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B. 9-5-74

TOWN OF SAN ANSELMO

ORDINANCE NO. 343

AN ORDINANCE AMENDING ORDINANCE No. 335 OF THE TOWN OF SAN ANSELMO ENTITLED "AN ORDINANCE REGULATING THE PRESENCE OF MINORS UNDER THE AGE OF 18 YEARS IN PUBLIC STREEST AND OTHER PLACES BETWEEN THE HOURS OF 11 O'CLOCK P.M. AND DAY-LIGHT OF THE FOLLOWING DAY, DEFINING DUTIES OF PARENTS AND OTHER PERSONS IN CARE OF MINORS IN RELATIONSHIP THERETO, FIXING THEIR RESPONSIBILITY AND PROVIDING FOR PENALTY OF VIOLATION THEREOF, AND DECLARING AN EMERGENCY; and REPEALING ORDINANCE NO. 110 OF THE TOWN OF SAN ANSELMO ENTITLED 'PROHIBITING PERSONS UNDER EIGHTEEN YEARS OF AGE FROM BEING ON THE STREETS, ALLEYS AND PUBLIC PLACES IN THE TOWN OF SAN ANSELMO, AT NIGHT AFTER THE HOUR OF NINE O'CLOCK P.M. AND SUNRISE'; and ALL ORDINANCES AMENDATORY THEREOF".

The City Council of the Town of San Anselmo does ordain as follows:

Section 1. A new Section, to be known as Section 3.1, is hereby added to Ordinance No. 335 of the Town of San Anselmo entitled "AN ORDINANCE REGULATING THE PRESENCE OF MINORS UNDER THE AGE OF 18 YEARS IN PUBLIC STREETS AND OTHER PLACES BETWEEN THE HOURS OF 11 O'CLOCK P.M. AND DAYLIGHT OF THE FOLLOWING DAY, DEFINING DUTIES OF PARENTS AND OTHER PERSONS IN CARE OF MINORS IN RELATIONSHIP THERETO, FIXING THEIR RESPONSIBILITY AND PROVIDING FOR PENALTY OF VIOLATION THEREOF, AND DECLARING AN EMERGENCY; and REPEALING ORDINANCE NO. 110 OF THE TOWN OF SAN ANSELMO ENTITLED 'PROHIBITING PERSONS UNDER EIGHTEEN YEARS OF AGE FROM BEING ON THE STREETS, ALLEYS AND PUBLIC PLACES IN THE TOWN OF SAN ANSELMO, AT NIGHT AFTER THE HOUR OF NINE O'CLOCK P.M. AND SUNRISE'; and ALL ORDINANCES AMENDATORY THEREOF.", said new Section 3.1 to read as follows, to wit:

Section 3.1. As used in this Ordinance, the word "permitting" is not limited to its affirmative meaning, but includes negative action implying no affirmative act and involving no intent, but shall include passivity or abstaining from preventive action; as used in this Ordinance, the word "permitting" means to allow to be done, either by consent or by not prohibiting; as used herein the word "permitting" also means to give an opportunity to a minor under the age of 18 years who will take advantage of the opportunity unless restrained. The word "permitting" as used in this Ordinance also means allowing, or acquiescing, or acquiescing by failing to prevent, or conceding, or granting, or giving leave, or suffering, or tolerating, or sanctioning.

Section 2. This Ordinance shall be published once within fifteen (15) days after its final passage in the San Anselmo Times, a weekly newspaper of general circulation, published

and circulated in the Town of San Anselmo, which said newspaper is hereby designated for that purpose. This Ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

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The foregoing Ordinance was introduced at a regular meeting of the City Council of the Town of San Anselmo, held in said Town on the 11th day of December, 1951, and was thereafter on the 5th day of Jan, 1952, at a Regular meeting of the City Council of the Town of San Anselmo held in said Town duly passed and adopted by the following vote:

AYES: Councilmen: Shinner, Celen, O'Mara,
Smith, Beath
NOES: none

Carroll A. Booth
MAYOR

ATTEST:

Mildred Rogers
CITY CLERK