

ORDINANCE No. P-9
PASSED AND ADOPTED DECEMBER 8, 1993
REPEALED June 3, 1998.

MARICOPA COUNTY ORDINANCE NO. 9
SUN CITY – SUN CITY WEST CURFEW ORDINANCE

In order to reduce juvenile crime, protect the citizens of this area, and reinforce parental authority, be it enacted by the Maricopa County Board of Supervisors that in an area within the following boundaries:

SUN CITY WEST

Bell Road from Grand Avenue to El Mirage Road; north on El Mirage Road to Deer Valley Road; west on Deer Valley Road to 135th Avenue alignment; north on 135th Avenue alignment to the McMicken Dam Outlet Channel; westerly along the McMicken Dam Outlet Channel to Grand Avenue; southeasterly along Grand Avenue to Bell Road.

SUN CITY

Beardsley Road from 99th Avenue alignment to 107th Avenue; south on 107th Avenue to Union Hills Drive; west on Union Hills Drive to 111th Avenue alignment; south on 111th Avenue alignment to Grovers Avenue alignment; west on Grovers Avenue alignment to 112th Avenue alignment; south on 112th Avenue alignment to Bell Road. West on Bell Road to 115th Avenue alignment; south on 115th Avenue alignment to Greenway Road alignment; east on Greenway Road alignment to 113th Avenue alignment; south on 113th Avenue alignment to Grand Avenue; southeasterly on Grand Avenue to 111th Avenue; south on 111th Avenue to Peoria Avenue; west on Peoria Avenue to 113th Avenue alignment; south on 113th Avenue alignment to Clair Drive alignment; west on Clair Drive alignment to 115th Avenue alignment; south on 115th Avenue alignment to Olive Avenue; east on Olive Avenue to 99th Avenue; north on 99th Avenue to Varney Road alignment; east on Varney Road alignment to 95th Avenue alignment; north on 95th Avenue alignment to Thunderbird Road; east on Thunderbird Road to 92nd Avenue alignment; north on 92nd Avenue alignment to Greenway Road ; east on Greenway Road to 91st Avenue alignment; north on 91st Avenue alignment to Bell Road; west on Bell Road to 93rd Avenue alignment; north on 93rd Avenue alignment to Union Hills Drive; west on Union Hills Drive to 99th Avenue alignment to Beardsley Road.

Section 1. It shall be unlawful for a child under the age of eighteen years, to be in or upon any public street, highway, park, vacant lot or other public place between the hours of 10:00 p.m. and 5:00 a.m.

Section 2. The following shall constitute valid exceptions to the operation of the curfew:

- (a) At any time, if the child is accompanied by his or her parent, legal guardian;
- (b) Until the hour of 1:00 a.m., if the child is on an errand as directed by his or her parent or legal guardian;
- (c) If the child is legally employed and carrying a written statement from the employer attesting to the place, days and hours of employment, for the period employment and one hour before to one hour after work while going directly between his or her home and place of employment;
- (d) Until the hour of 1:00 a.m., if the child is on the sidewalk in front of the building in which he or she resides;
- (e) If the child is coming directly home from a meeting or public entertainment such as a movie, play, concert, sporting event, church or school activity, within the curfew area. This exception will apply for one hour after the completion of said event, but in no case later than 1:00 a.m. If the event is not public entertainment in nature or does not have a fixed, publicly known time at which it will end, the sponsoring organization must register the event with the commander of the sheriff's office or substation having jurisdiction over the curfew area at least twenty-four hours in advance, informing it of the time such event is scheduled to begin, the place at which it will be held, the time at which it shall end, and the name of the sponsoring organization or individual. The sheriff's office shall not pass judgement upon the appropriateness of the meeting or event as a valid curfew exception;
- (f) If the child is in or on a motor vehicle which is engaged in bona fide interstate or intrastate movement through the area. This exception also applies to bona fide interstate or intrastate travel beginning or ending in the curfew area if the child is traveling directly to the residence of a parent, guardian or responsible person who is eighteen years of age or older and approved by the child's parent or guardian;
- (g) If the child, due to a bona fide emergency situation, is attempting to seek aid for himself/herself or another;
- (h) When exercising First Amendment rights protected by the United States Constitution. Such child shall carry a written communication signed by such child and countersigned by a parent or guardian with the home address and telephone number of each signing party, addressed to the commander of the sheriff's substation having jurisdiction over the curfew area, specifying when, where, in what manner, and for what purpose said child will be on the streets during the hours when the curfew ordinance is otherwise applicable. The sheriff's office

shall not judge the appropriateness of the activity which the parent or guardian claim as an exception to the ordinance.

Section 3. If a sheriff's deputy determines that the ordinance has been violated, the officer shall either order the child home or take the child to that child's home or temporary residence if it is within the boundaries of the curfew area. If the child's home is outside of the boundaries, and he or she is not temporarily staying with someone who resides within the boundaries of the curfew area, the deputy shall order the child out of the curfew area. Failure to comply with such valid orders from a deputy sheriff shall result in detention of said child.

Section 4. Detention as provided in Section 3 shall consist of transporting the child to the sheriff's department or substation where the child's parent or guardian shall be immediately contacted. If no parent or guardian is available to assume custody of the child within two hours, the child shall be transported and released to the custody of the juvenile court. Detention shall be in conformity with A.R.S. § 8-223.

Section 5. Violation of curfew is a petty offense punishable by a fine not to exceed three hundred dollars (\$300.00)

Section 6. Severability is intended throughout and within the provisions of this curfew ordinance. If any provision, including any exception, part, phrase or term, or the application thereof, to any person or circumstance is held invalid, the application to other persons or circumstances shall not be affected thereby, and the validity of the curfew ordinance in any and all other respects shall not be affected.

PASSED AND ADOPTED THIS 8TH DAY OF DECEMBER, 1993.

REPEALED June 3, 1998.