

ORDINANCE NO. 44

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY CHILD OF THE AGE OF SEVENTEEN YEARS OR UNDER TO BE ON THE PUBLIC STREETS AND PLACES OF THE TOWN OF GIG HARBOR BETWEEN CERTAIN HOURS, PROVIDING FOR EXCEPTIONS AND PRESCRIBING A PENALTY THEREFOR.

Be it Ordained by the Council of the Town of Gig Harbor:

Section 1. It shall be unlawful for any child seventeen (17) years of age or under, to loiter, idle, wander or play in or upon the public streets, roads, alleys, parks, playgrounds, wharves, docks, or other public grounds, public places and public buildings, places of amusement and eating places, vacant lots or any other unsupervised places within the corporate limits of the Town of Gig Harbor, between the hours of 10:30 P. M. and 5:30 A. M. the following day; provided, however, that the provisions of this section shall not apply when such child is accompanied by his or her parent, guardian, or other adult person having the care and custody of the child, or when such child is upon an emergency errand directed by his or her parent or guardian or other adult person having the care and custody of such child; or when such child is returning directly home from any school function, work, recreational activity, or properly supervised recreation.

Section 2. It shall be unlawful for the parent, guardian or other adult person having the care and custody of a child under the age of eighteen years, to permit such child to loiter, idle, wander or play, or upon the public streets, roads, alleys, parks, playgrounds, wharves, docks, or other public grounds, public places and public buildings, places of amusement and eating places, vacant lots, or any other unsupervised places

within the corporate limits of the Town of Gig Harbor, between the hours of 10:30 P. M. and 5:30 A. M. the following day; provided, however, that the provisions of this section shall not apply when such child is accompanied by his or her parent, guardian, or other adult person having the care and custody of such child, or when such child is upon an emergency errand directed by his or her parent or guardian or other adult person having the care and custody of such child, or when such child is returning directly home from any school function, work, recreational activity or properly supervised recreation.

Section 3. It shall be the duty of any police officer finding any child upon the streets or of public places within the corporate limits of the Town of Gig Harbor, under the age of eighteen years, in violation of Section 1 of this Ordinance, to detain such child, for which purpose such child may be taken to any lawful place of custody for juveniles of the County of Pierce or the County of Kitsap; and it shall be his further duty to notify the parents or either of them, or the guardian or other adult person having the care and custody of such child, that the child is so detained, or in case it is impractical to detain such child at such lawful place of custody for juveniles, it shall be the duty of such officer to take such child to the place of residence of the parents or either of them, or the guardian or other adult person having the care and custody of the child, and to there notify said parents or either of them or said guardian or other adult person having the care and custody of such child, that such child was unlawfully upon the streets or public places within the Town of Gig Harbor.

Section 4. Any child under the age of eighteen years violating the provisions of Sec-

tion 1 of this Ordinance shall be guilty of a misdemeanor and shall be dealt with in accordance with Juvenile Court Laws and Procedure; and if the Juvenile Court shall, in its discretion, order that such child be turned over to the proper officers for trial under the provisions of the criminal code, such child shall upon conviction be fined not more than One Hundred (\$100.00) Dollars or be confined in the County Jail not more than thirty (30) days, provided, however, that no child under sixteen (16) years of age shall be committed to the County Jail.

Section 5. Any parent, guardian or other adult person having the care and custody of a child under the age of 18 years and who violates Section 2 of this Ordinance shall be guilty of a misdemeanor and shall be punished as follows:

Upon the first conviction such person shall be fined not less than \$25.00 nor more than \$50.00 or be confined in the County Jail not more than 10 days.

Upon a second conviction such person shall be fined not less than \$50.00 nor more than \$100.00 or be confined in the County Jail not more than 30 days.

Upon each subsequent conviction such person shall be fined not less than \$100.00 nor more than \$250.00 or be confined in the County Jail not more than 90 days.

Provided, however, that the court, within its discretion, may suspend any fine or imprisonment or part thereof provided for in this section.

Section 6. This Ordinance shall take effect upon its passage and publication as provided by law.

Passed at the regular meeting of the Council of the Town of Gig Harbor this 28th day of June, 1956.

Merrill Parish, Mayor.

Attest: James R. Currier,
Clerk.