CHAPTER 15

OFFENSES*

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ARTICLE I. IN GENERAL

Section 15-1. State Offenses Adopted.

All offenses against the penal laws of this State which are misdemeanors shall be criminal offenses against the City as provided in Mississippi Code 1972, §21-13-19.

Section 15-2. Definition.

Graffiti: Inscriptions or drawings made on a public surface (such as a wall, sidewalk, bench, electrical outlet box, building, and/or any other public surface) within the city limits of Laurel.

Source: Ordinance No. 1492-2007, 4-17-07

Section 15-3. Prohibited Acts.

It shall be unlawful for any person to deface, mark, and/or draw inscriptions on public property within the City; and if the individual and/or individuals are seen defacing such property, the City Administration shall have the right to properly ticket them to clean the areas that were defaced and to pay certain fines.

Source: Ordinance No. 1492-2007, 4-17-07

Section 15-4. Penalties.

(a) The Police Department, with the assistance of the Inspection Department, may help with the enforcement of this offense. It shall be a first offense penalty for this violation when an individual is found defacing property in the amount of One hundred fifty dollars ($150.00).
(b) The second offense penalty violation fee for defacing property shall be in the amount of Three hundred dollars ($300.00).
(c) After the third offense penalty violation fee, and if the person is found guilty of this violation of said laws, shall be punished, in the discretion of the Court, either under the

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* **Cross Reference** --- Municipal Court, Ch. 14.
State Law References --- State misdemeanors as City offenses, Miss. Code 1972, §12-13-19; municipal police regulations, §21-19-15.

terms of said ordinance/law or by a fine of not more than One thousand dollars ($1,000.00), or by imprisonment in the City or County jail for a period not to exceed one year, or by some community service as may be ordered by the Court, or by a combination of either a fine, imprisonment and/or community service, at the sole discretion of the Court, unless otherwise prohibited by state law. The Court may escalate the punishment of those found guilty of repeat or subsequent violations of the same law.

Source: Ordinance No. 1492-2007, 4-17-07

Section 15-5. Noise in Hospital or School Zone.

It shall be unlawful for any person by himself or by the operation of any instrument, agency or device to make any unnecessary or unseemly noises within one hundred fifty (150) feet of any ground or premises on which is located a hospital or any other institution reserved for the sick or any school during school hours. The Chief of Police shall place as many signs as he shall deem proper within the zones hereby created, calling attention to the prohibition of unnecessary noises within such zones.

Source: Code 1969, § 26-16

Section 15-6. Unusual Vehicles; Annoyances; Parades.

It shall be unlawful for any person to operate or cause to be operated, any vehicles differing from those ordinarily and customarily appearing on the street; or any vehicles from which are disseminated any loud or unusual noises whatsoever, or from which falls any debris, refuse or rubbish of any kind; or to conduct or participate in any parade or marching in which floats, banners, placards or other distracting agencies, noises, objects or vehicles are used; and for any person to engage in any loud distractions, whether verbal or mechanical, or other distracting activity of any kind on any of the public streets and thoroughfares of the City provided, however, the City Council, in its discretion, may grant, special permission for parades and other unusual activities on the streets, when in its opinion, such parades or other activities will not constitute a disturbance to the people living or conducting business on the streets.

Source: Code 1960, § 26-17

Cross Reference --- Motor vehicles and traffic, Ch. 13.

Section 15-7. Discharging Weapons.

It shall be unlawful for any person to discharge any description of firearms or pellet guns or guns operated by compressed air or gas within the City, except when absolutely required in the performance of military duty or in actual self-defense or enforcement of the law.

Source: Code 1969, § 26-22; Ordinance No. 643-1973, § 1, 2-27-73

State Law Reference --- Weapons, Miss. Code 1972, §45-9-1 et seq.

Section 15-8-9 Cemeteries has been moved to Chapter 8.3 CEMETERIES

Section 15-10. Theft of Cable Television Service.

(a) *Short title*. Theft of cable television service ordinance.

(b) *Purpose*. To make unlawful and impose penalties for the theft of cable television services from Laurel Community Antenna Systems, Inc., and to provide for the protection of Laurel Community Antenna Systems, Inc., and its facilities and to serve the best interest of the public health, safety and welfare of the City of Laurel, Mississippi.

