

**Town of Belmont, New Hampshire
CURFEW ORDINANCE**

I. PURPOSE AND AUTHORITY

The purpose of this ordinance is to protect the safety, health and welfare of the general public and to regulate the behavior in and protect the property interests of and the facilities owned and/or operated by the Town of Belmont.

It is adopted pursuant to RSA 31:43-a, et seq. and RSA 41:11 and 47:17, VII.

II. DEFINITIONS

The following definitions shall apply unless the context clearly indicates or requires a different meaning.

AFFECTED AREA - The area in the Town of Belmont encompassing and including the areas within to include Main Street from Concord Street to Gilmanton Road, Main Street from Concord Street to Laconia Road, Depot Street from Main Street to Johnson Street, Johnson Street, Glenridge Road, Shaker Road from Main Street to and including the area known as Pout Pond, Gilmanton Road from Main Street to Laconia Road, Concord Street from Laconia Road to Main Street, Church Hill to Seavey Road, Sargent Park Area and the Village Common Area, Mill Street all public streets from Main Street east to Laconia Road, all town properties.

MINOR - Means a person under the age of 16.

PARENT / GUARDIAN - Any person having the control or legal responsibility of any minor under the age of 16 years

SARGENT PARK AREA - Area encompassing the park, skateboard park and basketball court located on Sargent Street between Main Street, Fuller Street and School Street.

SUBSEQUENT VIOLATION - Any violation based upon a complaint which alleges more than one violation of this chapter within a twelve month period shall be considered a subsequent offense.

SUITABLE PERSON - An immediate family member who is 18 years of age or older or an individual who is 21 years of age or older, of good moral character, not under the influence of intoxicating beverages, drugs or other debilitating substance and/or has been approved or designated by the minor's parents or guardian to supervise the minor.

TOWN PROPERTY - All real property, physical plant and equipment and any other properties owned, leased, used or otherwise under the control of the Town of Belmont.

VILLAGE COMMON AREA - The area encompassing the park and bandstand area located on Main Street and Mill Street.

III. CURFEW

- A. It shall be unlawful for any minor under the age of sixteen (16) years to be upon any public street, or in any public place, between the hours of 11:00 p.m. and 5:00 a.m., unless such minor is accompanied by a parent, guardian or by some other suitable person.
- B. Whistles, bells or a signal, which can be heard in the affected parts of the town shall be used to signal the start of the curfew period.
- C. For the first violation of this section, the minor will be returned to his or her home, and the parents or guardian of the minor shall be notified of the penalty for any subsequent violation.

IV. ENFORCEMENT

- A. **Violation** - Any parent, guardian or person having the control of any minor under the age of 16 years who shall permit such minor to be in any affected area in violation of this ordinance shall be guilty of a misdemeanor and upon conviction thereof, subject to a fine pursuant to RSA 651:2.
- B. **Enforcement Officials** - The Belmont Police Department shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.
- C. **Penalties**
 - 1. **First Offense** - The minor will be returned to his or her home, and the parents or guardian of the minor shall be notified of the penalty for any subsequent violation.
 - 2. **Second Offense**- A second offense will be subject to a fine of \$50.00.
 - 3. **Third Offense**- A third offense will be subject to a fine of \$100.00.

4. **Subsequent Offense** - A fourth and every subsequent offense after will be subject to a fine of \$250.00 for each subsequent offense.

Failure to pay the fine to the Belmont Town Clerk within 72 hours of issuance of the summons will cause the police department to summon the offender to the court for prosecution.

