

and authorized by the parent or by law to have care and custody of the minor; or

(2) engaged in a lawful pursuit or activity that requires the minor's presence in such public place during regular school hours and is authorized by the minor's parent, guardian, or other person having the legal care and custody of such minor; or

(3) traveling directly from school to home or to another location designated by a parent after being authorized and approved to be away from school as provided in ORS 339.065, but is not suspended or expelled; or

(4) emancipated or exempt from compulsory school attendance pursuant to ORS 339.030.

Section 3. **Parental Responsibility.**

No parent, guardian, or other person having legal custody of a minor child under the age of 18 years may allow or permit the minor to be in violation of Section 2 of this Ordinance.

Section 4. **Enforcement.**

A. Any police officer or any other law enforcement officer is hereby authorized to take into custody any person under the age of 18 years violating the provisions of Section 2 of this Ordinance. The minor taken into custody may be taken by the officer to the police station, county juvenile facility, or other location as designated by the Chief of Police. An officer who takes the minor to the police station or other designated location, other than the county juvenile facility shall use due diligence to immediately find a parent or guardian or person having custody of the minor and shall release the minor to such person at the police station or other designated location.

B. A police officer, in lieu of holding the minor in custody for release to a parent, may release the minor to the principal or other designated official at the school where the minor is enrolled.

C. A police officer, in lieu of holding the minor in custody for release to a parent may issue a citation to the minor. The citation shall be returnable to the Juvenile Court of Clackamas County.

Section 5. **Duty of Parent or Guardian to Pick Up Violators.**

It shall be unlawful and shall be considered a separate offense for any parent, guardian, or any other adult person having the legal care and custody of any minor person taken into custody for violating Section 2 above to refuse to come to the police station, county juvenile facility or other designated place and take the minor

person under his or her custody immediately to the minor's home upon being notified by the police department as provided in this Ordinance.

Section 6. Penalties.

- A. Violation of Section 2 and 3 of this Ordinance is a Class A infraction.
- B. Violation of Section 5 of this Ordinance is a Class C Misdemeanor.

Section 7. Emergency Declared.

It being necessary for the health, safety and general welfare of the citizens of Canby, that this Ordinance put to into effect prior to the 1998-1999 school year which commences in September, 1998, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its enactment after final reading.

SUBMITTED to the Canby City Council and read the first time at a regular meeting thereof on Wednesday, August 5, 1998, 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, August 19, 1998, commencing at the hour of 7:30 P.M. in the Council Meeting Chambers at Canby City hall in Canby, Oregon.

Michael Jordan
City Recorder - Pro Tem

PASSED on second and final reading by the Canby City Council at a regular meeting thereof on the 19th day of August, 1998, by the following vote:

YEAS _____

NAYS _____

Scott Taylor, Mayor

ATTEST:

Michael Jordan, City Recorder - Pro Tem