(c) *Theft of service unlawful*. It shall be unlawful for any person, firm, or corporation to make or use any unauthorized connection, whether physically, electrically, acoustically, inductively or otherwise, with any part of the franchise cable television system for the purpose of enabling himself or others to receive or use any television signal, radio signal, picture, program or sound without payment to the owner of said system. It shall be unlawful for any person without consent of the franchise owner to willfully tamper with, remove or injure in any manner cables, wires, or equipment used for the distribution of television signals, radio signals, pictures, programs or sound.

(d) *Penalty upon conviction*. Any person violating the provisions of paragraph (c) of this Section shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine not to exceed Five Hundred Dollars ($500.00) or by imprisonment not to exceed ninety (90) days, or both. Every day any violation of this Section shall continue shall constitute a new and separate offense.

Source: Ordinance No. 1009-1984, §§ 1-4, 5-1-84

Section 15-11. Unlawful Presence in Certain Areas to Engage in Drug-Related Activity.

The offense and description of same of the circumstances in violation thereof.

A. Unlawful Acts

It is unlawful for any person to be present in or near any thoroughfare, place open to the public, or near any public or private place in a manner and under circumstances manifesting the purpose to engage in drug-related or other criminal activity contrary to any of the provisions of Mississippi Code Annotated, §41-29-101 et seq.

Among the circumstances which may be considered in determining whether such purpose is manifested are:

1. Such person is a known unlawful drug user, possessor or seller. For purpose

of this Chapter, a "known unlawful drug user, possessor or seller" is a person who has, within the knowledge of the arresting officer, been convicted in any court within this state of any violation involving the use, possession, or sale of any controlled substance as defined in Mississippi Code Annotated, §41-29-101 et seq.; or a person who displays physicals characteristics of drug intoxication or usage, such as "needle tracks"; or a person who possesses drug paraphernalia as defined in Mississippi Code Annotated, §41-29-101 et seq.;

2. Such person while in a high crime area behaves in such a manner as to raise a reasonable belief that he or she is about to engage in or is then engaged in an unlawful drug-related activity, including by way of example only, such person acting as a "look-out";

3. Such person is physically identified by the officer as a member of a "gang", or association which has as its purpose illegal drug activity;

4. Such person is occupying a vehicle which is registered to a known unlawful drug user, possessor or seller or which has been recently involved in illegal drug-related activity;

5. Such person is stopping, conversing with the occupant(s) of, handling money or any object to the occupant(s) of or receiving money or any object from the occupant(s) of a vehicle which is registered to a known unlawful drug user, possessor or seller or which has been recently involved in illegal drug-related activity;

6. Such person takes flight upon the appearance of a police officer;

7. Such person manifestly endeavors to conceal himself or herself or any object which could reasonably be involved in an unlawful drug-related activity;

8. The area involved is by public reputation known to be an area of unlawful drug activity, use and trafficking or generally a high-crime area (See Section B for designation of these areas);

9. The premises involved are known to have been reported to law enforcement officials as a place suspected of activity contrary to any of the provisions of Mississippi Code Annotated, §41-29-101 et seq.;

10. Any vehicle involved is registered to a known unlawful drug user, possessor, seller, or a person for whom there is an outstanding warrant for a crime involving drug-related activity.

B. Area Designations

The areas described in subsection A above shall be designated by the Council as stated herein. It shall not be necessary that the list describe or designate the areas by either name, and they may be combined on one list.

1. **Unlawful drug activity, use and trafficking areas**. These areas shall be designated by the City Council, upon recommendation either by the Chief of Police, or his designee, or a Council member, by resolution which shall be posted in the following three (3) public places: the bulletin board at City Hall, the bulletin board at the Jones County Courthouse in Laurel, and the front desk at the Laurel Police Department. The City Clerk will maintain a current copy of the list of these areas in her office which will be available to the public upon request. The list of these areas may be revised from time to time by resolution of the Council.

2. **High-crime areas**. These areas will be defined, designated and noticed by the Council by resolution as set forth in Section I.B.1. above. Said list may be revised from time to time as therein provided.

C. Police Officer's Authority

1. When any police officer shall, in the exercise of reasonable judgment, decides that the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in subsection A herein, he may, if he deems it necessary for the preservation of the public peace and safety, order that person to leave that place. Any person who shall refuse to leave after being ordered to do so shall be guilty of a violation of this Section.

