

Local Law #3 of 2008

A local law known as “Special Curfew for Halloween of the Village of Tannersville”

1. **TITLE:**  
This law shall be known as Special Curfew for Halloween of the Village of Tannersville.
2. **DECLARATION OF PUBLIC PURPOSE AND LEGISLATIVE INTENT:**  
It is the declared purpose of the Village of Tannersville to maintain the public order and to protect the health, safety and well being of the community. Recognizing that in recent years, the evening of October 31<sup>st</sup>, commonly known as “Halloween”, has been the occasion of unwarranted and unlawful public disruption, mischief and vandalism. It is the intent of this Local Law to prevent the occurrence of such public disruption on Halloween or any day or night close to Halloween. Further recognizing that much of the disruption, mischief, and vandalism has been caused or is related to a number of young people congregating within the Village without any lawful or legitimate purpose, it is the declared legislative intention of this Local Law to prevent said mischief, disruption and vandalism on Halloween and on such other dates preceding or subsequent to Halloween as is needed to maintain public order.
3. **DEFINITIONS:**
  - A. **MINOR:** As used herein minor shall mean and refer to any person under the age of 18.
  - B. **PARENT/GUARDIAN:** As used herein, the term parent or guardian shall mean and refer to the natural or adoptive parent or grandparent or legal guardian of any minor.
4. **UNLAWFUL CONGREGATION:**
  - A. It shall be unlawful for any minor to be on any street, highway, road, parking lot or public or private area (unless consented to by the owner thereof) after 6:00 pm on October 31<sup>st</sup> of any year (commonly known as Halloween) until 7:00 am November 1<sup>st</sup> of any year unless said minor is accompanied by his or her parent or guardian.
  - B. The Mayor of the Village of Tannersville may, upon the finding of a need to, extend the curfew set forth herein to nights preceding or subsequent to Halloween for the purpose of maintaining the public order
5. **PENALTIES:**  
Any person found guilty of violating this Local Law shall be guilty of a violation and subject to the penalties set forth in the Penal Law of the State of New York for violations.
6. **SEVERABILITY:**  
In the event that any word or phrase or part of this Local Law shall be declared unconstitutional, the same shall be severed and separated from the remainder of this Local Law and shall not effect the remainder of said Local Law which shall remain in full force and effect.
7. **EFFECTIVE DATE:**  
This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York.