

AMENDMENT  
FORMS

ID# 12596

Schuman Substitute.

1. All changes proposed to Sub. 1 are stricken, returning the language to that now existing in ordinance. in #1 of the ordinance
2. Keep additions of exception (d) and (e) in # 2 and 3, and add an exception (f) for "the juvenile was attending a faith-based group or ~~a~~ community-based group or ext." an official

PLEASE FILL OUT A SEPARATE FORM FOR EACH AMENDMENT YOU PROPOSE

**AMENDMENT FORM**

COUNCIL MEETING DATE: 5/5/09

ID#: 12596

AGENDA ITEM #: 102

ALDER PROPOSING AMENDMENT: Schumacher

I MOVE THE FOLLOWING AMENDMENT(S): \_\_\_\_\_

- Delete underlined text to restore existing curfew hours
- (f) <sup>official</sup> Community group sponsored and faith based groups

INDICATE WHERE THE AMENDMENT SHOULD BE ADDED WITHIN THE FILE (NOTE THE SPECIFIC PARAGRAPH & WHERE THE AMENDMENT SHOULD BE ADDED WITHIN THAT PARAGRAPH):



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

File Number: 12596

File ID: 12596

File Type: Ordinance

Status: Unfinished Business

Version: 2

Reference:

Controlling Body: COMMON  
COUNCIL

Lead Referral: EQUAL  
OPPORTUNITIES  
COMMISSION

File Created Date : 11/11/2008

File Name: Curfew

**AMENDED-**

Final Action:

Title: SUBSTITUTE - Amending Section 23 11(1) and creating Secs. 23 11(3)(d) and (e), of the Madison General Ordinances to modify the curfew hours for juveniles and create an exception for returning home from work and organized school activities

Notes: 4452curfewSUB

CC Agenda Date: 05/05/2009

Agenda Number: 102.

Sponsors: Jed Sanborn, Thuy Pham-Remmele and Paul E  
Skidmore

Enactment Date:

Attachments: 12596 Registration Stmt pdf ,Articles on curfews in  
other jurisdictions pdf ,Curfews in other jurisdictions pdf  
,Isthmus article and Police Department Notice pdf  
,Summary of Juvenile Curfews in 17 Wisconsin  
Municipalities (2) pdf ,Wisconsin State Journal  
article pdf ,Ald Rhodes-Conway position statement pdf  
,Ltrs from Goodman Community Center Students.pdf  
,MPD Curfew Ticket Information.pdf ,National ACLU  
position statement.pdf ,The Impact of Youth Curfew  
Laws on Juvenile Crime Rates.pdf ,Registration  
Statements from Mar 12 2009 EOC mtg pdf ,Version 1

Enactment Number:

Author: Marci Paulsen

Hearing Date:

Entered by: dalthaus@cityofmadison.com

Published Date:

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office/Approval Group	11/11/2008	Referred for Introduction				
	Notes: Public Safety Review Board						
1	COMMON COUNCIL	11/18/2008	Referred	PUBLIC SAFETY REVIEW BOARD		12/10/2008	

**Notes:**

- 1 PUBLIC SAFETY REVIEW 12/09/2008  
BOARD
- 1 PUBLIC SAFETY REVIEW 12/10/2008 RECOMMEND TO COUNCIL TO ADOPT  
BOARD - REPORT OF OFFICER Pass

**Notes:**

- 1 COMMON COUNCIL 01/06/2009 Refer EQUAL OPPORTUNITIES COMMISSION 03/12/2009 Pass

**Notes:** 1 Registrant(s) in opposition not wishing to speak

Additional Referral(s): Community Services Commission Police Department

- 1 EQUAL OPPORTUNITIES 01/06/2009 Refer COMMUNITY SERVICES COMMISSION 02/11/2009

**Notes:**

- 1 EQUAL OPPORTUNITIES 01/06/2009 Refer Police Department 04/15/2009

**Notes:**

- 1 COMMUNITY SERVICES 02/11/2009 Return to Lead with the Following Recommendation(s) EQUAL OPPORTUNITIES COMMISSION 03/12/2009 Pass

**Notes:** The Community Services Commission strongly encourages the Common Council to oppose the modification of the curfew hours for juveniles.

- 1 EQUAL OPPORTUNITIES 03/12/2009 RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATION S - REPORT OF OFFICER Pass

**Notes:** to place this item on file The Equal Opportunities Commission strongly opposes this proposal

- 1 EQUAL OPPORTUNITIES 04/02/2009  
COMMISSION

- 2 Police Department 04/15/2009 Return to Lead with the Following Recommendation(s) EQUAL OPPORTUNITIES COMMISSION 03/12/2009

**Notes:** Adopt substitute

- 2 COMMON COUNCIL 04/21/2009 Refer to a future Meeting to Adopt COMMON COUNCIL 05/05/2009 Pass

**Notes:** 1 Registrant(s) in support wishing to speak ; 3 Registrant(s) in opposition wishing to speak; 5 Registrant(s) in support not wishing to speak; 3 Registrant(s) in opposition not wishing to speak

Adopt at the 5/5/09 Common Council Meeting

- 2 COMMON COUNCIL 05/05/2009

**Text of Legislative File 12596****Fiscal Note**

There may be a minimal impact on General Fund revenues derived from fines paid by violators.

**Title**

SUBSTITUTE - Amending Section 23.11(1) and creating Secs. 23.11(3)(d) and (e), of the Madison General Ordinances to modify the curfew hours for juveniles and create an exception

for returning home from work and organized school activities.

**Body**

This ordinance modifies the curfew hours for juveniles. It also creates an exception to permit juveniles to return home from work and organized school activities.

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The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (1) entitled "Definitions" of Section 23.11 entitled "Minors Under Seventeen Not To Be Allowed On Streets After Certain Hours" of the Madison General Ordinances is amended to read as follows:

Definitions.

"Curfew Hours" means the following times:

From eleven o'clock (11:00) p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday until four o'clock (4:00) a.m. of the following day ~~if the juvenile is sixteen (16) years of age, and~~

~~From ten o'clock (10:00) p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday until four o'clock (4:00) a.m. of the following day if the juvenile is under the age of sixteen (16), and~~

~~From twelve o'clock (12:00) a.m. until five o'clock (5:00) a.m. on any Friday or Saturday if the juvenile is at least twelve (12) years of age but less than seventeen (17) years of age~~

lian" means a person at least eighteen (18) years of age who has been authorized by a parent or guardian to have the care and custody of the juvenile.

ile" means any person who is at least twelve (12) years of age but less than seventeen (17) years of age.

zed Dance" means any school, church or non-profit sponsored dance, which has qualified for an exception under Madison General Ordinance Section 9.03(2)."

2. Subdivision (d) of Subsection (3) of Section 23.11 entitled "Minors Under Seventeen Not To Be Allowed on Streets After Certain Hours" of the Madison General Ordinances is created to read as follows:

"(d) The juvenile was returning directly to his or her residence from his or her place of employment."

3. Subdivision (e) of Subsection (3) of Section 23.11 entitled "Minors Under Seventeen Not To Be Allowed on Streets After Certain Hours" of the Madison General Ordinances is created to read as follows:

"(e) The juvenile was attending an organized school activity."

(F) The juvenile was attending an official faith-based group or community-based group event.