2. Unless flight by the person or other circumstances makes it impracticable, a law enforcement officer shall, prior to any arrest for a violation of subsection A herein, afford the person an opportunity to dispel any alarm or immediate concern which would otherwise be warranted by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of violating subsection A if the law enforcement officer did not comply with this procedure or if it appears at trial that the explanation given by the person is true and, if believed by the officer at the time, would have disclosed a lawful purpose.

3. Among the circumstances which may be considered in determining whether alarm or immediate concern is warranted is the fact that the person takes flight upon appearance of a law enforcement officer, refuses to identify himself, or manifestly endeavors to conceal himself or any object. When any police officer shall, in the exercise of reasonable judgment, observe any actions described herein by any person in any public or private place, he may, if he deems it necessary for the preservation of the public peace and

safety, order that person to leave that place or detain that person for questioning about his said actions. Any person who shall refuse to leave after being ordered to do so shall be guilty of a violation of this Ordinance.

C. Penalty

Any person who violates any of the provisions of this Section shall be guilty of a misdemeanor and subject to a fine not exceeding One Thousand Dollars ($1,000.00), or by imprisonment in City Jail not exceeding one (1) year, or both. Any such violation shall constitute a separate offense on each day committed or continued.

Source: Ordinance No. 1228-1994, § I, 2-8-94; Ordinance No. 1228-1994, § 16-11, as amended April 16, 1996

Section 15-12. Loitering.

1. It shall be unlawful for any person to loiter, loaf, wander, linger, lurk, stand or remain idle, either alone or in assembly with other, in a public place in such a manner as to:

(a) Obstruct the free and uninterrupted passage of vehicles, traffic or pedestrians on or into any public street, public highway, public sidewalk, or any other public place or building by hindering or impeding, or tending to hinder or impede said free and uninterrupted passage; or

(b) Commit any activity in or upon any public street, public highway, public sidewalk or any other public place or building that constitutes an obstruction or interference to the free and uninterrupted use of property, or the free and uninterrupted use of an business lawfully conducted by anyone in, on or fronting on any such public street, public highway, public sidewalk, or any other public place or building.

2. It shall also be unlawful for any person to loiter, loaf, wander, linger, lurk, stand or remain idle, either alone or in assembly with others, in connection with any activity on *any public or private property, including vacant lots,* which causes a nuisance by noise, smoke, odor, fire, fumes, vibration, water pollution or any other factor detrimental to the health, safety and welfare of the community, *excepted from the provisions of this section are all private property owners, their guest, invitees and licenses.*

Source: Ordinance No. 1557-2010, § 15-12, 5-4-10

Section 15-13. Authority to Enforce.

It shall be the duty of the Chief of Police and his or her designees, to enforce these sections of this Ordinance pertaining to loitering. The authorities may enter upon public and/or private property for the purposes thereof, obtain information as to the identity of individuals

and vehicles and to remove or cause the removal of any person and/or vehicle or parts and equipment thereof declared to be a nuisance pursuant to this Ordinance.

Source: Ordinance No. 1557-2010, § 15-13, 5-4-10

Section 15-14. Penalty.

Upon violation of any provision of this Article regarding loitering as a public nuisance as described herein or in permitting or allowing such public nuisance to exist, any person found guilty of a violation of any said laws shall be punished, in the discretion of the Court, either under the terms of said Ordinance/law or by a fine of not more than $1,000.00, or by imprisonment in the City or County jail for a period not to exceed one (1) year, or by some community service as may be ordered by the Court, or by a combination of either a fine, imprisonment and/or community service, at the sole discretion of the Court, unless otherwise prohibited by State law. The Court may escalate the punishment of those found guilty of repeat or subsequent violations of the same law.

Source: Ordinance No. 1557-2010, § 15-14, 5-4-10

Sections 15-15---15-20. Reserved.

ARTICLE II. DRUG PARAPHERNALIA*

Section 15-21. Definition.

For the purposes of this article, "***drug paraphernalia***" means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance in violation of this article. It includes, but is not limited to:

(1) Kits used, intended for use or designed for use in planting, propagating, cultivating, growing or harvesting of any species of plant which is a controlled substance can be derived.

(2) Kits used, intended for use or designed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances.

(3) Isomerization devices used, intended for use or designed for use in increasing the potency of any species of plant which is a controlled substance.

