

CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY. MICHIGAN

ORDINANCE No. 177

REGULATION OF MINORS AND MINOR CHILDREN

WHEREAS, the Charter Township of Superior Board of Trustees having determined there exists a specific local problem related to the lack of supervision and misbehavior of minors within the lawful limits of this Township, and it having been determined that it is the responsibility of parent(s) and/or legal guardians(s) to ensure that their minor children or ward(s) avoid such misbehavior in violation of the ordinance;

NOW, THEREFORE, THE CHARTER TOWNSHIP OF SUPERIOR,
WASHTENAW COUNTY, MICHIGAN ORDAINS:

Section 177.01 – Curfew for Minors Under Age Thirteen (13)- It shall be unlawful for a minor under the age of thirteen (13) years to be upon any outdoor public place, including, but not limited to, any street, sidewalk, alley, park, playground, vacant lot, or any other outdoor area open to the general public, within the Township of Superior between the hours of 10:00 P.M. and 6:00 A.M. unless the minor is accompanied by a parent or guardian, or an adult delegated by the parent or guardian to accompany the minor.

Section 177.02 – Curfew for Minors Under Age Eighteen (18)- It shall be unlawful for a minor under the age of 18 years to be upon any outdoor public place, including, but not limited to, any street, sidewalk, alley, park, playground, vacant lot, or any other outdoor area open to the general public, between the hours of 11:00 p.m. through 5:30 a.m.

Section 177.03 – Exceptions- The curfew restrictions of Sections 1 and 2 of this Ordinance shall not apply to a minor under the age of 18 years if:

- (1) The minor is accompanied by his or her parent, legal guardian, or other responsible adult having the care or custody of the minor;
- (2) The minor is going to or returning from work; provided that the minor's hours of employment do not violate state law.

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Section 177.04 – Responsibility of Parents and Guardians- It shall be unlawful for any person, parent, or guardian to allow or permit, or to assist, aid, abet, or encourage any minor under the age of eighteen (18) years to violate the provisions of Sections 1 and 2 hereof, to commit any criminal act, or to come or tend to come under the jurisdiction of the juvenile division of the probate court as defined in MCL 712A.2.

Section 177.05 – Penalty- Any person found violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction may be sentenced to a fine of not more than \$500.00 and/or 90 days in jail.

Section 177.06 – Severability – If any section, sub-section, clause, phrase or portion of the ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this ordinance, and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 177.07 – Repeal- All ordinances or parts of an ordinance in conflict with this ordinance are hereby repealed. The existing Ordinance No. 93, being an ordinance to regulate minors and minor children effective July 16, 1987, is hereby repealed. The repeal provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation or prosecution of any right established, occurring prior to the effective date hereof.

Section 177.08 – Publication and Effective Date – This Ordinance shall be published pursuant to Section 8 of the Charter Township Act, being MCL 42.8 by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – with notice of such in *The Ypsilanti Courier*, a newspaper of general circulation in the Township, qualified under state law to publish legal notices, and the same shall be recorded in the Ordinance Book of the Township, and such recording authenticated by the signatures of the Supervisor and Clerk. Per MCL 42.22, said Ordinance shall be effective immediately upon publication thereof.

CERTIFICATION

I, David Phillips, hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. 177, duly adopted at second reading by the Township Board of Trustees of the Charter Township of Superior at a regular meeting held July 20, 2009, and said Ordinance was published in the Ypsilanti Courier on _____, 2009.

David Phillips, Clerk