

ORDINANCE NO. 2022-05

AN ORDINANCE AMENDING HARDIN CITY CODE REGARDING CURFEW OF MINORS

WHEREAS, the City of Hardin, Montana (hereinafter "City") desires to modify and change the City Code of Hardin, Montana to in order to control nighttime disturbances in the City caused by minors;

WHEREAS, the City has previously enacted curfew laws, but desires to modify the age restrictions; and

WHEREAS, the City is authorized by Mont. Code Ann. § 7-32-4302 (2021) to enact ordinances in order to preserve the peace of the City.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF HARDIN, MONTANA, Title 6, Chapter 5, Section 1 is amended by striking and inserting new language as follows:

6-5-1: **AGE RESTRICTIONS:** It shall be unlawful for any child under the age hereinafter set forth to be upon any of the public thoroughfares or other public places of the city, unless such child is accompanied by his parent, guardian or other persons having the legal care and custody of such child, or is in the performance of an errand or duty directed by his parent, guardian or legal custodian, or whose legally recognized employment makes it necessary for such child to be in or upon such public streets, thoroughfares or other public places between the hours set forth:

- A. Children under the age of ~~twelve (12)~~ sixteen (16) years, between the hours of nine o'clock P.M. and six o'clock (6:00) A.M.
- B. Children of the age of ~~twelve (12)~~ sixteen (16) years but under the age of eighteen (18), between the hours of twelve o'clock (12:00) A.M. and six o'clock (6:00) A.M.

IT IS FURTHER ORDAINED BY THE CITY COUNCIL, Title 6, Chapter 5, Section 3 is amended by striking and inserting new language as follows:

6-5-3: **VIOLATION, WRITTEN NOTICE TO APPEAR:** Any officer of the Hardin police department, upon finding a child under the prescribed ages as set forth herein, in or upon any of the ways open to the public in the city, in violation of any of the provisions of this chapter, after the hours herein prescribed, shall bring said youth into the ~~sheriff's office~~ or Hardin police department and call the parents or guardians to assume custody of said youth. The guardian and youth will be issued a promise to appear before the juvenile probation officer.

DATE OF EFFECT.

The amendment to this ordinance shall take effect and be in force thirty (30) days from the date of its second reading and passage by the City Council as required by law.

FIRST READING AND PASSAGE By a majority vote of the members present this 17th day of May, 2022.

YEAS 5

NAYS 0

Acting [Signature]
Mayor
ATTEST:

[Signature]

City Clerk



POSTED AND MADE AVAILABLE TO THE PUBLIC this 19 day of

May, 2022.

[Signature]

City Clerk

SECOND READING AND PASSAGE By a majority vote of the members

present this 7th day of June, 2022.

YEAS 6

NAYS 0



Joe Russell
Mayor

ATTEST:

Andrew Leh
City Clerk