(4) Testing equipment used, intended for use or designed for use in identifying, or in analyzing the strength, effectiveness or purity of controlled substances.

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*__State Law Reference__ --- Controlled substances, Miss. Code 1972, §41-29-101 et seq.

(5) Scales and balances used, intended for use or designed for use in weighing or measuring controlled substances.

(6) Diluents and adulterants, such as quinine hydrochloride, mannitol, mannite, dextrose and lactose, used, intended for use or designed for use in cutting controlled substances.

(7) Separation gins and sifters used, intended for use or designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana.

(8) Blenders, bowls, containers, spoons and mixing devices used, intended for use or designed for use in compounding controlled substances.

(9) Capsules, balloons, envelopes or other containers used, intended for use or designed for use in packaging small quantities of controlled substances.

(10) Containers and other objects used, intended for use or designed for use in storing or concealing controlled substances.

(11) Hypodermic syringes, needles and other objects used, intended for use or designed for use in parenterally injecting controlled substances into the human body.

(12) Objects used, intended for use or designed for use in ingesting, inhaling or otherwise introducing marijuana, cocaine, hashish or hashish oil into the human body, such as:

a. Metal, wooden, acrylic, glass, stone, plastic or ceramic pipes with or without screens, permanent screens, hashish heads or punctured metal bowls;
b. Water pipes;

c. Carburetion tubes and devices;

d. Smoking and carburetion masks;

e. "*Roach clips*," meaning objects used to hold burning material such as a marijuana cigarette that has become too small or too short to be held in the hand;

f. Miniature cocaine spoons, and cocaine vials;

g. Chamber pipes;

h. Carburetor pipes;

i. Electric pipes;

j. Air-driven pipes;

k. Chillums;

l. Bongs;

m. Ice pipes or chillers.

Source: Ordinance No. 914-1980, § I, 10-7-80

Section 15-22. Exceptions.

Section 15-24 does not apply to manufacturers, practitioners, pharmacists, owners of pharmacies and other persons whose conduct is in accordance with the laws of the State. Said Section shall not be construed to prohibit any possession, manufacture or use of hypodermics made lawful by the laws of the State or by any Ordinance of the City.

Source: Ordinance No. 914-1980, § III, 10-7-80

Section 15-23. Seizure.

Any drug paraphernalia used in violation of Section 16-24 shall be seized by and forfeited to the City.

Source: Ordinance No. 914-1980, § III, 10-7-80

Section 15-24. Possession; Manufacture; Sale.

(a) It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia, or to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of this article.

(b) It is unlawful for any person to deliver, sell, possess with intent to deliver or sell or manufacture with intent to deliver or sell, drug paraphernalia, knowing or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of this article.

(c) It is unlawful for any person to place in any newspaper, magazine, handbill or other publication any advertisement, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, in whole or in part, is to promote the sale of objects designed or intended for use as drug paraphernalia.

(d) Any person eighteen (18) years of age or over who violates subsection (b) by delivering drug paraphernalia to a person under eighteen (18) years of age who is at least three (3) years his junior is guilty of a special offense and shall be punished by a jail sentence.

Source: Ordinance No. 914-1980, § III, 10-7-80

Section 15-25. Determining Factors.

The following are factors in the determination of articles falling within the definition in Section 15-21:

(1) Statements by an owner or by any person in control of the object concerning its use.

(2) Prior convictions, if any, of an owner, or of any person in control of the object, under any City, State or Federal law relating to any controlled substance.

(3) The proximity of the object, in time and space, to a direct violation of this article.

(4) The proximity of the object to controlled substances.

(5) The existence of any residue of controlled substances on the object.

(6) Direct or circumstantial evidence of the intent of an owner, or of anyone in control of the object, to deliver it to persons whom he knows, or should reasonably know, intend to use the object to facilitate a violation of this article; the innocence of an owner or of anyone in control of the object, as to a direct violation of this article shall not prevent a finding that the object is intended for use or designed for use as "drug paraphernalia."

(7) Instructions, oral or written, provided with the object concerning its use.

(8) Descriptive materials accompanying the object which explain or depict its uses.

(9) National and local advertising concerning its use.

(10) The manner in which the object is displayed for sale.

(11) Whether the owner or anyone in control of the object is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products.

(12) Direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise.

(13) The existence and scope of legitimate uses for the object in the community.

(14) Expert testimony concerning its use.

