

Chapter 211, CURFEW

[HISTORY: Adopted by the City Council of the City of Binghamton 10-5-1970 (Ch. 14, § 14-4, of the 1970 Code). Amendments noted where applicable.]

GENERAL REFERENCES

Sale or distribution of adult materials to minors -- See Ch. 160, Art. I.

Parks and recreation -- See Ch. 301.

§ 211-1. Hours; exceptions. [Amended 12-4-2006 by L.L. No. 2-2006]

It shall be unlawful for any person under 16 years of age to be or remain in or upon any of the streets, alleys or public places in the City between the hours of 11:00 p.m. and 6:00 a.m., unless such person is accompanied by a parent, guardian or other person having the legal custody of such minor person, or is in the performance of an errand or duty directed by said parent, guardian or other person having the care and custody of such minor person, or whose employment makes it necessary to be upon said street, alleys or public places during the nighttime after said specified hours; provided that this exception shall not apply when the minor person shall be playing or unnecessarily loitering in or upon any such street, alley or public place, whether alone or accompanied by a parent, guardian or any person or persons whomsoever.

§ 211-2. Parents' responsibility.

It shall be unlawful for any parent, guardian, or other person, having the legal care and custody of any person under 16 years of age, to allow or permit any such child, ward or other person under such age, while in his or her legal custody, to go or be in or upon any of the streets, alleys or public places in said City within the time prohibited in § 211-1 of this chapter, unless there exists a reasonable necessity therefor.

§ 211-3. Duty of police. [Amended 12-4-2006 by L.L. No. 2-2006]

Each member of the police force, while on duty, is hereby authorized to arrest any person willfully violating the provisions of § 211-1 of this chapter and detain such person for a reasonable time. No child or minor person arrested under the provisions of this section shall be placed in confinement other than being detained in some private room at police headquarters until the parents, guardian or other person having legal control and custody of such child or minor person shall have been personally notified of such arrest, at which point the minor should be released to the custody of his or her parent, guardian or other person having legal control and custody of such child or minor person.

§ 211-4. Duty of City Court Judge.

It shall be the duty of the Judge of the City Court, upon the arrest of any child or minor person where the parents or guardians have refused to become responsible for said child or minor person for violation of the provisions of § 211-1 of this chapter, to inquire into the facts of said arrest and the condition and circumstances of such child or minor person, and if it shall appear that such child or minor person, for want of proper parental care, is growing up in mendicancy or vagrancy, or is incorrigible, cause the proper proceedings to be had and taken as authorized and provided by law in such cases.