

TITLE XII

CRIMINAL CODE

CHAPTER 1

GENERAL PROVISIONS

12-1-1: State Statute Provisions Adopted

12-1-1: STATE STATUTE PROVISIONS ADOPTED. Syracuse City hereby adopts all of the definitions, requirements, regulations, prohibitions, penalties, provisions and sections of the Utah Criminal Code (Title 76), as amended or superseded from time to time. All laws, rules and regulations contained therein, where applicable and within the jurisdictional authority of the City shall be in full force and effect within the limits of the City.

In addition to said State Criminal Code provisions, Syracuse City may from time to time adopt Ordinances regulating activities that are criminal in nature, which shall become a part of the City's Criminal code. (Ord. 06-09)

CHAPTER 2

ADDITIONAL OFFENSES AGAINST PUBLIC HEALTH, SAFETY, WELFARE AND MORALS

12-2-1: Curfew

12-2-2: Curfew, Daytime

12-2-1: CURFEW. It shall be unlawful for minor persons under 16 years of age to be in or on any of the sidewalks, streets, alleys, or public places in the City between 11:00 o'clock P.M. and 5:00 o'clock A.M. immediately following, or for minors under 18 years of age, but over 16 years of age, to be in or about any of said places between 12:00 o'clock midnight and 5:00 o'clock A.M. immediately following.

It shall be unlawful for any parent, guardian or other person having legal care and custody of any minor under 18 years of age to allow or permit such minor to go or be in or upon any of the sidewalks, streets, alleys or public places in said City during the applicable times provided in the above paragraph.

The provisions of the first paragraph of this Section shall not apply where the minors are accompanied by parent, guardian, or other adult person having the care and custody of said minor, or where the presence of such minor in or upon any sidewalk, street, alley or public place is connected with and required by some legitimate pursuit in which said minor is engaged.

No adult shall aid, abet, permit or encourage any minor to violate the foregoing provisions. (1987) (Ord. 06-08)

12-2-2: CURFEW, DAYTIME.

- A. Minors Subject to Compulsory or Alternative Compulsory Education; Daytime. It is unlawful for any minor subject to compulsory or Alternative compulsory education to loiter or remain in any public place, any restricted dwelling, or any unsupervised place within Syracuse City limits during the normal school hours for the school said minor is required to attend.
- B. Parents, Guardians, and Teachers; Daytime. It is unlawful for any parent, guardian, teacher, or other person having legal care and custody of any minor subject to Section 12-10-91A to permit or allow, whether willfully or by exercise of insufficient control, any such minor to remain or loiter in any public place or in any other restricted place, except as provided in Section 12-10-91C.
- C. Defenses. It shall be a defense to a violation of Section 12-10-91A that at the time the minor was stopped by a peace officer, the minor was:
- (1) A minor fourteen (14) years or older, emancipated by marriage.
 - (2) Accompanied by the minor's parent, guardian, or other adult person having care, custody, or supervision of said minor.
 - (3) In a motor vehicle involved in interstate travel.
 - (4) On an errand at the direction of the minor's parent or guardian, without detour or stop.
 - (5) Acting in response to an emergency.
 - (6) Going to, or returning from, a medical or dental appointment.
 - (7) Permitted to leave the school campus for lunch or any school-approved activity.

- (8) Attending, or without any detour or stop, was going to, or returning from, a school approved, recreational, or educational activity, supervised by adults, and sponsored by the local school district, another school district, or any civic religious, or other government organization.
 - (9) Going to, or returning directly from, a compulsory alternative education program.
 - (10) Going to, or returning directly from, the minor's place of school approved employment.
 - (11) Granted an exemption for "home schooling" as prescribed by the local board of education.
 - (12) Otherwise granted an exemption to compulsory education by the local board of education, under Section 53A-11-102, Utah Code, as amended or any successor provision.
- D. Enforcement Procedures. Before taking any enforcement action under the provisions of this Section, a peace officer shall ask said minor's age and reason for being in the public place or other restricted place. The peace officer shall not take enforcement action under this Section if the peace officer has reasonable cause to believe that any defense under subsection C applies.
- (1) Upon any violation the peace officer may take the minor into temporary custody and/or issue a citation to the minor. If the peace officer takes the minor into temporary custody, the peace officer, without unreasonable delay shall:
 - (a) Transport the minor to the school from which the minor is absent, releasing the minor to the principal or other designated school official; or
 - (b) Release the minor to any individual who has been designated by the local school board to receive and return the minor to school, or
 - (c) Transport and release the minor to a receiving center established and designated by the local school board.
 - (2) If the minor refuses to return to school or go to the receiving center, or the peace officer is unable to otherwise release the minor to the appropriate school official or designated receiving center, the peace officer may release the minor to the minor's parent or guardian, and shall notify the appropriate school officials of the violation. If a parent or guardian cannot be reached or is unable to accept custody, the minor shall be referred to the Division of Child and Family Services, in the manner required under State law.
 - (3) If cited, the minor shall appear, along with a parent or guardian, in the applicable Youth Court or in Juvenile Court as directed in the citation.
 - (4) A parent or guardian shall not be cited for a violation unless the minor in question was previously cited for a violation of this Section and the parent or guardian was warned or advised by a peace officer, school official, receiving center, or court official of such violation.
- E. Penalty. A violation of this section shall be a Class C Misdemeanor. In Juvenile or District Court, a person adjudicated in violation of this Section shall receive a minimum fine of fifty dollars (\$50.00) for an initial violation. A person adjudicated in subsequent violations of this Section shall receive a minimum fine of one hundred dollars (\$100.00). The minimum fine is not intended to be a limitation of any other penalty, probation, community service requirement, or other fine, which may be imposed by the applicable court. (Ord 05-06) (Ord. 06-09)

CHAPTER 3

WEAPONS

12-2-1: **Hunting Within City Limits**

12-2-1: **HUNTING WITHIN CITY LIMITS**

- A. Definitions. As used herein the following words shall have the meaning described below:
- (1) "Hunt" means to pursue, chase, harass, capture, possess, injure, or kill any wildlife, big game, upland game, waterfowl, or small game using any kind of firearm, handgun, rifle, muzzle loader gun, bow and arrow, crossbow, slingshot, or any other device designed and used or used to propel a projectile of any nature.
 - (2) "Wildlife" means vertebrate animals living in nature and captive vertebrate animals, including hybrids, belonging to a species that naturally occurs in the wild. Wildlife includes big game, upland game, waterfowl, and small game as designated by the Utah Wildlife Board.
- B. Hunting Restrictions. It is unlawful for any person to hunt big game, upland game, waterfowl, small game, or wildlife within the limits of Syracuse City as such limits were established on July 1, 2006 and as shown on the Syracuse City map attached as Exhibit A
- C. Future Annexations. Hunting shall be allowed in any area annexed to Syracuse City in the future until such time that procedures outlined by the Utah Wildlife Board are completed and approved for closing hunting in such area or areas. (Ord. 06-15)