

**ORDINANCE NO. 11-14****ORDINANCE NO. 11-14****CHAPTER 33****ARTICLE III**

**AN EMERGENCY ORDINANCE to amend Chapter 33, *Minors*, Article III, *Regulation of Minors in Public Places and Adult Responsibility for Violations*, Division 2, *Curfew*, of the 1984 Detroit City Code by adding Sections 33-3-14 and 33-3-15 to provide for a superseding curfew for all minors on June 23, 2014, the scheduled date for the Detroit Annual Fireworks Display, or on any rescheduled date for this event, from 6:00 p.m. through 11:59 p.m., and on June 24, 2014, or on any following day where the event is rescheduled, 12:00 midnight through 6:00 a.m., with limited exceptions for any minor: 1) accompanied by his or her parent or legal guardian; 2) traveling to and from his or her place of employment; or 3) traveling to and from an education or training program or an organized sponsored recreational activity during the specified period.**

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

**Section 1. DECLARATION OF EMERGENCY**

WHEREAS, On the evenings of the Detroit Annual Fireworks Display that takes place on the Detroit River there have been numerous incidents of harassment, nuisance, vandalism, and violence committed by persons at the viewing, parking, and public places of the City before, during, and after the fireworks display;

WHEREAS, These acts of harassment, nuisance, vandalism, and violence have been committed, in part, by unsupervised minors before and during the City's regular curfew hours for minors and have endangered the peace, health, safety, and welfare of the People of the City of Detroit and the thousands of persons traveling from outside the City limits to attend this annual event;

WHEREAS, There exists public peace, health, safety, and welfare needs for effectively governing the conduct of such minors as it pertains to harassment, nuisance, vandalism, and violence for the purpose of alleviating and eliminating these problems;

WHEREAS, Due to law enforcement considerations and logistics concerns, a City-wide curfew is necessary to enhance the public, peace, health, safety and welfare for the thousands of persons who attend this annual event;

WHEREAS, Due to the fact that spectators begin to gather in the viewing areas in advance of the commencement of the Detroit Annual Fireworks Display on the day of the event, the regular curfew hours for minors provided for in the City's Curfew Ordinance are not sufficient to alleviate and curtail criminal activity by unsupervised minors in the fireworks display viewing areas;

WHEREAS, The peace, health, safety, and welfare of minors and the community-at-large will benefit from additional curfew controls for minors in the City during the Detroit Annual Fireworks Display; and

WHEREAS, The curfew for minors in the City provides for reasonable exceptions to allow for minors accompanied by his or her parent or legal guardian, for minors traveling to and from places of employment, education and training facilities, and for minors traveling to and from sponsored recreational activities during the specified curfew period.

**Section 2.** Chapter 33, *Minors*, Article III, *Regulation of Minors in Public Places and Adult Responsibility for Violations*, Division 2, *Curfew*, of the 1984 Detroit City Code is amended by adding Sections 33-3-14 and 33-3-15, to read as follows:

**CHAPTER 33. MINORS****ARTICLE III. REGULATION OF MINORS IN PUBLIC PLACES AND ADULT RESPONSIBILITY FOR VIOLATIONS****DIVISION 2. CURFEW****Sec. 33-3-14. Curfew hours for Detroit Annual Fireworks Display.**

(a) The provisions of this section shall supercede the curfew hours for minors provided for in Section 33-3-11 of this Code.

(b) On June 23, 2014, the date of the Detroit Annual Fireworks Display, or on any rescheduled date for the event, from 6:00 p.m. through 11:59 p.m., and on June 24, 2014, or on any following day where the event is rescheduled, 12:00 midnight through 6:00 a.m., it shall be unlawful for a minor, as defined in Section 33-3-1 of this Code, to be on any public street, sidewalk, alley, park, playground, vacant lot, or at any other unsupervised public place in the City.

**Sec. 33-3-15. Exceptions to curfew hours for Detroit Annual Fireworks Display.**

The curfew restrictions of Section 33-3-14 of this Code shall not apply to a minor (as defined in Section 33-3-1 of this Code) who is:

(1) Accompanied by his or her parent or legal guardian; or

(2) Going to or returning from employment, provided, that:

(a) The minor's hours of employment do not violate state law; and

(b) The minor possesses a signed statement issued by his or her employer within the previous thirty (30) days setting forth the minor's hours of employment and the location of the employment; and

(c) The minor is exempt from the curfew hours set forth in Section 33-3-14 of this Code for not more than one (1) hour before the minor's work day begins and for not more than one (1) hour after the minor's work day ends; or

(3) Going to or returning from an educational or training program, provided, that:

(a) The minor possesses proof of enrollment in a public or private school, college, or other educational institution licensed or recognized as an educational institution by the Michigan Department of Education or by another federal, state, or City agency; and

(b) The minor is exempt from the curfew hours set forth in Section 33-3-14 of this Code for not more than one (1) hour before the minor's class begins at such recognized educational institution and for not more than one (1) hour after the minor's class ends at such educational institution; or

(4) Going to or returning from an organized sponsored recreational activity, provided, that:

(a) The minor possesses proof of attendance, enrollment, or participation in

a sponsored recreational activity; and

(b) The minor is exempt from the curfew hours set forth in Section 33-3-14 of this Code for not more than one (1) hour before the organized sponsored recreational activity and for not more than one (1) hour after the organized sponsored recreational activity.

**Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are suspended on June 23, 2014, or on any rescheduled date for the Detroit Annual Fireworks Display, from 6:00 p.m. through 11:59 p.m., and on June 24, 2014, or on any date where the event is rescheduled, 12:00 midnight through 6:00 a.m., only.

**Section 4.** This ordinance is declared necessary for the preservation of the public peace, health, safety, and welfare of the People of the City of Detroit.

**Section 5.** In accordance with Section 4-116 of the 2012 Detroit City Charter, this ordinance shall be given immediate effect and become effective upon publication.

**Section 6.** In accordance with Section 4-116 of the 2012 Detroit City Charter, this ordinance shall expire on the sixty-first (61st) day after enactment unless reenacted as an emergency ordinance.

(J.C.C. p. ):	June 3, 2014
Passed:	June 3, 2014
Approved by the	
Emergency Manager:	June 4, 2014
Published:	June 12, 2014
Effective:	June 12, 2014
	JANICE M. WINFREY
	City Clerk