

ORDINANCE NO. 2000-9

AN ORDINANCE AMENDING ORDINANCE NO. 94-7

AN ORDINANCE OF THE TOWN COUNCIL OF THE
TOWN OF WESTVILLE, LAPORTE COUNTY, INDIANA
ESTABLISHING A CURFEW FOR MINORS AND PARENTAL OR CUSTODIAL
RESPONSIBILITY

WHEREAS, the Town Council of the Town of Westville did, on January 4, 1995, enact Ordinance No. 94-7, an Ordinance establishing a curfew for minors and parental or custodial responsibility; and

WHEREAS, since enactment of said Ordinance, certain case authority has established the necessity of an additional defense provision relating to a minor's exercise of First Amendment Rights; and

WHEREAS, the Town Council of the Town of Westville, upon consideration, desires to amend Ordinance No. 94-7 so as to assure that said Curfew Ordinance passes constitutional based challenge; and

WHEREAS, those cases considering other Curfew Ordinances have required a First Amendment exception to the provisions of the Curfew Ordinance.

NOW, IN CONSIDERATION OF THE FOREGOING, BE IT HEREBY ORDAINED by the Town Council of the Town of Westville, LaPorte County, Indiana that Paragraph C of Ordinance No. 94-7 be amended to include the following sub-paragraph as follows:

4. Who is 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.

This Ordinance shall be effective from and after its date of adoption and any publication required by law.

ALL OF WHICH IS ORDAINED by the Town Council of the Town of Westville, LaPorte County, Indiana this 15 day of August, 2000.

Regina Luddell
Town Council Member

James F. Stumpf
Town Council Member

Kenneth D. Stallings
Town Council Member

Robert D. Miller
Town Council Member

Malinda Mason
Town Council Member

ATTEST:

By: Carol Rotzien
Carol Rotzien
Clerk-Treasurer