

Sec. 9.5-124. - Exceptions.

- (a) A juvenile or minor who is in a public place or establishment during the restricted hours shall not be in violation of this article if the juvenile or minor is:
- (1) Accompanied by his/her parent or guardian.
 - (2) Accompanied by an adult 19 years of age or older authorized by the parent or guardian of such juvenile or minor to take the parent's or guardian's place in accompanying the juvenile or minor for a designated period of time and purpose within an area specified by the juvenile's or minor's parent or guardian.
 - (3) On an errand, using a direct route, at the direction of the juvenile's or minor's parent or guardian until the hour of 12:30 a.m.
 - (4) In a motor vehicle with parental consent engaged in interstate travel through the county or originating or terminating in the county.
 - (5) Traveling in a motor vehicle with a parent or guardian or traveling in a motor vehicle with an adult 19 years of age or older authorized by the parent or guardian of such juvenile or minor to take the parent or guardian's place in accompanying the juvenile or minor for a designated period of time and purpose within a specified area.
 - (6) Engaged in a lawful employment activity or using a direct route to or from a place of employment.
 - (7) Reacting or responding to an emergency.
 - (8) Attending or traveling to or from, by direct route, an official school, religious, or recreational activity that is supervised by adults and sponsored by a public or private school, the county, or other governmental entity, a civic organization, or another similar entity that accepts responsibility for the juvenile or minor.
 - (9) Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly.
 - (10) Married or emancipated.
- (b) Special permit.
- (1) When necessary nighttime activities of a juvenile or minor may be inadequately provided for by other provisions of this article, application may be made in writing to the sheriff, or his designee, either for a regulation as provided in subsection (b)(2) or for a "special permit," as the circumstances warrant. The application shall be in writing, signed by a juvenile or minor and by a parent of the juvenile or minor, if feasible, stating:
 - a. The name, age, and address of the juvenile or minor and the telephone number of a parent;
 - b. The height, weight, sex, color of eyes and hair, and other physical characteristics of the juvenile or minor;
 - c. The necessity that requires the juvenile or minor to remain upon a public place during the restricted hours;
 - d. The public place; and
 - e. The beginning and ending of the period of time involved by date and hour.Upon receipt of the application, the sheriff, or his designee, may issue a written permit for the juvenile's or minor's use of the public place at such hours as, in the opinion of the sheriff, may be reasonable, necessary, and consistent with the purpose of this article.
 - (2) When authorized by regulation issued by the sheriff, or his designee, establishing special permit exceptions [shall be established and are] to be handled as set forth in subsection (b)(1). Normally such regulation by the sheriff, or his designee, permitting use of public places should be issued sufficiently in advance to permit appropriate publicity through news media and through other agencies, such as the schools. It shall define the activity; the scope of the use of the public places permit; the period of time involved, not to extend more than one hour beyond the time for termination of the activity; and the reason for finding that the regulation is reasonably necessary and is consistent with the purposes of this article.
 - (3) From the denial of a special permit, the parent or guardian ad litem of the juvenile or minor may appeal within 30 days to any district court judge for de novo review.

(Ord. of 4-21-97, § 1(d); Ord. of 6-23-98, § 1(d))