

S U M M A R Y

This proposed emergency ordinance amends Chapter 29, *Minors*, Article III, *Regulation of Minors in Public Places and Adult Responsibility for Violations*, Division 2, *Curfew*, of the 2019 Detroit City Code by adding Sections 29-3-14 and 29-3-15 to provide for a superseding curfew for all minors beginning at 8:00 p.m. on Monday, June 23, 2025 (being the scheduled date for the Detroit Annual Fireworks Display, or any rescheduled date) and continuing until 6:00 a.m. the following morning, applicable only in the area within and bounded by the Detroit River, Swain Street, the Fisher Freeway (I-75), the extension of the Fisher Freeway (I-75) easterly to Gratiot Avenue, Gratiot Avenue, Verner Highway, Hibbard Street, and Marina Drive.

1 **BY COUNCIL MEMBER FRED DURAHLE III :**

2 **AN EMERGENCY ORDINANCE** to amend Chapter 29, *Minors*, Article III, *Regulation*
3 *of Minors in Public Places and Adult Responsibility for Violations*, Division 2, *Curfew*, of the 2019
4 Detroit City Code by adding Sections 29-3-14 and 29-3-15 to provide for a superseding curfew for
5 all minors beginning at 8:00 p.m. on Monday, June 23, 2025 (being the scheduled date for the
6 Detroit Annual Fireworks Display, or any rescheduled date) and continuing until 6:00 a.m. the
7 following morning, applicable only in the area within and bounded by the Detroit River, Swain
8 Street, the Fisher Freeway (I-75), the extension of the Fisher Freeway (I-75) easterly to Gratiot
9 Avenue, Gratiot Avenue, Verner Highway, Hibbard Street, and Marina Drive.

10 **IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT**
11 **THAT:**

12 **Section 1. DECLARATION OF EMERGENCY:**

13 The Detroit City Council, upon receipt of testimony and evidence from the Detroit Police
14 Department and others, and after public hearing, upon due consideration makes the following
15 findings:

16 (A) On the day of and especially the evening of the Detroit Annual
17 Fireworks Display that takes place on the Detroit River there have been numerous
18 incidents of harassment, nuisance, vandalism, and violence committed by persons
19 at the viewing, parking, and public places of the City before, during, and after the
20 fireworks display;

21 (B) These acts of harassment, nuisance, vandalism, and violence have
22 endangered the peace, health, safety, and welfare of the People of the City of
23 Detroit, the many persons traveling from outside the City limits to attend this annual

1 event, and in particular unsupervised minors before and during the City's regular
2 curfew hours for minors and;

3 (C) There exist public peace, health, safety, and welfare needs for
4 effectively governing the conduct of such minors as it pertains to harassment,
5 nuisance, vandalism, and violence for the purpose of alleviating and eliminating
6 these problems, whether committed against minors or committed by minors;

7 (D) Due to law enforcement considerations and logistics concerns, a
8 localized curfew is necessary to enhance the public peace, health, safety, and
9 welfare for the many thousands of minors and adults who attend this annual event;

10 (E) Due to the fact that spectators begin to gather in the viewing areas
11 in advance of the commencement of the Detroit Annual Fireworks Display on the
12 day of the event, the regular curfew hours for minors provided for in the City's
13 Curfew Ordinance, codified in Chapter 29, Article III of the Detroit City Code, are
14 not sufficient to alleviate and curtail criminal activity involving unsupervised
15 minors in the fireworks display viewing areas;

16 (F) The peace, health, safety, and welfare of the community-at-large and
17 particularly that of minors will benefit from additional curfew controls for minors
18 in a localized area of the City during the Detroit Annual Fireworks Display;

19 (G) The curfew for minors in the City provides for reasonable
20 exceptions during the specified curfew period to allow for minors accompanied by
21 their parent, legal guardian, or responsible adult, for minors at or traveling to and
22 from places of employment, education and training facilities, and sponsored
23 activities under adult supervision, for minors involved in emergencies or

1 constitutionally protected activities such as interstate travel or freedom of speech,
2 assembly or exercise of religion, for minors on the sidewalks in front of their
3 homes, and for minors sent on errands by their parents if the minors have proper
4 written permission.

5 **Section 2.** Chapter 29, *Minors*, Article III, *Regulation of Minors in Public Places and*
6 *Adult Responsibility for Violations*, Division 2, *Curfew*, of the 2019 Detroit City Code is amended
7 by adding Sections 29-3-14 and 29-3-15, to read as follows:

8 **CHAPTER 29. MINORS**
9 **ARTICLE III. REGULATION OF MINORS IN PUBLIC PLACES AND ADULT**
10 **RESPONSIBILITY FOR VIOLATIONS**
11 **DIVISION 2. CURFEW**

12 **Sec. 29-3-14. Additional Definitions.**

13 For the purposes of this emergency ordinance only, the definitions provided in this section
14 supplement the definitions provided in Section 29-3-1, *Definitions*. The following words and
15 phrases shall have the meanings respectively ascribed to them by this section:

16 *Detroit Annual Fireworks Display* means the annual fireworks at the Detroit River,
17 sponsored by the Parade Company, typically on or about the fourth Monday in June.

18 *Detroit Annual Fireworks Display Curfew* means the period of time commencing at 8:00
19 p.m. on the Detroit Annual Fireworks Display Day and continuing until 6:00 a.m. the next
20 morning.

21 *Detroit Annual Fireworks Display Curfew Zone* means the area within and bounded by the
22 Detroit River, Swain Street, the Fisher Freeway (I-75), the extension of the Fisher Freeway (I-75)
23 easterly to Gratiot Avenue, Gratiot Avenue, Verner Highway, Hibbard Street, and Marina Drive.

24 *Detroit Annual Fireworks Display Day* means Monday, June 23, 2025, or any rescheduled
25 date for the Detroit Annual Fireworks Display.

1 **Sec. 29-3-15. Curfew.**

2 (a) The provisions of this section shall supersede the curfew hours for minors provided
3 for in Section 29-3-11, *Presence of minors on public streets, playgrounds, and other public places*
4 *prohibited during certain times.*

5 (b) During the Detroit Annual Fireworks Display Curfew it shall be unlawful for a
6 minor, as defined in Section 29-3-1, *Definitions*, to be on any public street, sidewalk, alley, park,
7 playground, vacant lot, or at any other unsupervised public place in the Detroit Annual Fireworks
8 Display Curfew Zone.

9 **Secs. 29-3-16—29-3-30. Reserved.**

10 **Section 3.** All ordinances, or parts of ordinances, that conflict with this ordinance are
11 suspended during the Detroit Annual Fireworks Display Curfew (as defined in Section 2 of this
12 ordinance, Sec. 29-3-14, *Additional definitions*), only.

13 **Section 4.** This ordinance is declared necessary for the preservation of the public peace,
14 health, safety, and welfare of the People of the City of Detroit.

15 **Section 5.** In accordance with Section 4-116 of the 2012 Detroit City Charter, this
16 ordinance shall be given immediate effect and become effective upon publication.

17 **Section 6.** In accordance with Section 4-116 of the 2012 Detroit City Charter, this
18 ordinance shall expire on the sixty-first (61st) day after enactment unless re-enacted as an
19 emergency ordinance. The expiration of this ordinance shall not affect any enforcement actions or
20 penalties for violations of this ordinance.

APPROVED AS TO FORM:


Conrad Mallett
Corporation Counsel