

**ORDINANCE NO. 2025-451-C**

**AN ORDINANCE AMENDING TITLE 6, CHAPTER 8, SECTION 6-8-1 OF THE CITY CODE OF THE CITY OF CATOOSA, OKLAHOMA GOVERNING CURFEW HOURS FOR JUVENILES WITHIN THE CORPORATE LIMITS OF THE CITY OF CATOOSA; PROVIDING A PARTIAL INVALIDITY SAVINGS CLAUSE; REPEALING CONFLICTING ORDINANCES; DECLARING AN EMERGENCY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.**

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CATOOSA, OKLAHOMA THAT:**

**Section 1.** Title 6, Chapter 8, Section 6-8-1 of the City of Catoosa Code of Ordinances is hereby amended to provide as follows, to wit:

**6-8-1: CURFEW:**

A. Purpose: The public purpose of this section is to protect juveniles from nocturnal dangers, enhance parental supervision and responsibility for juveniles, reduce juvenile criminal activity and protect the public at large.

B. Definitions: The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

**CURFEW HOURS:**

1. Ten o'clock (10:00) P.M. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until six o'clock (6:00) A.M. of the following day; and

2. Eleven o'clock (11:00) P.M. on any Friday or Saturday until six o'clock (6:00) A.M. on the following day.

**EMERGENCY:** An unforeseen combination of circumstances or the resulting state that calls for immediate action. The term indicates, 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.

**ESTABLISHMENT:** 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.

**GUARDIAN:**

1. A person who, under court order, is the guardian of the person of a juvenile; or
2. A public or private agency with whom a juvenile has been placed by a court.

**JUVENILE:** Any person under eighteen (18) years of age.

KNOWINGLY PERMIT: The parent, other "responsible adult" and/or "operator", as defined in this subsection, is aware of the fact the juvenile is in violation of the curfew hours or that said person, by exercise of reasonable care, would have known that the juvenile is in violation of the curfew hours.

OPERATOR: Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

PARENT: A person who is a natural parent, adoptive parent, or stepparent of another person.

PUBLIC PLACE: Any place to 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 retail establishments.

REMAIN: To:

1. Linger or stay; 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.

RESPONSIBLE ADULT: Any person having, assuming or charged with permanent and/or temporary care and/or custody of a juvenile, including, but not limited to:

1. Any legal guardian or adult exercising legal guardianship over a juvenile;
2. Any adult who stands in loco parentis to a juvenile;
3. Any person to whom legal custody of a juvenile has been given by order of a court;
4. Any adult who has, assumes or is charged with the care and/or custody of a juvenile at the request of or on behalf of a parent, guardian, loco parentis or person to whom legal custody has been given by order of a court; and/or
5. Any adult who has, assumes or is charged with the care and/or custody of a juvenile at the request of or on behalf of another parent.

C. Offenses:

1. A juvenile commits an offense if he/she remains in any public place or on the premises of any establishment within the corporate city limits during curfew hours.
2. A parent and/or other responsible adult of a juvenile commits an offense if he/she knowingly permits or allows the juvenile to remain in any public place or on the premises of any establishment within the corporate city limits.
3. The owner, operator, or any employee of an establishment commits an offense if he knowingly permits or allows a juvenile to remain upon the premises of the establishment during curfew hours.

D. Defenses:

1. It is a defense to prosecution under this section that the juvenile was, at the time in question:
  - a. Accompanied by the juvenile's parent or responsible adult;
  - b. On an errand at the direction of the juvenile's parent or responsible adult, without any detour or stop;
  - c. In a motor vehicle involved in interstate travel;
  - d. Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
  - e. Involved in an emergency;
  - f. On the sidewalk abutting the juvenile's residence or abutting the residence of a next door neighbor if the neighbor did not complain to the police department about the juvenile's presence;
  - g. Attending, going to or returning home, without any detour or stop, from an official school, religious, or other recreational activity supervised by adults or an event sponsored by the city, a civic organization, or another similar entity that takes responsibility for the juvenile;
  - h. 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 other rights protected by the United States or the Oklahoma constitution; or
  - i. Married or had been married or had disabilities of minority removed in accordance with state law.
2. It is a defense to prosecution under this section that the owner, operator or employee of an establishment promptly notified the police department that a juvenile was present on the premises of the establishment during curfew hours and refused to leave.

E. Enforcement:

1. Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place. 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 hereto is present.
2. Absent an interlocal agreement with the district court for the municipal court to exercise jurisdiction over juveniles under eighteen (18) years of age under this section, pursuant to 10 Oklahoma Statutes section 7303-1.2(E), the municipal court must refer all alleged juvenile violations to the district attorney's office.

F. Penalties:

1. A person who violates a provision of this section 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 one hundred dollars (\$100.00), plus costs. The court may require community service work prescribed by the court in lieu of a fine if the product of multiplying the number of hours of community service work by the prevailing minimum wage does not result in a number which exceeds the maximum fine authorized by law.
2. The municipal court's jurisdiction over a juvenile who violates this section shall be expressly subject to 10 Oklahoma Statutes.

**Section 2.** All prior ordinances in conflict herewith or apparently in conflict, shall be and the same are hereby specifically repealed.

**Section 3.** If any section, sentence, clause or phrase of this Ordinance or any part of it is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance or any part of it.

**Section 4.** The City Clerk is hereby ordered and directed to cause this Ordinance to be published as required by law.

**Section 5.** An emergency is hereby deemed and declared to exist whereby it is necessary for the preservation of the public health, safety and welfare of the inhabitants of the City of Catoosa, Oklahoma that this ordinance shall be in full force and effect immediately from and after its passage, approval and adoption.

**PASSED AND APPROVED** by the Mayor and City Council of the City of Catoosa, Oklahoma, this 15th day of July, 2025, by vote on Section Nos. 1, 2, 3 and 4, and then by separate vote on Section No. 5 (the Emergency Clause).

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**GREG WILLIAMS, MAYOR**  
**CITY OF CATOOSA**

**ATTEST:**

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**Jamie Scrivner, City Clerk**

**APPROVED AS TO FORM:**

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**Eric D. Wade, City Attorney**