

**TITLE XIII: GENERAL OFFENSES**

Chapter

**130. GENERAL OFFENSES**



## CHAPTER 130: GENERAL OFFENSES

### Section

130.01 Projectiles

130.02 Curfew

130.99 Penalty

### § 130.01 PROJECTILES.

(A) It shall be unlawful for any person to discharge any weapon capable of expelling, or designed to expel, or that may readily be converted to expel, a projectile by means of an explosion, except as hereinafter provided.

(B) Notwithstanding the provisions of division (A) above, it shall not be unlawful for any person to use or discharge devices designed to discharge projectiles as described in division (A) above within town districts zoned for agricultural use.

(C) The restrictions set forth above do not apply to police officers in the line of duty or private citizens lawfully exercising their constitutional right to defend a person and property under the laws of the state.

(Prior Code, § 130.01) (Ord. 2010-1, passed 2-8-2010; Ord. 2019-4-01, passed 4-8-2019) Penalty, see § 130.99

### § 130.02 CURFEW.

It shall be unlawful for:

(A) (1) Any minor person to loiter, idle, congregate, stroll, play or remain in or upon any of the streets, alleys, parks or public places or establishments, either on foot or in a vehicle of any kind within the town if the minor:

(a) Is under 15 years, between the hours of 11:00 p.m. and 5:00 a.m. local time of any day; and/or

(b) Is 15, 16 or 17 years of age, between the hours of 11:00 p.m. and 5:00 a.m. of the next day on Sunday through Thursday, or between the hours of 12:00 a.m. on a Friday or Saturday night and 5:00 a.m. of the succeeding Saturday or Sunday morning.

(2) However, this division (A) shall not apply to any minor when accompanied by his or her parent or guardian, or other adult person having been designated by a parent or guardian to accompany the minor or if the minor is engaged in lawful employment or school and church sponsored activities, or when going directly to or returning directly home therefrom; provided, however, the minor shall not be permitted to loiter during prohibited hours in going to or returning to his or her home from the activities.

(B) Any parent, guardian or other person having the authorized custody, care and control of any minor person to knowingly and willfully permit the person to be in violation of the curfew hours imposed under division (A) above.

(Ord. 2009-3, passed 6-8-2009) Penalty, see § 130.99

#### **§ 130.99 PENALTY.**

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) Violation of § 130.01 shall result in a \$50 fine for the first occurrence. Subsequent occurrences shall result in a \$500 fine for each occurrence. Each occurrence shall constitute a separate violation of this § 130.01

(C) Any minor found to be in violation of the curfew hours prescribed under § 130.02 shall be taken into custody by an enforcement officer and treated as a delinquent child in accordance with I.C. 31-37-3-1 and the following provisions. A person who violates § 130.02(A)(2) shall be liable to the following fines, within a calendar year:

- (1) First offense: \$100;
- (2) Second offense: \$200;
- (3) Third offense: \$350; and
- (4) Fourth offense: \$500.

(Prior Code, § 130.99) (Ord. 2009-3, passed 6-8-2009; Ord. 2010-1, passed 2-8-2010; Ord. 2019-4-01, passed 4-8-2019)