

Date of Adoption: June 25, 2007

Motion #: 07-06-48

Revised: date:

Motion #:

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SUBJECT: CURFEW FOR JUVENILES

REASON FOR POLICY: To provide for the safety and well being of the juvenile residents of Lakengren. It is not the intention of this policy to interfere with attendance at school, church or other appropriate youth activities as long as those attending such events return home there from in a quiet, orderly and direct route at the time of the completion of such events.

SOURCE OF AUTHORITY: Code of Regulations and Corporate By-Laws of Lakengren Property Owners Association, Inc. Article XIII-b.

POLICY: JUVENILE CURFEW

- A. Definitions. For the purposes of this policy, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the past tense or the future tense; words used in the singular include the plural and the plural the singular.
1. "Juvenile" shall mean any unmarried person under the age of eighteen.
 2. "Parent" shall mean the parent, guardian, custodian, person having custody or control, or person over the age of eighteen years who is in *loco parentis* to a juvenile.
- B. Juveniles under Sixteen. No juvenile under the age of sixteen (16) years, unless under the supervision of a parent, guardian or other adult authorized in writing by the parent or guardian, shall be in or upon Association roads, recreational areas, lakes, other Association property, vacant lots, or private property without authorization from the property owner, between the hours of 9:00 PM and 6:00 AM any night.
- C. Juveniles Over Fifteen but Under Eighteen. No juvenile over the age of fifteen (15) years and under the age of eighteen (18), unless under the supervision of a parent, guardian or other adult authorized in writing by the parent or guardian, shall be in or upon Association roads, recreational areas, lakes, other Association property, vacant lots, or private property without authorization from the property owner, between the hours of 11:00 PM and 6:00 AM any night, except Friday and Saturday nights when the hours of the curfew will be between the hours 12:00 midnight and 6:00 AM.
- D. Responsibility of Parents. Parents, guardians and adult supervisors must bear the responsibility for violations of this curfew.

- E. Affirmative Defenses. The following shall be affirmative defenses to a charge of violation of sections B, C, or D of this policy.
1. The juvenile is accompanied by an adult authorized in writing by a parent of the juvenile.
 2. The juvenile is returning home, by a direct route from, and within thirty (30) minutes of, the termination of a school activity, or any activity of a religious or other voluntary association provided however that justification indicating the place and time of termination of such event can be given to an investigating officer of Lakengren Security or of any police division authorized to operate in Lakengren.
 3. In case of reasonable necessity, such as an emergency, but only after such juvenile's parent has communicated to Lakengren Security or any police division authorized to operate in Lakengren the facts establishing such reasonable necessity or when such emergency is clearly apparent to the investigating officer.
- F. Penalties. Violations of this curfew may result in a minimum fine of fifty dollars (\$50) and/or other civil and criminal prosecution that may be applicable to the violation.

Submitted by: LPOA Safety Committee