Source: Ordinance No. 914-1980, § II, 10-7-80

ARTICLE III. CURFEW FOR MINORS --- OFFENSES, DEFENSES AND ENFORCEMENT, ETC.

Section 15-26. Established.

This Ordinance shall be known as and may be cited as the "Curfew Ordinance".

Source: Ordinance No. 1281-1996, 9-3-96

Section 15-27. Definitions.

For the purpose of the Curfew Ordinance, the following terms, phrases, words and their derivations shall have the meanings given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural. The word "*shall*" is also mandatory and not merely directory.

A. ***Curfew Hours*** means:

(1) 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday until 6:00 a.m. of the following day; and

Source: Ordinance No. 1373-2000, §2A(1), 8-22-00; Ordinance No. 1774-2025, 8-05-2025

(2) 8:35 a.m. until 2:30 p.m. on any Monday, Tuesday, Wednesday, Thursday or Friday during the school term in which a compulsory school-age child is to be enrolled in a public or private legitimate non-public school, as required by this Mississippi Compulsory School Attendance Law (Mississippi Code Annotated, Section 37-13-91, et seq.). This curfew provision applies only to those minors to whom the Mississippi Compulsory Attendance Law applies.

B. ***Emergency*** means an unforeseen combination of circumstance or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

C. ***Establishment*** means any privately-owned place of business operated for a profit to which the public is invited, including but not limited to, any place of amusement or entertainment.

D. ***Guardian*** means:

(1) a person who, under Court Order, is the Guardian of the person of a minor, or

(2) a public or private agency with whom a minor has been placed by a Court.

E. ***Minor*** means any person under eighteen (18) years of age.

F. ***Operator*** means any individual, firm, association, partnership, corporation, or other legal entity operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

G. ***Parent*** means a person who is:
(1) a natural parent, adoptive parent, or step-parent of another person; or
(2) at least eighteen (18) years of age and authorized by a parent or guardian to have the care and custody of a minor.

H. ***Public place*** means any place which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

I. ***Remain*** means to:
(1) linger, stay, or loiter, or
(2) fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.

J. ***Serious bodily injury*** means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Source: Ordinance No. 1281-1996, 9-3-96

Section 15-28. Offenses.

A. A minor commits an offense if he remains in any public place or on the premises of any establishment within the City during curfew hours.

B. A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the City during curfew hours.

C. The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours, except when any of the circumstances and conditions provided for in Section 15-29 A of this Ordinance are met.

Source: Ordinance No. 1281-1996, 9-3-96; Ordinance No. 1288-1997, §1C, 2-18-97

Section 15-29. Defenses.

A. It is a defense to prosecute under the Ordinance that the minor was:

(1) accompanied by the minor's parent or guardian;

(2) on an errand at the direction of the minor's parent or guardian, without any detour or stop;

(3) in a motor vehicle involved in interstate travel;

(4) if the minor is legally employed, for the period from forty-five (45) minutes before to forty-five (45) minutes after work, while going directly between his or her home and place of employment. To come within this exception, the minor must be carrying a written statement of employment issued by employer.

(5) involved in an emergency;

(6) on the sidewalk abutting the minor's residence or abutting the residence of a next-door neighbor if the neighbor did not complaint to the police department about the minor's presence;

(7) attending an official school, religious, or civic activity, or other recreational activity supervised by adults and sponsored by the City of Laurel or a civic or religious organization, or another similar entity, which activity will be held on the premises either owned or leased by said entity or owned and operated as an establishment with the adults of said entity and/or the establishment owner taking responsibility for the minor and requiring the minor to remain inside the building on the premises during the curfew hours, except when released to said minor's parent or guardian or said minor is either going to said premises or returning home from said premises, without any detour or stop;

(8) exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or

(9) married or has been married or has had disability of minority removed by a Court of law, or otherwise emancipated pursuant to Mississippi Law; or

(10) any exception set forth in the text of the Mississippi Compulsory School Attendance Law, Mississippi Code Annotated, Sections 37-13-91, or as may be hereafter amended; OR

(11) attending the South Mississippi Fair held annually for one week on the Laurel Fairground Commission property and while on said premises or when going to said premises or returning home from said premises, without any detour or stop.

