

CHAPTER 7-6 MINORS

7-6-1 FUTURE USE

7-6-2 CURFEW HOURS FOR MINORS UNDER EIGHTEEN

No minor under the age of eighteen (18) years shall be or remain in or upon the public streets, alleys, parks, playgrounds, public grounds, public places, public buildings, public places of amusement and entertainment, vacant lots or other unsupervised public places within the City between the hours of 11:00 p.m. and 5:00 a.m. of the following day.

Legislative History:
Ordinance No. 7, Article VI,
§82, 4/8/74.
Ordinance No. 277 §§, 4/14/99.

Authority:
SDCL §§ 9-29-3, 9-32-1;
See Also SDCL
§§ 26-1-1 to 26-15-4

7-6-3 EXCEPTIONS TO CURFEW

The provisions of this article imposing a curfew on minors shall not apply to a minor accompanied by his or her parent or guardian or where the minor is upon any emergency errand or legitimate business directed or authorized by his or her parent or guardian, nor shall the provisions of this article apply to minors until one-half (1/2) hours after the formal dismissal time of a church, school, club, or other adult sponsored organization, should such dismissal time be in conflict with the applicable curfew time established by this article.

Legislative History:
Ordinance No. 7, Article VI,
Ordinance No. 277 §§, 4/14/99.

Authority:
SDCL §§ 9-29-3, 9-32-1;
§83, 4/8/74.
See Also SDCL §§ 26-1-1
to 26-15-4

Cross Reference:
The Brandon City Code
§§ 7-6-1, 7-6-2.

Special Note:
Child curfew almost always
raises constitutional questions concerning a child's
freedom.

7-6-4 RESPONSIBILITY OF OFFICERS

It shall be the right of any authorized officer or person to arrest and detain any minor violating the curfew and to keep said minor detained until parent, guardian or custodian is notified, when said minor may be released upon the giving of a promise by the minor and his or her parent, guardian or custodian that such minor, together with his or her parent, guardian or custodian, will appear at a stated time before the proper authority to answer to the charges.

Legislative History:
Ordinance No. 7, Article VI,
§83, 4/8/74.

Authority:
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See Also SDCL §§ 26-1-1
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Cross Reference:
The Brandon City Code
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