

ORDINANCE NO. 8

AN ORDINANCE TO PROVIDE FOR A CURFEW FOR MINORS WITHIN ALAMOSA COUNTY, COLORADO AND PROVIDING FOR PENALTIES FOR VIOLATION THEREOF

Be it ordained by the Board of County Commissioners of Alamosa County, Colorado:

ARTICLE I

Purpose, Scope and Applicability

1.1 The Board of County Commissioners of the County of Alamosa, State of Colorado, is authorized pursuant to C.R.S. Section 30-15-401(d.5) to provide for a curfew for juveniles within the County of Alamosa, Colorado, and

1.2 (a) It is hereby found and declared to be unlawful for any child who is at least sixteen (16) years of age and who is younger than eighteen (18) years of age to be or remain upon any street, alley or other public place in the County of Alamosa ("the County"), or on any private property in the County without the express consent of the owner or lawful occupant of such property, on Sundays, Mondays, Tuesdays, Wednesdays, and Thursdays, between the hours commencing at 11:00 o'clock p.m. and ending at 5:00 o'clock a.m. the next day, and on Saturdays and Sundays commencing at the hours of 12:01 o'clock a.m. and ending at 5:00 a.m. the same day, unless such child is accompanied by a parent, guardian, or other person having legal care and custody of such child, unless there exists a reasonable justification therefor.

1.2 (b) It shall be unlawful for any child who is younger than sixteen (16) years of age to be or remain upon any street, alley, or other public place in the County, or on any private property in the County without the express consent of the owner or lawful occupant of such property, between the hours of 11:00 o'clock p.m. and 5:00 o'clock a.m., unless such child is accompanied by a parent, guardian or other person having legal care and custody of such child unless there exists a reasonable justification therefor.

ARTICLE II

Enforcement and Penalty

2.1 Any person who violates this ordinance commits a Class 2 petty offense and, upon conviction thereof, shall be punished by a fine of not more than \$500.00 for each separate violation. The penalty assessment procedure provided in C.R.S. Section 16-2-201 may be followed by any arresting law enforcement officer for any such violation. The Board of County Commissioners may increase the penalty assessments for repeat offenses of this ordinance by the same individual.

ARTICLE III
Severability

3.1 If any paragraph or subparagraph of this ordinance is held to be invalid or unconstitutional by a Court of competent jurisdiction, such decision shall not invalidate the remainder of this ordinance and, to this end, the provisions of this ordinance are declared to be severable.

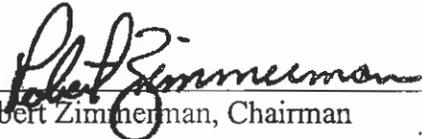
ARTICLE IV
Effective Date

This ordinance shall be effective on December 15, 1997.

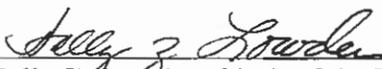
Roll call vote resulting in approval: Zimmerman YES Bobicki YES and Allen YES.

Dated October 29, 1997.

BOARD OF COUNTY COMMISSIONERS OF
ALAMOSA COUNTY, COLORADO

By: 
Robert Zimmerman, Chairman

ATTEST:

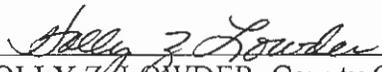

Holly Z. Lowder, Clerk of the Board

CERTIFICATION OF ATTESTATION

STATE OF COLORADO)
)ss.
COUNTY OF ALAMOSA)

I, Holly Z. Lowder, County Clerk and Ex-Officio Clerk of the Board of County Commissioners of Alamosa County, Colorado, so hereby certify that the foregoing Ordinance No. 8 was published in full in a newspaper of general circulation in Alamosa County at least ten (10) days prior to this adoption; to-wit The Valley Courier on October 18, 1997. Said Ordinance was introduced and read in full at a regular meeting of the Board of County Commissioners of Alamosa County, Colorado, on October 29, 1997. Said introduction and reading was held prior to the adoption of said Ordinance on September 24, 1997.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of Alamosa County, at Alamosa, Colorado, this 29th day of October, 1997.



HOLLY Z. LOWDER, County Clerk and
Ex-Officio Clerk of the Board of County
Commissioners of Alamosa County, Colorado