

WANTAGE TOWNSHIP

**AN ORDINANCE IMPOSING AN ANNUAL CURFEW ON
OCTOBER 30TH AND 31ST**

Ordinance #2002-17

WHEREAS, the Wantage Township Committee desires to adopt an Ordinance to impose an annual curfew on October 30th and 31st, pursuant to N.J.S.A. 40:48-2.52,

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wantage, that the following Ordinance is hereby adopted:

Section 1. Title: Curfew

Section 2. Definitions.

Guardian – A person, other than a parent, to whom legal custody of the juvenile has been given by court order.

Juvenile – An individual who is under the age of eighteen (18) years.

Public Place – Any place to which the public has access, including but not limited to a public street, road, thoroughfare, sidewalk, bridge, alley, plaza, park, recreation or shopping area, public transportation facility, vehicle used for public transportation, parking lot or any other public building, structure or area.

Section 3. Curfew established for juveniles. It shall be unlawful for any person under the age of eighteen (18) years to be or remain on any public place in the Township of Wantage on October 30th and October 31st of each year between the hours of 10:00 p.m. and 6:00 a.m. of the following date, prevailing time, unless such juvenile is accompanied by his or her parent or guardian.

Section 4. Responsibilities of parent or guardian. No parent or guardian having the legal care or custody or responsibility, as defined herein, for any juvenile shall knowingly permit any such juvenile to violate the curfew provisions of this ordinance.

Section 5. Exceptions. The prohibitions contained in §§2 and 3 are subject to the following exceptions:

- A. The juvenile is traveling directly to or returning from a hospital, doctors office, emergency care facility or pharmacy.
- B. The juvenile is traveling directly to returning from his or her place of employment.

- C. The juvenile is engaged in or going directly to or is returning from a business or occupation, which the Laws of the State of New Jersey authorize a juvenile to perform.
- D. The juvenile is engaged in the performance of an errand at the direction of the parent or guardian of such juvenile.
- E. The juvenile is going directly to, engaging in or returning from school sponsored activities, an activity sponsored by the Township or by religious or community-based organizations or similar activities provided the juvenile has the permission of his or her parent or guardian.

Section 6. Violations and Penalties. Any person violating the provisions of this ordinance shall be required to perform community service for a period not to exceed ninety (90) days. If both a juvenile and the juvenile's parent or guardian violate this ordinance, they shall be required to perform community service together. In addition to performing community service, the Court may, in its discretion, impose a fine on any violator of up to one thousand dollars (\$1,000).

Section 7. Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Section 8. Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 9. Effective Date. This ordinance shall take effect after publication and passage according to law.

ATTEST:

Richard H. Sytsema, Mayor

James R. Doherty, Clerk/Administrator

NOTICE is given that this ordinance amendment was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on April 11, 2002. It will be further considered for final passage with the proposed ordinance after public hearing at a meeting of the Mayor and Township Committee to be held in the Wantage Township Municipal Building, 888 Route 23, Wantage, New Jersey 07461, on May 9, 2002, at 8:00 o'clock P.M., and copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

James R. Doherty, Clerk/Administrator

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