

VILLAGE OF VALIER

ORDINANCE NO. 23-441

AN ORDINANCE AMENDING CHAPTER 27 ("OFFENSES"), ARTICLE VII ("PARENTAL RESPONSIBILITY REGULATIONS") OF THE REVISED CODE OF ORDINANCES OF THE VILLAGE OF VALIER, FRANKLIN COUNTY, ILLINOIS.

**ADOPTED BY THE
BOARD OF TRUSTEES
OF THE
VILLAGE OF VALIER**

THIS 18th DAY OF December, 2023

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Valier, Franklin County, Illinois, this 18th day of December, 2023.



Village Clerk
Gina Shurtz

FILED

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FRANKLIN COUNTY CLERK

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BE IT ORDAINED by the Board of Trustees of the Village of Valier, Franklin County and State of Illinois, as follows:

SECTION ONE: The Revised Code of Ordinances of the Village of Valier Chapter 27 (“Offenses”), Article VII (“Parental Responsibility Regulations”), is hereby amended by deleting the current language and replacing it with the following:

ARTICLE VII

PARENTAL RESPONSIBILITY REGULATIONS

27-7-1 PARENTAL RESPONSIBILITY.

- (A) **Short Title.** This Section shall be known and may be cited as the “Parental Responsibility Ordinance.”
- (B) **Statement of Purpose.** The purpose of this Section is to require a parent of a minor child to exercise reasonable control over that child to prevent the child from committing any delinquent act.
- (C) **Definitions.** As used in this Section, the following terms shall have the following meaning.
- (1) **“Delinquent Act”** means an act which violates the laws of the United States, the laws of the State of Illinois, and/or an Ordinance of the Village of Valier.
 - (2) **“Minor”** means any un-emancipated person under the age of 17.
 - (3) **“Parent”** means the mother, father, legal guardian and any other person having the care or custody of a minor, or any person 17 years of age or older with whom the minor resides, at the time that the delinquent act is alleged to have been committed by the minor.
- (D) **Parental Duties.**

(1) It is the continuous duty of the parent of any minor to exercise reasonable control to prevent the minor from committing any delinquent act.

(2) No parent of any minor shall fail to exercise reasonable control over the minor. The exercise of reasonable control shall include, but is not limited to, the following:

(a) Keeping controlled substances, including marijuana, out of the possession of the minor, except those drugs duly prescribed by a licensed physician or other authorized medical professional.

(b) Keeping firearms out of the possession of the minor, except those used for hunting in accordance with all applicable laws and regulations, and with the knowledge and supervision of a parent or responsible adult.

(c) Requiring the minor to observe the curfew ordinance of the State of Illinois.

(d) Requiring the minor to attend regular school sessions and forbidding the minor to be absent from class without parental or school permission.

(e) Arranging proper supervision for the minor when the parent is absent.

(f) Forbidding the minor from willfully or maliciously destroying the property belonging to another person.

(g) Forbidding the minor from knowingly possessing stolen property.

(h) Forbidding the minor from using or possessing alcoholic beverages.

(i) Seeking help from the appropriate governmental authorities or private agencies in handling or controlling the minor, when necessary.

(E) **Penalties.**

(1) A violation of this Section is considered a civil infraction.

(2) Upon the first conviction of a violation of this Section, the parent shall be subject to a fine of one hundred fifty dollars and zero cents (\$150.00), plus attorneys' fees and costs of prosecution.

(3) Upon the second conviction of a violation of this Section, the parent shall be subject to a fine of two hundred fifty dollars and zero cents (\$250.00), plus attorneys' fees and costs of prosecution.

(4) Upon the third and subsequent convictions of a violation of this Section, the parent shall be subject to a fine of five hundred dollars and zero cents (\$500.00), plus attorneys' fees and costs of prosecution.

(5) The parent or parents of a minor child shall, to the fullest extent permitted by law, be held responsible for any damages caused by the violations of this Section within the Village of Valier.

(F) **Notification of Parents; Record of Notification.** Whenever a minor is arrested or detained for the commission of any delinquent act within the Village of Valier, the Village of Valier Police Department shall immediately attempt to notify the parent of such arrest or detention, the reason for the arrest or detention, and the parent's responsibility under this Section. A record of such notification efforts shall be kept by the Village of Valier Police Department.

(G) **Severability.** If any section, subsection, clause, phrase, or portion of this Section is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this Section, and such holding shall not affect the validity of the remaining portions of this Section.

SECTION TWO: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed so far as such conflict exists.

SECTION THREE: This Ordinance shall be effective from and after its due passage, approval, and publication as required by law.

SECTION FOUR: The Village Clerk is directed to publish this Ordinance in pamphlet form.

PASSED AND APPROVED this 18th day of December, 2023.

AYES: 5

NAYS:


ABSENT: 2

ABSTAIN:

APPROVED THIS 18th DAY OF December, 2023.


Village President
Michael K. Moyers

ATTEST:


Village Clerk
Gina Shurtz

