

RESOLUTION NO.: 09-037

A RESOLUTION ESTABLISHING A **CURFEW** FOR PERSONS UNDER EIGHTEEN (18) YEARS OF AGE (MINORS) WHO ARE NOT ACCOMPANIED BY A PARENT OR LEGAL GURDIAN

The Board of Trustees of Nimishillen Township, Stark County, Ohio met in a Regular Meeting on the 12th day of February 2009, at 7:00 PM, with the following members present:

Lisa R. Shafer

Michael L. Lynch

Allen E. Gress

MR. GRESS moved the adoption of the following resolution:

WHEREAS, pursuant to Ohio Revised Code Section 505.89 a Board of Township Trustees may adopt a curfew for persons under eighteen years of age (minors) within any of the unincorporated areas of the township, and,

WHEREAS, the Nimishillen Township Board of Trustees has received an increase of resident and citizen complaints of minor children, being persons under eighteen years of age, individually and in groups, causing noise, general disturbance, littering and creating other conditions that disturb the peace, quiet, health, safety and general welfare of residents of Nimishillen Township; and,

WHEREAS, the Nimishillen Township Board of Trustees does hereby declare the necessity for a curfew to control the activity of minor children, being persons under eighteen years of age, individually and in groups, causing noise, general disturbance, litter and other conditions that disturb the peace, quiet, health, safety and general welfare of residents of Nimishillen Township; and,

NOW, THEREFORE, BE IT RESOLVED that pursuant to Ohio Revised Code Section 505.89 that the following **CURFEW FOR MINORS** shall be implemented as follows:

NIMISHILLEN TOWNSHIP, STARK COUNTY, OHIO,
CURFEW FOR MINORS

(A) No minor, being any person under eighteen years of age, shall be in or on any motor vehicle, or in or on any public place within the unincorporated areas of Nimishillen Township, Stark County, between the hours of 11:00 PM and 5:30 AM Sunday through Thursday and between the hours of 12:30 AM and 5:30 AM Friday through Saturday unless:

- (1) The minor is accompanied by a parent, legal guardian, legal custodian or other adult person having legal custody or control of such minor;
- (2) The minor is on an emergency errand or specific business as directed by the parent, legal guardian, legal custodian or other adult person having legal custody or control of such minor;
- (3) The minor is present and connected with or required by some lawful, legitimate, employment, trade or occupation;
- (4) The minor is attending or returning, within one (1) hour after the conclusion of any scheduled activity by the Louisville School District Board of Education; or from any church, school or organization, provided that the church, school or organization shall notify, in advance, the Stark County Sheriff or his designate, such information as is necessary to implement the provision of this sub-section.

(B) Any person under eighteen years of age who violates this curfew shall be charged as being an unruly child and taken before the Stark County Court of Common Pleas, Family Court, Juvenile Division as provided in Chapter 2151 of the Revised Code.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

MR. LYNCH seconded the motion and upon roll call, the vote resulted as follows:

Allen E. Gress	-	YES
Michael L. Lynch	-	YES
Lisa R. Shafer	-	YES

ADOPTED: February 12, 2009

CERTIFICATE OF THE FISCAL OFFICER

State of Ohio)
) §
County of Stark)

I, Barry L. Evans, Fiscal Officer of the Board of Trustees of Nimishillen Township, Stark County, Ohio, in whose custody and control the files and records of said Board are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original resolution now on file, and that the foregoing has been compared by me with said original resolution, and that the same is a true and correct copy thereof.

WITNESSED my signature this 12th day of February 2009.

Barry L. Evans, Fiscal Officer of the
Board of Trustees of Nimishillen Township,
Stark County, Ohio