

**ORDINANCE**

**CITY OF NEW ORLEANS**

**CITY HALL: December 1, 2011**

**CALENDAR NO. 28.787**

**NO. \_\_\_\_\_ MAYOR COUNCIL SERIES**

**BY: COUNCILMEMBER GIBSON PALMER**

**AN ORDINANCE** to amend and re-ordain Section 54-424, Article VI of Chapter 54 of the Code of the City of New Orleans to modify current curfew hours for minors (persons age 16 years old or younger) in the area bounded by both sides of Canal Street, North Rampart Street, Elysian Fields Avenue, and the Mississippi River.

**WHEREAS**, if a police officer or other authorized peace officer reasonably believes that a minor is in violation of the curfew provisions of Section 54-414 of the City Code, the officer has the authority to stop the individual; and

**WHEREAS**, according to the New Orleans Police Department, since January 1, 2011, there have been over 786 arrests of individuals 16 years of age or younger in the French Quarter and in the Frenchmen Street area of the Faubourg Marigny neighborhood; and

**WHEREAS**, in comparison to other areas of the City of New Orleans and the metropolitan area, there is a much greater concentration of alcoholic beverage outlets in the French Quarter and along Frenchmen Street from Esplanade Avenue to Elysian Fields Avenue; and

**WHEREAS**, according to the New Orleans Police Department, since January 1, 2011, there have been four (4) homicides and over nineteen (19) weapons-related offenses in crowded areas of the French Quarter and in the Frenchmen Street area of the Faubourg Marigny neighborhood; and

**WHEREAS**, on October 31, 2011 two (2) people were killed and twelve (12) people were injured by gunfire less than 90 minutes apart and within the vicinity of over 100 police officers who were patrolling Bourbon and Canal Streets; and

**WHEREAS**, protecting the security and well-being of children 16 years of age and younger is a major public safety concern of the New Orleans Police Department, public and elected officials, and the New Orleans City Council; and

**WHEREAS**, according to Section 54-414 of the City Code, the current citywide curfew for minors is 8:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday until 6:00 a.m. of the following day; and

**WHEREAS**, the New Orleans City Council shall amend Section 54-414 of the City Code to increase the curfew on Friday and Saturday evenings from 8:00 p.m. to 6:00 a.m. of the following day in the area bounded by Canal Street, North Rampart Street, Elysian Fields Avenue, and the Mississippi River only; and

**WHEREAS**, all other areas of the City of New Orleans will not be affected by this amendment; and

**WHEREAS**, Section 54-414 of the City Code allows for the following defenses to the curfew law which do not apply to any minor who is accompanied by the minor's custodian; on a reasonable errand; in a motor vehicle involved in interstate travel; engaged in an employment activity pursuant to the minor's custodian's direction, or going to or returning home from such an employment activity without any detour or stop; involved in an emergency; on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor, with the next-door neighbor's consent; attending an official school, religious, or other recreational activity supervised by adults or sponsored by the city or another public body, a civic organization, or other similar entity that takes



**ORDINANCE**

**CITY OF NEW ORLEANS**

**CITY HALL: December 1, 2011**

**CALENDAR NO. 28,787**

**NO. \_\_\_\_\_ MAYOR COUNCIL SERIES**

**BY: COUNCILMEMBER GIBLISON PALMER**

**AN ORDINANCE** to amend and re-ordain Section 54-424, Article VI of Chapter 54 of the Code of the City of New Orleans to modify current curfew hours for minors (persons age 16 years old or younger) in the area bounded by both sides of Canal Street, North Rampart Street, Elysian Fields Avenue, and the Mississippi River.

**WHEREAS**, if a police officer or other authorized peace officer reasonably believes that a minor is in violation of the curfew provisions of Section 54-414 of the City Code, the officer has the authority to stop the individual; and

**WHEREAS**, according to the New Orleans Police Department, since January 1, 2011, there have been over 786 arrests of individuals 16 years of age or younger in the French Quarter and in the Frenchmen Street area of the Faubourg Marigny neighborhood; and

**WHEREAS**, in comparison to other areas of the City of New Orleans and the metropolitan area, there is a much greater concentration of alcoholic beverage outlets in the French Quarter and along Frenchmen Street from Esplanade Avenue to Elysian Fields Avenue; and

**WHEREAS**, according to the New Orleans Police Department, since January 1, 2011, there have been four (4) homicides and over nineteen (19) weapons-related offenses in crowded areas of the French Quarter and in the Frenchmen Street area of the Faubourg Marigny neighborhood; and

**WHEREAS**, on October 31, 2011 two (2) people were killed and twelve (12) people were injured by gunfire less than 90 minutes apart and within the vicinity of over 100 police officers who were patrolling Bourbon and Canal Streets; and

**WHEREAS**, protecting the security and well-being of children 16 years of age and younger is a major public safety concern of the New Orleans Police Department, public and elected officials, and the New Orleans City Council; and

**WHEREAS**, according to Section 54-414 of the City Code, the current citywide curfew for minors is 8:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday until 6:00 a.m. of the following day; and

**WHEREAS**, the New Orleans City Council shall amend Section 54-414 of the City Code to increase the curfew on Friday and Saturday evenings from 8:00 p.m. to 6:00 a.m. of the following day in the area bounded by Canal Street, North Rampart Street, Elysian Fields Avenue, and the Mississippi River only; and

**WHEREAS**, all other areas of the City of New Orleans will not be affected by this amendment; and

**WHEREAS**, Section 54-414 of the City Code allows for the following defenses to the curfew law which do not apply to any minor who is accompanied by the minor's custodian; on a reasonable errand; in a motor vehicle involved in interstate travel; engaged in an employment activity pursuant to the minor's custodian's direction, or going to or returning home from such an employment activity without any detour or stop; involved in an emergency; on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor, with the next-door neighbor's consent; attending an official school, religious, or other recreational activity supervised by adults or sponsored by the city or another public body, a civic organization, or other similar entity that takes

