

ORDINANCE NO. 114

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SHERIDAN, MONTANA, PROHIBITING MINORS UNDER SIXTEEN YEARS OF AGE FROM BEING UPON OR LOITERING ABOUT THE STREETS OR OTHER PUBLIC PLACES WITHOUT ADULT SUPERVISION; OR FOR A PARENT TO PERMIT A MINOR TO BE UPON THE STREETS AFTER CERTAIN HOURS AND PROVIDING A PENALTY FOR VIOLATION.

BE IT ORDAINED by the Town Council of the Town of Sheridan, Montana, that:

Section 1. No minor under sixteen years of age shall loiter, idle, wander or play upon the public streets, highways, alleys, parks, playgrounds, school grounds or other public places or buildings or vacant lots or other unsupervised places or premises between the hours of twelve midnight of any day and six a.m. of the following morning unless accompanied and supervised by a parent, guardian or other adult person charged with the care and custody of the minor, unless the minor is upon an emergency errand or other legitimate business or employment.

Section 2. It shall be deemed a violation of this ordinance for any parent, guardian or other adult person charged with the care and custody of the minor to allow or permit such minor, either expressly or by neglect, to loiter, idle, wander or play upon the public streets, highways, alleys, parks, playgrounds, school grounds or other public places or buildings or vacant lots or other unsupervised places or premises between the hours of twelve midnight of any day and six a. m. of the following morning unless accompanied and supervised by a parent, guardian or other adult person charged with the care and custody of the minor, unless the minor is upon an emergency errand or other legitimate business or employment

Section 3. Any person violating the provisions of this ordinance is guilty of a misdemeanor and, upon conviction, shall be fined not less than \$25 nor more than \$500.

Absolute Liability

Section 4. It is the legislative purpose of the Sheridan Town Council, pursuant to the provisions of 45-2-104, M.C.A., to impose absolute liability for the misdemeanor offenses(s) enacted by and set forth in this ordinance. Those offenses shall not require proof of the mental status described in 45-2-101, M.C.A.

Repealer

Section 5. All resolutions, ordinances and sections of the Sheridan Municipal Code and parts thereof in conflict herewith are hereby repealed.

Severability

Section 6. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provision or application and, to this end, the provisions of this ordinance are declared to be severable.

Effective Date

Section 7. This ordinance shall be in full force and effect thirty (30) days after passage on second reading.

References:

7-32-2302, MCA.

PASSED AND ADOPTED by the Town Council of the Town of Sheridan, Montana at a regular session thereof held on the 13th day of August, 2007.

ATTEST:

Dean Derryberry, Mayor

Gail Leary, Town Clerk

PASSED, ADOPTED AND FINALLY APPROVED by the Town Council of the Town of Sheridan, Montana at a regular session thereof held on the 27th day of August, 2007.

ATTEST:

Dean Derryberry, Mayor

Gail Leary, Town Clerk

APPROVED AS TO FORM:

Douglas Smith, City Attorney