

ORDINANCE # 2023-02

ORDINANCE §8.06 CURFEW OF THE CODE OF THE VILLAGE OF GRESHAM, SHAWANO COUNTY, WISCONSIN.

BE IT ORDAINED, by the Village Board of the Village of Gresham, Shawano, County, Wisconsin, that §8.06 amended and added to the Municipal Code of the Village of Gresham are here by to read as follows:

**§8.06 Curfew.**

**[Amended by Ord. N. 199-6; 10-16-2023]**

A. Restrictions.

- (1) No individual between the age of 14 years through 17 years shall remain upon any street or alley or other public place in the Village between 10:00 p.m. on Sunday, Monday, Tuesday, Wednesday, or Thursday and 6:00 a.m. the next day, and between 12:00 midnight on Friday and Saturday and 6:00a.m. the next day. **[Amended 10-16-2023 by Ord. No. 1748, 7-8-2009 by Ord.No.1751]**
- (2) No individual under the age of 14 years shall remain upon any street or alley or other public place in the Village between 10:00 p.m. and 6:00 a.m. the next day.

B. Exceptions. The following shall constitute valid exceptions to the operation of the curfew:

- (1) At any time, if the individual is accompanied by his or her parent, or guardian. "Parent" means a person who is a natural parent, adoptive parent, or stepparent of another person. "Guardian" means a person who, under court order, is the guardian of the minor; or a public or private agency with whom a minor has been placed by a court.
- (2) At any time, the individual is involved in an emergency.
- (3) At any time, while the individual is pursuing the duties of his or her employment.
- (4) On an errand at the written direction of his or her parent or guardian, without any detour or stop (written direction must be signed, timed, and dated by the parent or guardian and must indicate the specific errand). This exception shall apply no later than 12:30 a.m.
- (5) Attending, or going to or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the Village, Gresham School District, a civic organization, or another similar entity that takes responsibility for the minor. If the event is not commercial

in nature or does not have a fixed publicly known time at which it will end, the sponsoring organization must register the event with the Police Department at least 24 hours in advance informing it of the time such event is scheduled to be, the place at which it will be held, the time at which it shall end and the name of the sponsoring organization. This exception will apply for ½ hour after the completion of such event, but in no case beyond 12:30 a.m.

- (6) If the person is coming home from a private home approved by the parent or legal guardian.

**C. Daytime curfew. [Added 10-16-2023 by Ord. No. 199-6]**

- (1) The purpose of this subsection is to discourage children of compulsory school age from unauthorized absences and to impose penalties upon those students and the parents or legal guardians of such students. It is the intent of the subsection to promote the development and welfare of the children of this community by discouraging unauthorized absenteeism and encouraging school attendance.
- (2) Definitions. As used in this subsection, the following terms shall have the meanings indicated:

**SUBJECT TO COMULSORY SCHOOL ATTENDANCE**

Any child subject to a mandatory school attendance under Wisconsin law in the school district of such child's residence; or any child found in the Village of Gresham who shall be subject to mandatory attendance if the child were a residence of the Village of Gresham.


- (3) Daytime curfew violation. No child subject to compulsory school attendance shall be any place within the Village of Gresham, except in attendance at school or such child's place of residence, during the hours when the child is required to be in attendance at either a public or private school as required by law, unless the child has written proof from the school authorities excusing the child from school attendance at that particular time or unless the child is accompanied by parent or legal guardian who supervised the child subject to compulsory school attendance.
- (4) Contributing to daytime curfew violation.
  - a. Each parent or legal guardian of a child subject to compulsory school attendance shall have a duty to prevent that child from violating the provisions of this subsection.
  - b. No adult may permit a child subject to compulsory school attendance from violating the provisions of this subsection.

(e) Exceptions. The actions set forth in Subsection (C)(1) and (3) above shall not be a violation the of this subsection if:

1. The child, at the time of the alleged violation, was not required by law to attend the school attended by that child.
2. The parent or legal guardian is a petitioner in a currently pending juvenile court proceeding involving the child or such a proceeding in which the judge has restrained ongoing supervision or jurisdiction.
3. At the time of the alleged violation, the student was employed pursuant to a school-sponsored program or was the recipient of a work permit issued by the school authorities and the child was on the job or traveling to or from the job site or program location at that time.

THIS ORDINANCE SHALL BE EFFECTIVE OCTOBER 20<sup>TH</sup>. 2023 AND POSTED ON OCTOBER 20<sup>TH</sup>. 2023.

ADOPTED BY THE VILLAGE OF GRESHAM, VILLAGE BOARD THE 16<sup>TH</sup>. DAY OF OCTOBER 2023.

  
Richard Giese, Village of Gresham President

October 16<sup>th</sup>. 2023  
Date

  
Judith Kristof, Clerk/Treasurer

October 16<sup>th</sup>. 2023  
Date

Disclaimer: The village clerk's office has the official version of the Gresham Municipal Code. Users should contact the village clerk's office for ordinances passed subsequent to the ordinance cited above.

Village Website:

Village Telephone (715) 787-3244