Sources:

NH RSA 31:43-a
NH RSA 31:43-c
NH RSA 31:43-d
NH RSA 31:43-e
NH RSA 31:43-f
NH RSA 31:43-G
NH RSA 169:D-2
NH RSA 651:2

Adopted at 2008 Town Meeting: March 15, 2008

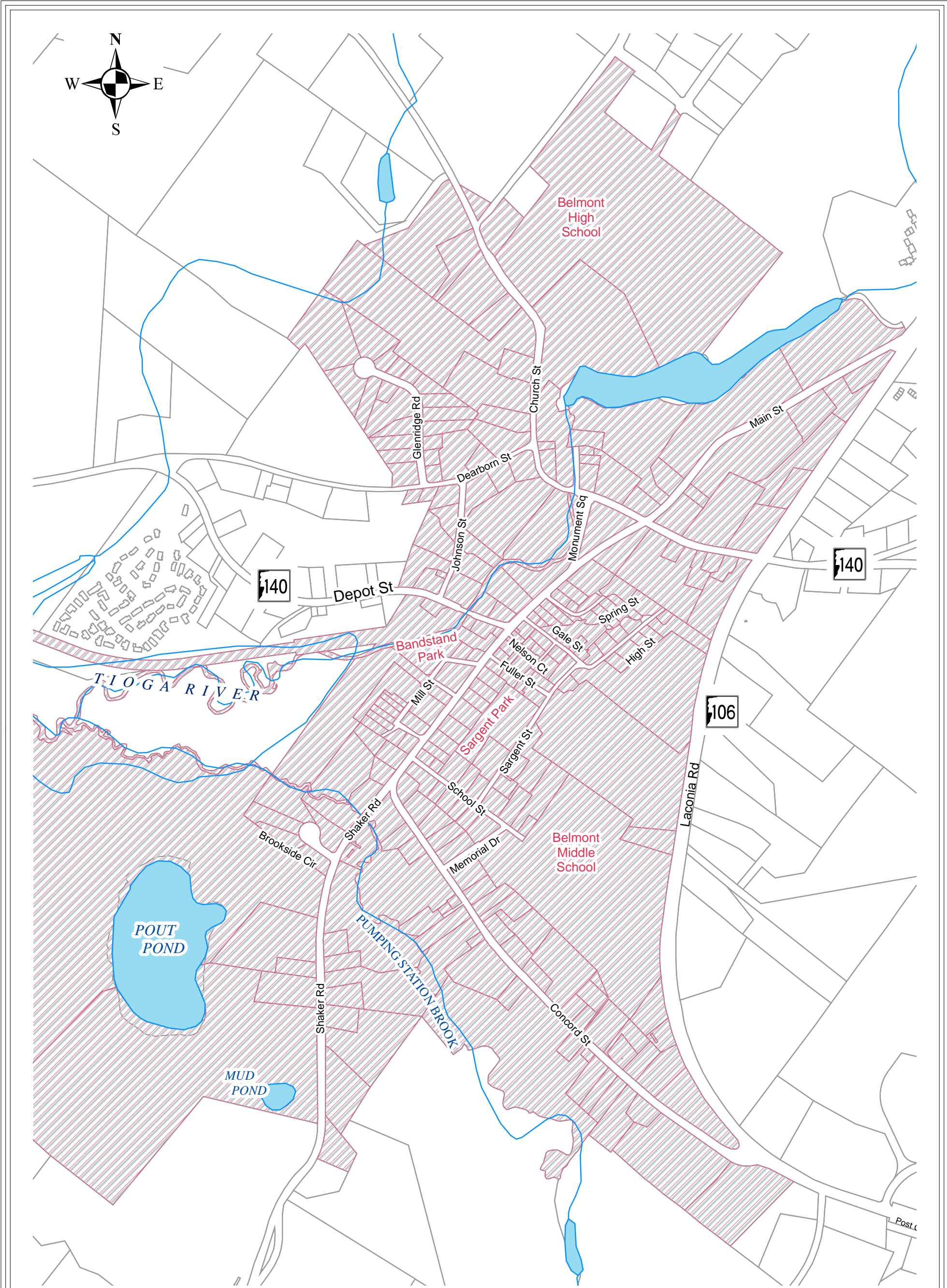
Adopted and effective this 15 day of March in the year 2008

Belmont Board of Selectmen


Chairman – Board of Selectmen


Vice Chairman


Selectmen



Map of Belmont Curfew Ordinance Jurisdiction Area

0 300 600 1,200 1,800 Feet

March 2008