B. It is a defense to prosecute under Section 15-28, Subsection (C) that the owner, operator, or employee of an establishment promptly notified the police department that a minor was present on the premises of the establishment during the curfew hours and had been directed to leave and refused to leave during an activity that does not qualify as a defense or exception under Section 15-29 of this Ordinance.

Source: Ordinance No. 1281-1996, 9-3-96; 1288-1997, 2-18-97

Section 15-30. Enforcement.

A. Before taking any enforcement action this section, a police officer shall ask the apparent offender's age and reason for being in the public place or establishment. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that based on any response and other circumstances no defense in Section 15-29 is present.

B. A police officer of the City who has probable cause to believe that a minor is in violation of Section 15-27, Subsection A(2), of this Ordinance shall transport the minor to a school attendance officer.

C. When a child has been transported to a school attendance officer, the arresting officer shall cause to be sent to the minor's parents or guardian by certified mail, written notice of said violation and a copy of this Ordinance. Said notice shall be sent to the minor's parent or guardian at his or her last known address and evident of its mailing as specified shall constitute sufficient notice of the minor's violation.

D. A police officer of the City who has probable cause to believe that a minor is in violation of Section 15-27, Subsection A(1) of this Ordinance, shall transport the minor to the Police Department.

E. When a minor is taken to the Police Department, the minor's parents or guardian shall be immediately contacted. If the minor was violating Section 15-27, Subsection A(1) of this Ordinance, the minor shall be held until the parent or guardian arrives at the Police Department to take the minor home. When the parent or guardian arrives, he or she shall be given a copy of this Ordinance. If no parent or guardian has arrived within three hours, the minor shall be turned over to custody of the local juvenile authorities until a parent or guardian can take custody of him or her, and the Chief of Police shall, by certified mail, send to the minor's parent or guardian written notice of said violation and a copy of this Ordinance. Said notice shall be sent to the minor's parent or guardian at his or her last known address and evidence of its mailing as specified shall constitute sufficient notice of the minor's violation.

Source: Ordinance No. 1281-1996, 9-3-96; Ordinance No 1774-2025, 8-5-2025

Section 15-31. Penalties.

A. Any owner, operator or employee of an establishment who violates a provision of this chapter is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted. Each offense, upon conviction, is punishable by a fine not to exceed Five Hundred Dollars ($500.00).

A. If, after the warning notice as set forth in Section 15-30 herein is delivered to the parent, there is a second violation of the Ordinance by the minor, the parent of the minor will be held to have violated this Ordinance in connection with the second violation by the minor, and this shall be treated as a first offense by the parent. For such first parental offense, a parent shall be fined Twenty-five Dollars ($25.00).

For each subsequent offense, the fine shall be increased by a doubling factor, Fifty Dollars ($50.00) for second, One Hundred Dollars ($100.00) for third, Two Hundred Dollars ($200.00) for fourth offense, etc., but not to exceed One Thousand Dollars ($1,000.00). The Court, in its discretion, may required each parent to perform community service work, with due regard given for age and health considerations, for each third and subsequent violation.

C. Any minor who shall violate any of the provisions of this Ordinance more than one (1) time shall be dealt with according to the Youth Court laws of the State of Mississippi.

Source: Ordinance No. 1281-1996, 9-3-96

Section 15-32. Construction and Severability.

Severability is intended through and within the provisions of the Curfew Ordinance. If any provision, including inter alia any exception, part, phrase or term of or the application thereof to any person or circumstances shall not be affected thereby and the validity of the Curfew Ordinance in any and all other respects shall not be affected thereby, and the remaining sections and provisions shall continue in full force and effect. It is intended that the Curfew Ordinance be held inapplicable in such cases if any, where its application would be unconstitutional. A constitutional construction is intended and shall be given. It is not the intent of this Ordinance to violate the Constitution of the State of Mississippi or the Constitution of the United States of America.

Source: Ordinance No. 1281-1996, 9-3-96

Section 15-33. Continuing Evaluation.

The City Council will continue its evaluation and updating of this Curfew Ordinance through various methods including, but not limited to: Within six (6) months after the implementation of this Ordinance, the Chief of Police or his duly appointed representative shall provide the City Council with a complete report concerning the effect of this Ordinance on crimes committed by and against minors, and of the number of warnings issued and arrests of minors and parents hereunder, and such other information and statistical or otherwise, as Council may request.

Source: Ordinance No. 1281-1996, 9-3-96

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