



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

**AGENDA ITEM NO.: 43
AGENDA DATE: Thu 08/04/2005
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SUBJECT: Conduct a public hearing and approve the continuation of Chapter 9-3, relating to juvenile day and night time curfews.

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:

PRIOR COUNCIL ACTION: Item to set the public hearing on July 28, 2005.

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: N/A

This action authorizes conducting a public hearing and continuation of Chapter 9-3 of the City Code 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 12:30 a.m. 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. A report on the effectiveness of the ordinance is included as back-up.

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.