

AN ORDINANCE RELATING TO CURFEW; PROVIDING PENALTIES; REPEALING ORDINANCE NO. 855 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

THE CITY OF MILWAUKIE DOES REMAIN AS FOLLOWS:

Section 1. It shall be unlawful for any child under the age of 18 years to be in, or remain in, or upon any street, alley, park or other public place between the hours specified herein, unless such child is accompanied by a parent, guardian or other proper companion of the age of 21 years, or more, specially chosen by the parent, or guardian to escort the child on the occasion in question, or by a person over 21 years of age having the care and custody of such child or, unless such child is then engaged in an entertainment, or night school, or going to, or from, an employment or night school which makes it necessary to be in, or upon, such street, alley, park, or other public place, during the night time between such specified hours. For the purpose of this section the applicable hours shall be: As to children under 14 years who have not begun high school, between 9:15 o'clock p. m. and 6:00 o'clock a. m. of the following morning except that during the months of June, July, and August, the hours shall be 10:15 o'clock p.m. and 6:00 o'clock a. m. of the following morning; as to children 14 years of age or over who have begun high school, the hours shall be between 10:15 o'clock p. m. Sunday, Monday, Tuesday, Wednesday, or Thursday, and 6:00 o'clock a. m. of the following morning and between 12 midnight on Friday or Saturday, or any day prior to a legal holiday when no school is scheduled for said legal holiday, and 6:00 o'clock a. m. of the following morning, except that during the months of June, July, and August the hours shall be between 12 midnight and 6:00 o'clock a. m. of the following morning. Any child under the age of 18 years employed in selling, delivering or wrapping newspapers shall obtain from the newspaper employer, and the employer shall issue to child employed a card showing such employment. A child failing to carry, and produce, such card shall not be deemed to be within the protection of the preceding provision.

Section 2. It shall be unlawful for any parent or guardian<sup>an</sup>, or the person having the care or custody of any child under the age of 18 years, to permit, or by inefficient control to allow such child to be in or remain in or upon any street, alley, park or other public place between the hours herein set forth in Section 1 of this Ordinance contrary to the provisions of this Ordinance. Proof that such child was on any street, alley, park or other public place at a time prohibited shall, prima facie, be sufficient evidence to sustain a conviction of a violation of this Ordinance.

Section 3. All peace officers, juvenile department counsellors, state or county welfare department employees or any other person authorized by the juvenile court of the county in which the child resides or is found, may take into temporary custody any child violating any of the provisions of this Ordinance and, for the first violation, shall as ~~soon~~<sup>soon</sup> as practicable thereafter, notify the child's parent, guardian or other person responsible for the child of the violation and shall take or send such child home and release the child to the custody of his parent or other responsible person in this state, except where the Juvenile Court otherwise orders. In case any child under the age of 18 years shall again violate any of the provisions of this Ordinance, such child may be apprehended and taken into temporary custody as a juvenile offender and delinquent and may be brought before the juvenile court of the county in which such child resides or is found.

Section 4. Any person or persons violating the provisions of Section 2 of this Ordinance shall, upon conviction, be punished by a fine of not more than \$300.00, or by imprisonment for not more than 30 days, or by both fine and imprisonment.

Section 5. Ordinance No. 855 and all other ordinances, and parts of ordinances of the City of Milwaukie, Oregon, in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Inasmuch as this Ordinance is necessary for the immediate preservation of the public health, peace and safety of Milwaukie, in this: That it is necessary that the rules and regulations of the hours and control of children on the streets of Milwaukie Oregon, be amended to adequately and properly control the same, and to conform to a uniform curfew ordinance for the greater metropolitan area of which Milwaukie is a part, therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

Read the first time this 11<sup>th</sup> day of November, 1963.

Read the second time and passed by the unanimous vote of all of the members of the City Council present this 9<sup>th</sup> day of December, 1963.

Approved by the Mayor this 9<sup>th</sup> day of December, 1963.

ATTEST: E. D. [Signature]  
City Recorder

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[Signature]  
Mayor