

HILDALE CITY ORDINANCE No. 2020-001

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HILDALE, UTAH,
ADOPTING AMENDMENTS TO HILDALE CITY CURFEW ORDINANCE.**

WHEREAS, establishment of a curfew is a proper exercise of the police power of cities;

WHEREAS, Section 130-154 of the Hildale City Code of Ordinances has heretofore established a curfew of 9:30 p.m.;

WHEREAS, it has become common in the State of Utah for local governments to have a midnight curfew; and

WHEREAS, the City Council finds that a midnight curfew will promote the general welfare, and desires now to also adopt a midnight curfew for Hildale City.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF HILDALE, UTAH:

Section 1. Section 130-154 of the Hildale City Code of Ordinances is hereby amended as follows:

Sec. 130-154. - Curfew specifications.

It is unlawful for any person under 18 years of age (hereafter referred to as a "minor") to idle or loiter upon the streets or public places of the town between the hours of **12:00 a.m.** and 5:00 a.m. It is unlawful for any parent, guardian or other adult person having the care and custody of such minor to encourage or allow such minor to idle or loiter upon the streets or public place between the hours specified in this section unless accompanied by such parent or guardian. It shall be a defense to prosecution under this section that the minor was:

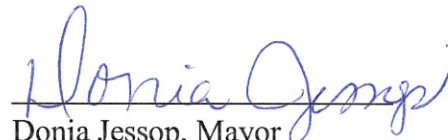
- (1) Accompanied by the minor's parent or guardian;
- (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
- (3) In a motor vehicle involved in interstate travel;
- (4) Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
- (5) Involved in an emergency errand;
- (6) Attending an official school, religious or recreational activity supervised by adults and sponsored by a governmental, educational or religious institution, civic organization or other similar entity that takes responsibility for the minor; or going to or returning home from, without any detour or stop, any such official government, school, religious or recreational activity supervised by adults and sponsored by a governmental, educational or religious institution, civic organization or other similar entity that takes responsibility for the minor;
- (7) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
- (8) Married or had been married or had disabilities of minority removed in accordance with law.

HILDALE CITY ORDINANCE No. 2020-001


Section 2. This ordinance shall become effective immediately after publication or posting as required by law.

PASSED AND ADOPTED BY THE HILDALE CITY COUNCIL, STATE OF UTAH, ON THIS 12TH DAY OF FEBRUARY 2020.

		YES	NO	ABSTAIN	ABSENT
Lawrence Barlow	Council Member	X			
Stacy Seay	Council Member	X			
Jared Nicol	Council Member	X			
JVar Dutson	Council Member	X			
Maha Layton	Council Member	X			


Donia Jessop, Mayor

Attest:



City Recorder (seal)

