

Chapter 13

MINORS

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Chapter 13**MINORS****Article 1. Curfew.****Section 13-1. Minors under fifteen prohibited on public streets or places during certain hours; exceptions.**

No person under the age of fifteen years shall remain or loiter on any public street, highway, park, or any other public place, including any establishment catering to the public where food, drink, entertainment, or recreational activities are provided, between the hours of 10:00 p.m. and 4:00 a.m. except in case of necessity or unless accompanied by the person's parent, legal guardian, or an authorized person eighteen years or older. (1975 C.C., c. 3, art. 4, sec. 1.01.)

Section 13-2. Minors under eighteen prohibited on public streets or places during certain hours; exceptions.

No person under the age of eighteen years shall remain or loiter on any public street, highway, park, or any other public place, including any establishment catering to the public where food, drink, entertainment, or recreational activities are provided, between the hours of 12:30 a.m. and 4:00 a.m. unless accompanied by the person's parent, legal guardian, or an authorized person eighteen years or older. (1975 C.C., c. 3, art. 4, sec. 1.02.)

Section 13-3. Penalty.

Any minor violating section 13-1 or section 13-2 of this article shall be subject to adjudication under section 571-11(1), Hawai'i Revised Statutes. (1975 C.C., c. 3, art. 4, sec. 1.03.)

Section 13-4. Parent or guardian responsible; penalty.

Any parent or legal guardian of a person under the age of eighteen years who knowingly permits the person to violate either section 13-1 or section 13-2 hereof shall be fined not more than \$500. (1975 C.C., c. 3, art. 4, sec. 1.04.)

Section 13-5. Business operator's responsibility; penalty.

Any keeper of an establishment catering to the public where food, drink, entertainment, or recreational activities are provided who knowingly permits any child under the age of fifteen years to remain upon the premises between the hours of 10:00 p.m. and 4:00 a.m. unless the child is accompanied by the child's parent, legal guardian, or an authorized person eighteen years or older, or who knowingly permits a child between the ages of fifteen and eighteen years to remain or loiter upon the premises between the hours of 12:30 a.m. and 4:00 a.m. unless accompanied by the child's parent, legal guardian, or an authorized person eighteen years or older, shall be fined not more than \$25. (1975 C.C., c. 3, art. 4, sec. 1.05.)

Section 13-6. Child under six to be with parent or guardian; exception.

- (a) No child under the age of six years shall be permitted to go or remain on any public street or highway in the County except in the company of the child's parents, guardian or an adult person.
 - (b) This section shall not be applicable where a child under the age of six years is going to or from public or private schools.
- (1975 C.C., c. 3, art. 4, sec. 2.01.)

Section 13-7. Duty of parent and guardian; penalty.

Any parent or guardian, having the care, custody and control of a child under the age of six years, who knowingly, voluntarily, or carelessly permits such child to go or remain on any public street or highway in the County unaccompanied by an adult person when the child is not going to or from schools, public or private, shall be punished by a fine of not less than \$5 and not more than \$100.

(1975 C.C., c. 3, art. 4, sec. 2.02.)

Article 2. Intoxicating Liquors.**Section 13-8. Definitions.**

(a) As used in this article:

- (1) “Intoxicating liquor” includes alcohol, brandy, whiskey, rum, gin, ‘ōkolehao, sake, beer, ale, porter, and wine; and also includes, in addition to the foregoing, any spirituous, vinous, malt, or fermented liquor, liquids, and compounds, in whatever form and of whatever constituency and by whatever name called, containing one-half percent or more of alcohol by volume, which are fit for use or readily converted for use for beverage purposes.
- (2) “Minor” means any person below the age of twenty-one years.
- (3) “Public place” means any place, building or passenger conveyance to which the public resort or are generally permitted to have access, except duly licensed establishments regulated and controlled by the liquor commission of the County.

(1975 C.C., c. 3, art. 4, sec. 3.02; Am. 1987, Ord. No. 87-3, sec. 1.)

Section 13-9. Minors drinking intoxicating liquor prohibited.

(a) No person shall provide, serve, or offer for drink, any intoxicating liquor in any public place to any minor. The duty to ascertain the age of any person drinking in any public place is the responsibility of such provider, server, or offerer.

(b) No minor shall drink or consume any intoxicating liquor in any public place.

(1975 C.C., c. 3, art. 4, secs. 3.03 and 3.04.)

Section 13-10. Penalty.

Any person violating any provision of this article shall be punished by a fine not to exceed \$200.

(1975 C.C., c. 3, art. 4, sec. 3.05.)

Article 3. Toy Rifles.**Section 13-11. Definition.**

As used in this article, “toy rifle” means any weapon using compressed air or spring as the propelling force to eject therefrom a projectile in the shape of a ball, pellet, or rod of any type of material or any weapon of similar design, nature, or function, whether usable or unusable, serviceable or unserviceable, or modern or antique.

(1975 C.C., c. 3, art. 8, sec. 1.)

Section 13-12. Minor prohibited from use of toy rifle; exceptions.

(a) No minor under the age of eighteen years shall own, acquire by purchase, gift or otherwise, possess, use, operate, or play with a toy rifle.

(b) Any person under the age of eighteen years, while under the immediate supervision of an adult, may possess, use, operate, or play with a toy rifle.

- (c) No person under the age of eighteen years, under any circumstances, shall possess, use, operate, or play with a toy rifle in any public place, except while under supervision of an adult upon a bona fide public range.

(1975 C.C., c. 3, art. 8, sec. 2.)

Section 13-13. Parent or guardian responsible.

No parent, guardian or any other person having the care, custody, or control of any minor under the age of eighteen shall permit the minor to own, acquire by purchase, gift, or otherwise, possess, use, operate, or play with a toy rifle, except as provided in section 13-12.

(1975 C.C., c. 3, art. 8, sec. 3.)

Section 13-14. Transfer to minor prohibited.

No person shall sell, transfer or give a toy rifle to any minor under the age of eighteen years.

(1975 C.C., c. 3, art. 8, sec. 4.)

Section 13-15. Forfeiture to County.

All toy rifles owned, carried, or possessed contrary to this article shall be forfeited to the County, and shall be destroyed or retained by the chief of police for use by and under the control of the police department.

(1975 C.C., c. 3, art. 8, sec. 5.)

Section 13-16. Penalty.

Any person violating any of the provisions of this article shall, upon conviction, be punished by a fine not to exceed \$100.

(1975 C.C., c. 3, art. 8, sec. 6.)