

BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 7:30 p.m. this 19th day of December, 1996, with the following members present:

Michael L. Walton, President
Peggy D. Reis, Vice-President
Russell L. Jackson, Jr., Trustee
Kenneth G. Dietz, Township Clerk

Mrs. Reis introduced the following resolution and moved its passage:

RESOLUTION NO. 96-1219-03

**RESOLUTION ESTABLISHING
A CURFEW FOR MINORS**

WHEREAS, Anderson Township and surrounding communities have experienced an increase in the number of criminal acts perpetrated against citizens, businesses and churches by minors; and

WHEREAS, many of these acts are committed by minors against minors and some of these acts have contributed to an unsafe environment for minors and other citizens of Anderson Township; and

WHEREAS, this Board of Township Trustees recognizes the need to protect minors from becoming victims, as well as perpetrators, of nocturnal criminal acts, and of criminal acts perpetrated or encouraged by suspended or expelled students loitering about school premises during school hours; and

WHEREAS, neighboring communities have enacted curfew ordinances and resolutions which may cause minors from those communities to take refuge in Anderson Township during the hours of their curfews; and

WHEREAS, Revised Code Section 505.89 authorizes a board of township trustees to adopt a curfew for persons under eighteen years of age within the unincorporated area of a township; now, therefore,

BE IT RESOLVED by the Board of Township Trustees ("Board") of Anderson Township, Hamilton County, Ohio ("Township"), that it is necessary, for the reasons set forth in the preambles hereto, to adopt, and this Board does hereby adopt, a curfew for persons under eighteen years of age in the unincorporated area of the Township, with the following definitions and provisions:

SECTION I - DEFINITIONS

1. CURFEW HOURS mean the hours between 12:01 a.m. and 5:00 a.m.
2. EMERGENCY means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, fire, natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
3. ESTABLISHMENT means any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment, and any church or other religious establishment.
4. GUARDIAN means (a) a person who, under court order, is the guardian of the person of a minor, or (b) a public or private agency with which a minor has been placed by a court.
5. MINOR means any person under eighteen (18) years of age who is not married or otherwise emancipated.
6. PARENT means a person who is (a) a biological parent, adoptive parent, or step-parent of another person, or (b) at least eighteen (18) years of age and specifically authorized by a parent or guardian to have the care and custody of a minor prior to any act which is prohibited by this Resolution.
7. REMAIN means to (a) linger, stay behind, tarry, or stay about any establishment or public place, including any public right-of-way, street, road, lane, alley, highway, sidewalk, playground, park, plaza, building, or other place used by or open to the public, or (b) fail to leave the premises of any establishment, or any public place, when requested to do so by a Sheriff's officer or the owner, operator, or other person in control of an establishment.

SECTION II - CURFEW VIOLATIONS

1. A minor violates the curfew adopted hereby if he or she remains in any public place or on the premises of any establishment within Anderson Township during curfew hours.

2. A minor violates the curfew adopted hereby if he or she remains on the premises of any establishment within Anderson Township at any time when that minor is required to be in attendance at an elementary or secondary school.

3. A minor violates the curfew adopted hereby if he or she (a) is under suspension from, or has been expelled by, any elementary or secondary school, and (b) remains within one thousand feet of any school building within Anderson Township between the hours of 6:30 a.m. and 3:00 p.m. on any day when school is in session in that school building.

SECTION III - DEFENSES

It is a full defense under Section II hereof that the minor was:

- A. Accompanied by the minor's parent or guardian;
- B. On an errand at the direction of the minor's parent or guardian, without any detour;
- C. In a motor vehicle involved in interstate travel;
- D. Engaged in an employment activity, or going to or returning home from an employment activity, without any detour;
- E. Involved in an emergency which commenced prior to curfew hours, or which arose in the minor's dwelling place after curfew hours had commenced;
- F. On the sidewalk abutting the minor's residence or abutting an adjacent residence if an adult resident of the adjacent residence has not communicated an objection about the minor's presence to the Sheriff's Department;
- G. Attending any activity organized and supervised by one or more adults and sponsored by Anderson Township, another municipality or township, a park district, a school district, a civic organization, a church or other similar organization, or attending a religious activity;

- H. Engaged in any individual or social activity with the permission of the minor's parent or guardian;
- I. Going to or coming from, without any detour, those activities identified in subsections G or H herein; or
- J. Exercising any right protected by the Ohio or United States Constitutions.

