

Juveniles Curfew Ordinance

On Wednesday, May 9, 2007, the Houston City Council enacted changes to Juvenile Curfew ordinance. Effective immediately, it is unlawful for any minor under the age of 17 years to remain, walk, run, drive or ride about, in or upon any public place in the city between the hours of 11 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday and 6 a.m. of the following day, or between the hours of 12 a.m. (midnight) and 6 a.m. on any Saturday or Friday, or between the hours of 9 a.m., and 2:30 p.m. on Monday, Tuesday, Wednesday, Thursday or Friday. It is also unlawful for the parent or guardian, having legal custody of a Minor under the age of 17 years of age to knowingly allow the minor to be in violation of these curfew hours.

The new ordinance allows for the following defense to prosecution:

- His or her parent or guardian accompanied the minor.
- An adult designated by his or her parent or guardian accompanied the minor.
- The minor was on an errand made necessary by an emergency.
- The minor was attending school, religious, or government-sponsored activity.
- The minor was engaged in a lawful employment activity or was going directly to or coming from lawful employment.
- The minor was on a sidewalk directly in front of the place where he or she resides.
- The minor was on an errand directed by his or her parent or guardian.
- The minor was in a motor vehicle involved in intrastate or interstate transportation.
- The minor was engaged in participating in, or travelling to or from any event, function, or activity for which the application of this ordinance would reflect with his or her rights protected by the Texas or United States Constitutions.
- The minor was married or had disabilities of minority removed in accordance with chapter 31 of the Texas Family Code.
- Between the hours of 9 a.m. and 2:30 p.m., if the offense occurred during school summer vacation break period of the school in which the minor is enrolled, or on a holiday observed by the closure of classes at the school in which the minor is enrolled, or if the minor has graduated from High School or received a High School Equivalency Certificate.
- Between the hours of 11 p.m. and 12 a.m. (midnight), if the day following the offense is a holiday observed by the closure of classes in the school in which the minor is enrolled;
or
- The Minor was attending or was traveling to or from a recreational activity supervised by adults and sponsored by the City, a civic organization, or another similar entity that takes responsibility for the minor.