

ORDINANCE NO. 957

AN ORDINANCE RELATING TO PARENTAL RESPONSIBILITY,
CREATING OFFENSES, AND PROVIDING A REMEDY FOR
VICTIMS.

WHEREAS, the residents of the City of Canby are concerned with the proliferation of illegal activity by minors in violations of the municipal code; and

WHEREAS, parents of minors should strive to exercise the supervision and care that will avoid the occurrence of juvenile incidents and to enhance the protection of juveniles by the adults responsible for their actions; now therefore

THE CITY OF CANBY ORDAINS AS FOLLOWS:

Section 1. A person commits the offense of FAILING TO SUPERVISE A MINOR if, the person is the parent, legal guardian or person with legal responsibility for the safety and welfare of a child under eighteen (18) years of age and the child has been found on private property or premises open to the public in violation of any provision of Canby Municipal Code.

Section 2. It shall be an affirmative defense to the offense of failure to supervise a minor if the child's violation of the code occurred in the presence of the Person. It shall be an affirmative defense to the offense of failure to supervise a minor if the violation occurred on private property of the Person. It shall be a further affirmative defense that the person :

- A. took reasonable steps to control the conduct of the child at the time the person is alleged to have failed to supervise; or
- B. reported the act to the appropriate authorities.

Section 3. In addition to any or all fines or penalties imposed pursuant to this ordinance, the Court may order the Person to pay any restitution to a victim of the minor's conduct. The amount of restitution ordered pursuant to this ordinance shall not exceed \$2,500.00

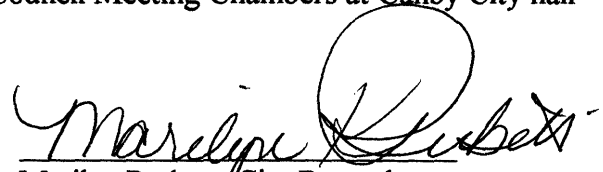
Section 4. If a child in violation of Section 1 of this Ordinance is eleven (11) years of age or younger, any citation issued shall be issued to the parent, legal guardian or person with legal responsibility for the safety and welfare of the child for violation of this ordinance, rather than to the child for violation of any provision of the Canby Municipal Code.

Section 5. The first time a person is convicted of any offense described in Section 1 of this Ordinance, the person shall not be required to pay a fine exceeding \$100.00 if the person

successfully participates and completes a parent effectiveness program to the satisfaction of the Court.

Section 6. The offense described in this Ordinance of failure to supervisor a minor is a Class A Infraction punishable by a maximum fine of \$1,000.00

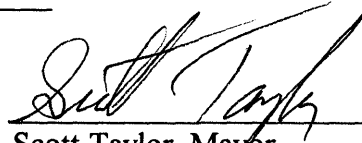
SUBMITTED to the Canby City council and read the first time at a regular meeting thereof on Wednesday, October 16, 1996, and ordered posted in three (3) public and conspicuous places in the City of Canby as specified in the Canby City Charter and to come before the City council for final reading and action at a regular meeting thereof on Wednesday, November 6, 1996, commencing at the hour of 7:30 p.m. in the Council Meeting Chambers at Canby City hall in Canby, Oregon.


Marilyn Perkett, City Recorder

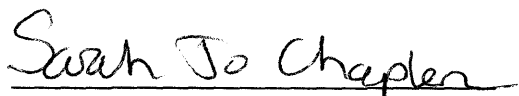
PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 6th day of November, 1996, by the following vote:

YEAS 6

NAYS 0


Scott Taylor, Mayor

ATTEST:


Sarah Jo Chaplen, Assistant to Administrator