



Office of the City Clerk

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Legislation Details (With Text)

File #: SO2011-5551

Type: Ordinance **Status:** Passed

File created: 7/6/2011 **In control:** City Council

Final action: 7/28/2011

Title: Amendment of Municipal Code Section 8-16-020 by clarifying definition of curfew hours with regard to minors and repeal of Section 8-16-024

Sponsors: Foulkes, Toni, Harris, Michelle A., Lane, Lona, Munoz, Ricardo, Capplemann, James, Moore, Joseph, Mitts, Emma, Graham, Deborah L., Cullerton, Timothy M., Thompson, JoAnn, Reboyras, Ariel, Fioretti, Bob, O'Connor, Mary, Sposato, Nicholas, Dowell, Pat, Smith, Michele, Balcer, James, O'Shea, Matthew J., Burns, William D., Silverstein, Debra L., Quinn, Marty, Sawyer, Roderick T., Arena, John, Ervin, Jason C., Hairston, Leslie A., Reilly, Brendan, Waguespack, Scott, Burnett, Jr., Walter, Cardenas, George A.

Indexes: Ch. 16 Offenses By or Against Minors

Attachments: 1. O2011-5551.pdf, 2. SO2011-5551.pdf

Date	Ver.	Action By	Action	Result
7/28/2011	1	City Council	Passed as Substitute	Pass
7/21/2011	1	Committee on Public Safety	Recommended to Pass	Pass
7/6/2011	1	City Council	Referred	

SUBSTITUTE ORDINANCE AS AMENDED

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION I. Section 8-16-020 of the Municipal Code of Chicago is hereby amended by deleting the language struck through and by inserting the language underscored, as follows:

8-16-020 Curfew hours for minors.

(a) Definitions. Whenever used in this section:

(1) "Curfew hours" means:

(A) For minors 12 through 16 years of age, 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day; and

(B) For minors younger than 12 years of age, 8:30 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day; and

- (C) For minors 12 through 16 years of age, 11:00 p.m. on any Friday or Saturday and until 6:00 a.m. of the following day;; and

(D) For minors younger than 12 years of age, 9:00 p.m. on any Friday or Saturday and until 6:00 a.m. of the following day.

(Omitted text is unaffected by this ordinance)

(b) Offenses.

(1) A minor commits an offense if he remains in any public place or on the premises of any establishment within the city during curfew hours.

(2) A parent or guardian of a minor commits an offense if he ~~knowingly permits, or~~ by insufficient control allows; the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

(3) The owner, operator or any employee of an establishment commits an offense if he ~~knowingly~~ allows a minor to remain upon the premises of the establishment during curfew hours.

(Omitted text is unaffected by this ordinance)

(d) Enforcement. Before taking any enforcement action under this section, a police officer shall ask the apparent offender's violator's age and reason for being in the public place.

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The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in subsection (c) is present.

(e) Penalties. A person who violates a any provision of this chapter section is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed \$500.00 or an order to perform community service pursuant to Section 1-4-120 of this Code, or both. Any person who violates any provision of this section three times in any twelve-month period shall be subject to up to three times the maximum monetary fine set forth in this subsection for any subsequent violation of this section within the twelve-month period, as an alternative or in addition to a requirement to perform community service.

SECTION II. Section 8-16-024 of the Municipal Code of Chicago is hereby repealed.

SECTION III. This ordinance shall take effect upon its passage and publication.

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