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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF TULSA, OKLAHOMA, AMENDING TULSA REVISED ORDINANCES, TITLE 27, TITLED "PENAL CODE", CHAPTER 28, TITLED "CURFEW HOURS FOR JUVENILES", ADDING DOWNTOWN CURFEW HOURS APPLICABLE IN THE CENTRAL BUSINESS DISTRICT FROM JUNE 26, 2025, TO MIDNIGHT, MARCH 31, 2026; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE CITY OF TULSA:

*Section 1. That Chapter 28, Titled "Curfew Hours for Juveniles," of Title 27, Titled "Penal Code" of Tulsa Revised Ordinances ("TRO"), be and the same is hereby amended and which shall recite in its entirety as follows:*

**"CHAPTER 28. - CURFEW HOURS FOR JUVENILES**

**Section 2800. - Title.**

This Chapter shall be known as the "Curfew Hours for Juveniles" Ordinance.

**Section 2801. - Purpose and intent.**

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

**Section 2802. - Definitions.**

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

- A. Central Business District shall mean that area of land lying within the Inner Dispersal Loop (IDL), Tulsa, Oklahoma, bounded by a street network on the east by the east leg of the IDL, part of U.S. Highway 75 South/ Interstate Highway 444 (I-444); on the west by U.S. Highway 64 West/ Oklahoma State Highway 51 West/ Interstate Highway 244 (I-244); on the north by U.S. Highway 412 East/ I-244; and

on the south by the Broken Arrow Expressway, U.S. Highway 64 West/U.S. Highway 75 South/ Oklahoma State Highway 51 West, part of I-444.

**B. Curfew Hours** shall mean:

1. 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday until 6:00 a.m. of the following day; and
2. 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday.

**C. Downtown Curfew Hours** shall mean:

1. 9:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, or Saturday until 6:00 a.m. of the following day.

**BD. Emergency** shall mean 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.

**CE. Establishment** shall mean 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.

**DE. Guardian** shall mean:

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.

**EG. Juvenile** shall mean any person under eighteen (18) years of age.

**FH. Knowingly permit** shall mean the parent, other responsible adult and/or operator, as defined herein, 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.

**GI. Operator** shall mean 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.

**HJ. Parent** shall mean a person who is a natural parent, adoptive parent or step-parent of another person.

**HK. Public place** shall mean any place to which the public or a substantial group of the public has access and includes, but is not limited to streets, highways, roads, alleys, sidewalks, curb areas, parks, playgrounds, or other public grounds, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and retail establishments.

**JL. Remain** shall mean 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.

**K.M.** **Responsible adult** shall mean 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 requests of or on behalf of another parent.

### **Section 2803. - Offenses.**

#### **A. Citywide Curfew Hours 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 of the City of Tulsa during eCurfew hHours.
2. B.—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 of the City during eCurfew hHours.
3. C.—The owner, operator or any employee of an establishment commits an offense if he/she knowingly permits or allows a juvenile to remain upon the premises of the establishment during eCurfew hHours.

#### **B. Downtown Curfew Hours Offenses:**

1. A juvenile commits an offense if he/she remains in any public place or in a privately owned parking area within the Central Business District during Downtown 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 in a privately owned parking area within the Central Business District during Downtown Curfew Hours.
3. The owner, operator or any employee of a privately owned parking area commits an offense if he/she knowingly permits or allows a juvenile to remain

upon the premises of the privately owned parking area within the Central Business District during Downtown Curfew Hours.

**Section 2804. - Defenses.**

- A. It is a defense to prosecution under Section 2803 that the juvenile was at the time in question:
1. Accompanied by the juvenile's parent or responsible adult;
  2. On an errand at the direction of the juvenile's parent or responsible adult, without any detour or stop;
  3. In a motor vehicle involved in interstate travel;
  4. Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
  5. Involved in an emergency;
  6. 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 juveniles presence;
  7. 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 of Tulsa, a civic organization or another similar entity that takes responsibility for the juvenile;
  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 other rights protected by the United States or the Oklahoma Constitution; or
  9. Married or had been married or had disabilities of minority removed in accordance with state law.
- B. It is a defense to prosecution under Subsection 2803-~~C(A)(3)~~ and 2803 (B)(3). 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.

**Section 2805. - Enforcement.**

Before taking any enforcement action under this chapter, 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 chapter unless the officer reasonably has probable cause to believe that an offense has occurred and that, based on any response and other circumstances, no defense in Section 2804 is present.

Absent a resolution filed with the district court or an interlocal agreement with the District Court for the Municipal Court to exercise jurisdiction over juveniles under 18 years of age

under Section 2802 pursuant to 10A O.S. ~~Supp.1996, § 7303-1.22-2-103~~, the Municipal Court must refer all alleged juvenile violations to the Juvenile Bureau of the District Attorney's Office.

**Section 2806. - Penalties.**

- A. A person 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 Two Hundred Dollars (\$200.00), excluding costs, fees and assessments. 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.
- B. The Municipal Court's jurisdiction over a juvenile who violates Section 2803 of this chapter shall be expressly subject to 10A O.S. ~~Supp.1996, § 7303-1.22-2-103.~~"

***Section 2. EXPIRATION OF ORDINANCE. The definitions of "Central Business District" and "Downtown Curfew Hours" in Subsection 2802 and the Downtown Curfew Hours Offenses in Subsection 2803.B., as well as internal references to these provisions, shall expire on March 31, 2026, unless extended by the City Council through a subsequent ordinance."***

***Section 3. SEVERABILITY CLAUSE. If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.***

***Section 4. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.***

***Section 5. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, and by reason whereof this Ordinance shall become effective immediately from and after its adoption and approval, or on June 26, 2025, whichever is later.***

Adopted by the Council \_\_\_\_\_.  
Date

\_\_\_\_\_  
Chair of the Council

ADOPTED as an emergency measure, on this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Chair of the Council

OFFICE OF THE MAYOR

APPROVED by the Mayor of the City of Tulsa, Oklahoma: \_\_\_\_\_, \_\_\_\_\_,  
at \_\_\_\_\_ Date  
Time

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Monroe Nichols IV, Mayor

(Seal)

ATTEST:

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City Clerk

Approved:

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City Attorney