

ORDINANCE NO. 95 01 K.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BARLING,
ARKANSAS, THAT:

SECTION 1: (a) It shall be unlawful for any person under the age of eighteen years to be, or to remain in or upon any of the streets, alleys or public places in the City of Barling at night after the hour of 10:00 P.M., Sunday through Thursday nights, and 12:30 A.M. on Friday and Saturday nights, unless such person is accompanied by a parent, guardian, or other adult person responsible for or having legal custody of such minor person; or such minor's gainful employment makes it necessary for such minor to be upon the streets, alleys or other public places after specified hours; or such person is on an emergency errand sanctioned by the parent, guardian or other adult person responsible for or having legal custody of the said minor; provided, however, the hours of curfew during the Christmas holidays when the public schools of Barling, Arkansas, are not in session shall be the hour of 12:30 A.M. on all nights during such holidays; provided further, that the Mayor may issue a waiver of curfew permit, which will extend the curfew to a time which is thirty minutes after the scheduled termination time of the activity for which the permit is granted, to any group of persons subject to this section which (1) is sponsored by either a public or parochial school or church within the city or is sponsored by adults associated with either a public or parochial school or church, for the purpose of supervising night activities at public or parochial schools in the city, and which (2) complies with the following conditions:

1. A written application must be filed with the Mayor not less than seven (7) days prior to the date for which the waiver is requested;
2. The application must be signed by one or more of the adult sponsors of the group;
3. The application must show the location of the event for which the waiver is requested;

4. The application must show the type of function or activity for which the waiver is requested;
5. The application must show the time the activity or function will commence and the time that it will end;
6. The application must show the name and address of the sponsor of the event;
7. The application must show the names of the adult supervisors who will be in attendance at the function;
8. There will be not less than one adult supervisor for each ten minor children or portion thereof;
9. The waiver will not be granted for any child under the age of sixteen (16) years of age and the adult supervisor signing the application must certify that none of the participating children is under sixteen (16) years of age; and
10. It shall be the responsibility of the adult supervisors to notify the parents of all of the minors that the waiver has been granted, if it is, and the date and hour when the waiver will expire.

(b) The fact that said minor, unaccompanied by parent, guardian or other adult person responsible for or having the legal custody of the said minor, is found upon any street, alley or other public place after the specified hours, shall be prima facie evidence that the minor is there unlawfully and that no reasonable excuse exists therefor.

(c) Any person under the age of eighteen (18) years violating the provisions of this section shall upon conviction be fined in any sum not to exceed ten (\$10.00) dollars for each offense.

SECTION 2: It shall be unlawful for any parent, guardian or other adult person responsible for or having the lawful care, custody and control of any person under the age of eighteen (18) years to allow, permit or suffer such minor to violate the provisions of SECTION 1 of this ordinance. Any such person who permits, allows or suffers said minor to violate the provisions of SECTION 1 of this

ordinance, shall upon conviction be fined in any sum not less than twenty-five (\$25.00) dollars for the first offense and double the previous fine for any succeeding offenses.

SECTION 3: It shall be unlawful for any person operating or in charge of any place of amusement, entertainment or refreshment, or other place of business, to permit any minor under the age of eighteen (18) years to loiter, loaf, or idle in such place or on the premises during the hours prohibited by Section 1 of this ordinance. When such owner, operator or person in charge of such place of business shall find such a minor or minors under the age of eighteen (18) years on the premises, he shall order such person to leave and if such minor refuses, the owner or operator shall notify the proper legal authorities and inform them of such violation. Any person who shall violate this section shall upon conviction be fined in any sum not less than ten (\$10.00) dollars nor more than twenty-five (\$25.00) dollars.

Passed and approved this 3rd day of May, 1973.

Mrs. Rose A. Leber
Recorder

Mayor Jerry Bailings