

## **Independence, Missouri Curfew**

### **SEC. 12.03.009. CURFEW; PARENTAL RESPONSIBILITY**

A. It is unlawful for a minor under the age of seventeen (17) years to be upon the streets or public ways of the City of Independence between the hours of 10:00 p.m. and 6:00 a.m. on any ordinance Sunday, Monday, Tuesday, Wednesday, or Thursday or between the hours of 12:00 midnight and 6:00 a.m. on any Friday or Saturday or on the nights of the eves of the principal U.S. holidays, which are as follows: New Year's Eve, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veteran's Day, Thanksgiving Day, and Christmas. It shall also be unlawful for any minor subject to compulsory school attendance to be upon the streets or public ways, or to be at any public place, between the hours of 8:30 a.m. and 1:30 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday when school is in session for that minor. Provided, however, that the provisions of this section do not apply to a minor accompanied by his or her parent, guardian, or other adult person having the care and custody of the minor or to a minor who is upon an emergency errand directed by his or her parent, guardian, or other adult person having the care and custody of this minor.

B. It is unlawful for any legal guardian or any person having custody of a minor under the age of seventeen (17) years to knowingly fail or otherwise neglect to provide proper care or supervision for the minor, to encourage, condone, or approve the commission of delinquent acts and/or to knowingly allow the minor to be endangered or exposed to the potential of abuse or exploitation of others. The presence of a minor under the age of seventeen (17) years upon the streets or in any public place within the City limits during hours as set forth in the preceding paragraph shall constitute reasonable suspicion that a violation of this section has occurred. All law enforcement officers are authorized to extend protective intervention services to any minor believed to be at risk of harm as set out herein and conduct such further investigation as may be viewed as appropriate under the circumstances. Such an investigation shall cease if it is ascertained that the presence of the minor is due to his or her traveling to or from work, any bona fide recreational or educational program sponsored by any governmental, civic, religious or community organization, or travel to or from any duly licensed provider of medical, dental, or psychiatric or related care.

C. As used herein, the expression "protective intervention services" shall mean the stopping, questioning, non-punitive detention and transport of a minor to his or her home for the purpose of determining whether the minor has been the victim of unlawful neglect or whether his or her apparent delinquency has been encouraged, condoned, or approved by his or her parent or legal guardian.

D. Any parent or guardian found to be in violation of the neglect provisions of this Section shall be punished as set out in this Chapter. **PROVIDED, HOWEVER,**

that no such sanction shall be imposed upon any parent or legal guardian who enrolls the child at risk in a voluntary curfew program sponsored by the Independence Police Department and/or such parent or legal guardian also enrolls and actively participates in an organized parenting program sponsored by any governmental, church, civic, or community organization.

E. Each day during which conduct prohibited by this section occurs or continues shall constitute a separate offense.