

**Public Hearing  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 58  
AGENDA DATE: Thu 07/28/2005  
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**SUBJECT:** Set a public hearing on the continuance of Chapter 9-3, concerning night and daytime curfews for juveniles. (Suggested date and time: August 4, 2005 at 6:00 p.m., City Hall Council Chambers, 301 West 2<sup>nd</sup> Street)

**AMOUNT & SOURCE OF FUNDING:** N/A

**FISCAL NOTE:** There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING** Police  
**DEPARTMENT:**

**DIRECTOR'S  
AUTHORIZATION:** Rick Coy

**FOR MORE INFORMATION CONTACT:** Rick Coy, Assistant Chief/974-5021

**PRIOR COUNCIL ACTION:** Public hearing and approval of continuation of the ordinance held on August 8, 2002.

**BOARD AND COMMISSION ACTION:** N/A

**PURCHASING:** N/A

**MBE / WBE:** N/A

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This action authorizes setting the date for a public hearing to approve continuation of Ordinance No. 020808-71 relating to juvenile day and night time curfews. The juvenile curfew ordinance was passed in May 1990 and has been reviewed every three years. It was last reviewed and continued on August 8, 2002. State law requires a curfew ordinance to be continued or modified every three years or the ordinance will automatically expire.

The curfew ordinance applies to minors under 17 years of age. The city-wide curfew hours are 11:30 p.m. to 6:00 a.m. on weeknights, and midnight to 6:00 a.m. on weekends. On weekdays when school is in session, the city-wide curfew also applies from 9:00 a.m. to 2:30 p.m. Additionally, there are three specific curfew areas within the city, two located downtown and one on the southeast side with different curfew hours. Areas 1 and 2, which are downtown, have hours from 10:00 p.m. to 6:00 a.m.; Area 3, which is east of I-35 and south of Ben White Boulevard has hours from 11:00 p.m. to 6:00 a.m. on weeknights, and from midnight to 6:00 a.m. on weekends. Violations by minors, parents, guardians, and business operators are Class C misdemeanors. The ordinance contains exceptions for specified youth activities and situations.

The Austin Police Department (APD) supports the continuation of the juvenile curfew ordinance as a deterrent to juvenile crime. The curfew ordinance serves as a tool for law enforcement to address crime and truancy issues as well as ensure youth do not frequent areas at night where the likelihood of criminal involvement or victimization is higher.