

**ORDINANCE 23-237**

**AN ORDINANCE OF THE TOWN OF FAIRMONT, ROBESON COUNTY, NORTH CAROLINA, AMENDING SECTION 132.04, CURFEW FOR MINORS, OF THE CODE OF ORDINANCES BY AMENDING ENFORCEMENT AND PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.**

**Now, therefore, be it ordained** by the Town of Fairmont Board of Commissioners that the Fairmont Code of Ordinances is hereby amended as follows:

**Section 1.** That Section 132.04 (D)(5)(a) Enforcement is hereby amended in its entirety to read as follows:

“(a) When a minor is found to be in violation of this section, the officer will check the computer files located at the Police Department to see if the juvenile is a first offender. If the juvenile is a first offender, he or she will be taken to the residence of his or her parent or guardian. A warning will be given to that adult and an information report will be taken by the officer to include the name of the juvenile and adult, the time, date and location of the offense. This report will be kept in the computer files at the Police Department.”

**Section 2.** That Section 132.04 (D)(5)(b) Enforcement is hereby in its entirety to read as follows:

“(b) If, upon checking the computer files, the juvenile is found to be a repeat offender, he or she will be taken to the residence of his or her parent or guardian and the adult will be subject to a criminal citation pursuant to division (C)(6) of this section. A report will be turned in to the Fairmont Police Department and it will be reviewed by the Fairmont Police Chief or his designee for possible referral to the Robeson County Juvenile Justice office.”

**Section 3.** That Section 132.99 (A) Penalty is hereby amended in its entirety to read as follows:

“(A) Any person who violates any provision of this section shall be guilty of a misdemeanor and shall be subject to a fine not to exceed \$100.00 and imprisonment in the discretion of the Court in accordance with N.C.G.S. 14-4.”

**Section 4.** That Section 132.99 (B) Penalty is hereby amended in its entirety to read as follows:

“(B) In addition to any other applicable penalty, a minor who violates any provision of this section is subject to being adjudicated delinquent. The Court may, in its discretion, impose any dispositional alternative that is provided in the North Carolina Juvenile Code for any minor who is delinquent.”

**Section 5.** That this ordinance shall become effective immediately upon its passage and adoption.

**Passed and adopted** unanimously after first reading in full this 18th day of April, 2023.

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Charles Kemp, Mayor

Attest: \_\_\_\_\_  
Jennifer Larson, Town Clerk