

ORDINANCE NO. 703

**AN ORDINANCE AMENDING CERTAIN PORTIONS OF SCAPPOOSE CITY CODE
SECTION 9.20, "OFFENSES BY OR AGAINST MINORS"**

THE CITY OF SCAPPOOSE DOES ORDAIN AS FOLLOWS:

Section 1. Code Section 9.20.010 is amended to read:

A. Hours of Curfew. It is unlawful for any minor under the age of 18 years to be in or upon any street, highway, park, alley or other public place between the hours of 12 midnight and 4 a.m. of the following morning, unless:

- (1) Such minor is accompanied by a parent, guardian or other person 18 years of age or over and authorized by the parent or by law to have care and custody of the minor;
- (2) Such minor is then engaged in a lawful pursuit, activity or occupation which requires the presence of the minor in such public places during the hours specified in this section; or
- (3) The minor is emancipated pursuant to ORS 419B.550 to 419B.558; or
- (4) Exceptional hours are approved for a particular event by the City Council.

B. Custody of Violator. If any minor is found to be in violation of this Ordinance, it shall be the duty of any peace officer to place such minor under custody and to take, or cause such minor to be taken, to the minor's home, or to file a complaint with the Juvenile Department for such further proceedings as the court may deem appropriate.

C. Responsibility of Parent or Guardian. No parent, guardian or adult person having the care and custody of a minor under the age of 18 years shall allow such minor to be in or upon any street, highway, park, alley or other public place between the hours specified in this Ordinance, except as otherwise provided herein. Any parent, guardian or adult person having the care, custody or control of any minor, who, after having been notified that such minor has once violated the provisions of this section, shall knowingly allow or permit such minor to be a second time upon the streets or in any public place in violation of this Ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not less than twenty-five dollars (\$25) nor more than fifty dollars (\$50), or by imprisonment in the City jail for a term of not less than one nor more than ten (10) days, or both, in the discretion of the court

D. Proceedings and Penalties. The City of Scappoose recognizes that the Juvenile Court has exclusive jurisdiction under state law to hear evidence, determine whether violations have occurred, and establish appropriate penalties under state law.

Section 2. Code Section 9.20.020 is amended to read:

Employment of minors in certain places. A. It is unlawful for any person to employ or permit a minor under the age of 18 years to conduct, or assist in conducting, any public dance, including

but not limited to dancing by the child as a public performance, or to assist with or furnish music for public dancing, or to allow a minor under the age of 18 to do so, except as provided in ORS 167.840.

B. A violation of this section shall be a violation.

Section 3. Code Section 9.20.030 is amended to read:

Service of alcohol to or by minors.

- A. It is unlawful for any person other than the minor's parent or guardian to sell, give, or otherwise make available any alcoholic liquor to a minor under the age of 21 years. No person shall sell, give or otherwise make available alcoholic liquor to a minor with the knowledge that the person to whom the liquor is made available will violate this Ordinance.
- B. It is unlawful for any person who exercises control over private real property to knowingly allow any other minor under the age of 21 years who is not a child or minor ward of the person to consume alcoholic liquor on the property or to remain on the property after consuming alcoholic liquor on the property. This prohibition shall apply only to a person who is present and in control of the location at the time consumption occurs.
- C. It is unlawful for any person to engage or permit any minor under the age of 21 years to handle, distribute, or sell alcoholic liquor, except as provided in ORS 471.480 and 471.482.
- D. In addition to penalties imposed by state law, a violation of this section shall be a violation.

Section 4. Code Section 9.20.050 is amended to read:

Purchase of property from minors.

- A. It is unlawful for any person to purchase any property or article of value from any minor under the age of 18 years, or to engage in any transaction respecting the title of any property in the possession of any minor under the age of 18 years, without the written consent of the parent or guardian of such minor.
- B. A violation of this section shall be a Class C misdemeanor.

Section 5. Code Section 9.20.070 is amended to read:

Tobacco sales to minors.

- A. It is unlawful for any person to directly or indirectly, or by a pretense or device, provide, distribute, sell or cause to be sold, to any minor under the age of 18 years, tobacco in any form.

B. A violation of this section shall be a violation.

Section 6. Code Section 9.020.080 is amended to read:

Tobacco consumption by minors.

A. No minor under 18 years of age shall purchase, attempt to purchase, acquire or consume any form of tobacco, except when such minor is in a private residence accompanied by the parent or guardian, and with the consent of such parent or guardian.

B. A violation of this section shall be a violation.

PASSED AND ADPOTED by the Scappoose City Council and signed by the Mayor and the City Recorder in authentication of its passage on this 18th day of June 2001.

CITY OF SCAPPOOSE, OREGON


Glenn E. Dorschler, Mayor

First Reading: June 4, 2001

Second Reading: June 18, 2001

Attest: 
Debi G. Schmit, City Recorder