

ORDINANCE NO. 3228

TITLE:

An Ordinance amending Sections 1 and 2 of Ordinance No. 1555 as the same pertains to prohibiting persons under the age of 18 years from being upon streets, alleys, parks or other public places after the hour of 10:30 p.m. and declaring an emergency.

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: AMENDMENT

Section 1 of Ordinance No. 1555 is amended to read as follows:

"Section 1: AGE REQUIREMENT. It shall be unlawful for any child under the age of 18 years to be on or remain upon any street, alley, park or other public place within the City of Albany between the hours specified hereafter herein unless said child is accompanied by a parent, guardian, a person who is to have legal custody or control of the said child, or other proper companion of the age of 21 years or more, specifically chosen by the parent, guardian or legal custodian of the said child, to escort the said child on the occasion in question, or unless such child is then engaged in going to or from employment, night school, or school activities which make 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 Ordinance, the specified hours shall be: Between 10:30 p.m. and 5:30 a.m. of the following morning on Sunday, Monday, Tuesday, Wednesday, Thursday and between 12:00 midnight on Friday and Saturday, and 5:30 of the following morning."

"The matter of going to and from employment, night school, school activities or participating in an exempt employment which makes it necessary to be in or upon a street, alley, park or other public place within the City of Albany, during the night time between the specified hours, shall be a matter of defense and the burden of proof shall be upon the child or person claiming the exempt status."

Section 2: AMENDMENT

Section 2 of Ordinance No. 1555 is amended to read as follows:

"Section 2: RESPONSIBILITY OF GUARDIAN--PARENT: It shall be unlawful for any parent, legal guardian, or any other adult having custody and the legal care of any minor person under the age of 18 years, to allow or permit any such person to go upon or be upon any street, alley, park or any public place between 10:30 p.m. on Sunday, Monday, Tuesday, Wednesday and Thursday, and 5:30 a.m. of the following morning, and between 12:00 midnight on Friday and Saturday and 5:30 a.m. of the following morning, unless accompanied by a parent or legal guardian or any other person lawfully and properly accompanying such minor person."

Section 3: EMERGENCY CLAUSE

Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the citizens of the City of Albany, Oregon, and emergency is hereby declared to exist and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor of the City of Albany, Oregon.

Passed by the Council: December 8, 1965

Approved by the Mayor: December 8, 1965

Russell W. Dripp
Mayor

Effective Date: December 8, 1965

ATTEST:

Ernest L. Isham
City Recorder