

**CHAPTER 10 – PUBLIC PEACE, SAFETY AND MORALS  
CURFEW ORDINANCE**

**Chapters:**

**10.04 Curfew**

**Chapter 10.04**

**CURFEW ORDINANCE OF THE ELY SHOSHONE TRIBE**

<b><u>SECTION 10.04.010</u></b>	<b>Short Title and Definitions</b>
<b><u>SECTION 10.04.020</u></b>	<b>Hours of curfew</b>
<b><u>SECTION 10.04.025</u></b>	<b>Responsibility of parents</b>
<b><u>SECTION 10.04.030</u></b>	<b>Exceptions to time restrictions</b>
<b><u>SECTION 10.04.040</u></b>	<b>Penalty for Violation</b>
<b><u>SECTION 10.04.050</u></b>	<b>Areas affected by chapter provisions</b>

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**SECTION 10.04.010: Short title and definitions.** This Ordinance shall be known as the “Curfew Ordinance of the Ely Shoshone Tribe” and may be cited as such and will be referred to hereinafter as “Ordinance”. Colony/Reservation shall pertain to all parcels of the Ely Shoshone Tribal Reservation and any lands acquired hereafter.

For the purposes of this chapter, the following definitions apply:

“Adult person” a person who has reached the age of majority.

“Guardian” a person having legal care, natural custody and control of the minor.

“Parent” lawful mother or father having legal care, custody and control of the minor.

“Reservation” Ely Shoshone Reservation

“Tribe” Ely Shoshone Tribe

“Tribal Police” means any officer appointed by the Ely Shoshone Tribal Council assigned with the duty to enforce and uphold the law within the boundaries of the Ely Shoshone Reservation.

**SECTION 10.04.020(a and b): Hours of Curfew.**

- (a) It shall be unlawful for any minor under the age of eighteen (18) years of age, or as otherwise provided herein, without being engaged in any lawful occupation or not accompanied by his or her parent or guardian or other adult person having legal care, custody and control of the minor, to loiter, idle, wander or stroll or be upon, in or about any of the public places in or about any public streets, avenues, alleys or other public places on the Ely Shoshone Reservation any time between the hours of ten o’clock (10:00) P.M. and five

o'clock (5:00) A.M. of the succeeding day, on Sunday through Thursday, both inclusive, and between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M. of the succeeding day, on Friday and Saturday; provided, that upon the written request of the principal of any school in the city, or upon the written request of a governmental subdivision of the Ely Shoshone Tribe, directed to the Chief of Police, police officers shall be empowered to extend such curfew on special occasions to no later than one o'clock (1:00) A.M.

- (b) **Extension of curfew hours.** Commencing on the last day of school in spring and terminating on the first day of school in fall, and subject to the other provisions of this Ordinance, said curfew shall be extended by one hour. To begin at eleven o'clock (11:00) P.M. Sunday through Thursday, both inclusive and end at five o'clock (5:00) A.M. of the succeeding day. Said curfew for the days of Friday and Saturday shall remain between the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) A.M. of the succeeding day.

**SECTION 10.04.025 Responsibility of parents.** It is unlawful for any parent, guardian or other adult person having the care, control and custody of minor under the age of eighteen (18) years of age to permit such minor to loiter, idle, wander or stroll, or be upon, in or about any of the public streets, avenues, alleys or other public places on the Reservation at of the times enumerated in Section 10.04.020 (a) and Section 10.04.020(b) of this ordinance.

**SECTION 10.04.030 Exceptions to time restrictions.** The provisions of this Ordinance shall not apply when a minor is a high school graduate or is accompanied by his/her parent(s), guardian or other adult person having the care and custody of the minor, or supervising his/her activities, or where the minor is upon an emergency errand or other legitimate business by their parent, guardian or other adult having the care and custody of the minor or supervising his/her activities.

**SECTION 10.04.040 Penalty for violation.** Any minor who violates any of the provisions of this Ordinance may be punished by being placed in detention or shelter care, set forth in the Ely Shoshone Tribe Children's Code, by order of the Ely Shoshone Tribal Court, and Ely Shoshone Tribal Police Department; and if any parent, guardian or other adult person having the care, custody and control of such minor who violates any of the provisions of this Ordinance shall be guilty of a **Category F Offense** for the first offense, and **Category E or D** for any subsequent offense.

**SECTION 10.04.050 Areas of Reservation affected.** The provisions of this Ordinance shall apply to all areas within the boundaries of the Ely Shoshone Reservation and any lands acquired after the date of the adoption of this Ordinance.