharf, dock, place of amusement, or in and upon any other public place, whether of like kind or not, in the County of James City between the hours of 12:00 Midnight and 5:00 A. M. of the following day unless such minor is accompanied by his parent, guardian or other adult person having the care and custody of such minor, or is on an emergency errand or legitimate business and has a written statement to that effect signed by his parent,

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guardian or other adult person having the care and custody of such minor.

3) Whenever any police or other officer charged with the duty of enforcing the laws of this state or the ordinances of James City County shall discover or have his attention called to the fact that any minor under the age of eighteen years is in or on any street, avenue, road, alley, park, vacant lot, playground, wharf, dock, place of amusement or is in or upon any other public place, whether of like kind or not, between the hours of 12:00 Midnight and 5:00 A. M. of the following day, the officer shall make an immediate investigation for the purpose of ascertaining whether or not the presence of such minor is in violation of any of the provisions of this section. If such investigation reveals that such presence of such minor is in violation of any of the provisions of this section, then the officer shall take the name and address of such minor and the name and address of the parent, guardian or other person having the care and custody of such minor, and shall issue a summons or otherwise notify such minor and such parent, guardian or other person having the care and custody of such minor, in writing to appear before the judge of the juvenile and domestic relations court of the County of James City at a time to be specified in such summons or notice, to be there dealt with according to the provisions of this section and the laws of the state applicable thereto. The officer shall also order such minor to forthwith proceed to his home or place of abode; and should such minor refuse or fail so to do, the officer shall take such minor to his home or place of abode should he deem such advisable.

4) Should any such minor refuse to give such officer his name and address or the name and address of his parent, guardian or other adult person having the care and custody of such minor, such officer shall take such minor to police headquarters and there detain him until such time as he can be turned over to the officers of the juvenile and domestic relations court of the County of James City to be dealt with in the manner required by law.

5) Every person who violates any of the provisions of this section, or who shall fail to proceed forthwith to his home or place of abode when so ordered by such officer or who shall knowingly give a false name or false address to such officer shall, upon conviction thereof, be punished by a fine of not less than one dollar nor more than five dollars for each offense.

This ordinance shall be in force from date of its passage.

Adopted September 30, 1965 --- Volume 6, pages 556-557