SECTION IV - PENALTIES

Any minor who violates the curfew adopted hereby shall be charged as being an unruly child, and taken before juvenile court as provided in Revised Code Chapter 2151, except as may be otherwise permitted or required by applicable law.

BE IT FURTHER RESOLVED that this resolution shall take effect and be in force from and after 12:01 a.m. on February 1, 1997.

BE IT FURTHER RESOLVED that this resolution, unless its terms are extended or extended and modified by the Board, shall become inoperative on and after 12:01 a.m. on December 18, 1997, without prejudice, however, to prosecution of any curfew violation which commenced while this resolution was in force.

BE IT FURTHER RESOLVED that this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

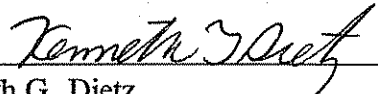
Mr. Jackson seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mr. Walton yes Mrs. Reis yes Mr. Jackson yes

CERTIFICATION

The undersigned, duly elected and acting Township Clerk of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 19th day of December, 1996, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

This 19th day of December, 1996.



Kenneth G. Dietz
Township Clerk

BOARD OF TOWNSHIP TRUSTEES
ANDERSON TOWNSHIP
HAMILTON COUNTY, OHIO

The Board of Township Trustees met in regular session at 7:30 p.m. this 18th day of December, 1997, with the following members present:

Peggy D. Reis, President
Russell L. Jackson, Jr., Vice-President
Michael L. Walton, Trustee

Mr. Walton introduced the following resolution and moved its passage:

RESOLUTION NO. 97-1218-04

RESOLUTION EXTENDING THE TERMS OF
RESOLUTION NO. 96-1219-03

WHEREAS, the curfew for minors adopted by this Board of Township Trustees ("Board") pursuant to Resolution No. 96-1219-03 became inoperative on and after 12:01 a.m. on December 18, 1997; and

WHEREAS, an analysis undertaken by the Assistant Township Administrator, based on data available through October, 1997, concludes that the curfew was an effective tool in preventing juvenile crimes and victimization — which occur most often during late night and early morning hours — in that crime categories which tend to have a high rate of juvenile involvement showed significant reductions, *i.e.*, for the ten-month period analyzed, reported assaults dropped from 100 to 78; thefts from 763 to 635; automobile thefts from 62 to 51; and criminal damaging incidents from 609 to 395; and

WHEREAS, the same analysis indicates that the curfew significantly assisted in apprehension efforts, in that while (a) the number of reported assaults dropped 22%, the percentage of juveniles arrested for this crime increased almost 300%, and (b) the number of reported automobile thefts dropped 18%, the percentage of juveniles arrested for this crime increased more than 50%; now, therefore,

BE IT RESOLVED by the Board of Township Trustees of Anderson Township, Hamilton County, Ohio, that the terms of Resolution No. 96-1219-03 (which is by this reference incorporated herein) are hereby extended to December 18, 1998, and reinstated in full force and effect; provided that the terms of Resolution No. 96-1219-03, as modified by this resolution, shall be extended from year to year thereafter unless and to the extent further modified by this Board, acting by resolution.

BE IT FURTHER RESOLVED that this Board hereby finds and determines that all formal actions of this Board concerning and relating to the passage of this resolution were taken in open meetings of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were taken in meetings open to the public, in compliance with all legal requirements, including (without implied limitation) Ohio Revised Code Section 121.22, except as otherwise permitted thereby.

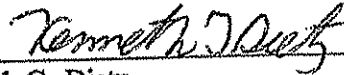
Mr. Jackson seconded the motion, and the roll being called upon the question of passage, the vote resulted as follows:

Mrs. Reis yes Mr. Jackson yes Mr. Walton yes

CERTIFICATION

The undersigned, duly elected and acting Township Clerk of Anderson Township, Hamilton County, Ohio, hereby certifies that the foregoing is a true copy of a Resolution duly passed at a regular meeting of the Board of Township Trustees of said Township on the 18th day of December, 1997, together with a true record of the roll call vote thereon, and that said Resolution has been duly entered upon the Journal of said Township.

This 18th day of December, 1997.



Kenneth G. Dietz
Township Clerk