

ORDINANCE NO. 1063

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ADOPTING CHAPTER 9.52 OF THE CITY OF PERRIS MUNICIPAL CODE REGARDING TRUANCY OF MINORS

The City Council of the City of Perris does ordain as follows:

FINDINGS

- A. There has been evidence of crime by minors under the age of 18 during school hours within Perris; and
- B. The City of Perris has an obligation to provide for the protection of minors and its other citizens; and
- C. A juvenile truancy ordinance discourages such activity by removing minors from areas subject to unlawful activities during school hours, encourages school attendance and thus will further public health and safety in Perris; and

SECTION 1. Chapter 9.52 is added to the Perris Municipal Code to read as follows:

Section 9.52.010 Truancy Restrictions on Minors. It is unlawful for any minor under the age of eighteen (18) who is subject to compulsory education or to compulsory continuation education to be present in any community place or establishment within Perris during truancy hours.

However, the provisions of this Ordinance shall not apply if any of the following apply:

- 1. The minor is accompanied by his or her parent(s), legal guardian, or by his/her spouse eighteen (18) years of age or older.
- 2. The minor's parent(s) or legal guardian has given the minor's permission to remain in a community place or establishment during truancy hours.
- 3. The minor is involved in an emergency.

4. The minor is attending, going to or returning home without any detour or stop from an official meeting, school activity, civic organization, educational, religious or recreational activity supervised by adults.
5. The minor is engaged in lawful employment activity or is going to or returning home from a lawful employment activity without any detour or stop.
6. The minor is in a motor vehicle involved in interstate travel.
7. The minor is exercising his/her First Amendment rights, such as freedom of speech, right of assembly or free exercise of religion.
8. The minor is going to or returning from a medical appointment without any detour or stop.
9. The minor is in possession of a valid proof that the minor is a student who has permission to leave the school campus.

Any minor who violates this section is guilty of a misdemeanor.

Section 9.52.020. Definitions. As used herein, the following words and phrases shall have the meaning set out.

1. "Truancy Hours" means 7:00 a.m. to 4:00 p.m. or other hours as designated by the respective school district or school on days when school is in session.
2. "Emergency" means one or more unforeseen circumstances or the resulting state requiring immediate action, such as a fire, natural disaster, accident or situation requiring immediate action to prevent or to treat serious injury or loss to person or property.
3. "Community Place" means any place to which the residents of Perris or a substantial group of them have access and includes, but is not limited to, streets, the common areas, buildings, facilities, parks, docks, or beaches.

4. "Establishment" means any privately-owned place of business to which the public is invited, including but not limited to places of amusement or entertainment.
5. "Guardian" means a person ordered to be such by a court or a public or private agency with whom the minor has been placed.
6. "Minor" means any person under eighteen (18) years of age.
7. "Parent" means a person who is a natural, adoptive or step-parent or someone at least 18 years old authorized by a parent or guardian to have care, custody or control of the minor.

Section 9.52.030. Parental Responsibility.

It is unlawful for the parent or guardian knowingly to allow or permit such minor to violate this Chapter.

SECTION 2. Said violation is an infraction pursuant to the general penalty provision of the Perris Municipal Code, section 1.16.010.

SECTION 3. Nothing contained herein shall have any effect on prosecutions commenced before the effective date of this Ordinance.

SECTION 4. Severability. If any part or subpart, sentence, clause or portion of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed separate and such holding shall not affect the validity of the remaining sections. The City Council declares it would have passed this Ordinance, and all parts of it, irrespective of the fact that any part, subpart, clause or portion may have been invalidated.

SECTION 5. Effective Date. This Ordinance shall be effective thirty (30) days from the date of its adoption.

SECTION 6. The City Clerk of the City of Perris shall certify to the passage and adoption of this Ordinance and shall cause the same to be posted and published in the manner required by law.

ADOPTED, SIGNED, and APPROVED this 8th day of December, 1998.

Mayor of the City of Perris, California

ATTEST:

City Clerk of the City of Perris,
California

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF PERRIS)

I, MARGARET REY, City Clerk of the City of Perris, do hereby certify that the foregoing Ordinance No. 1063 was regularly introduced and placed upon first reading at a regular meeting of the City Council of the City of Perris on November 24th, 1998. That, thereafter, said ordinance was duly approved and adopted at a regular meeting of the City Council on December 8th, 1998 by the following vote:

AYES: Larragoitiy, Torres, Yarbrough and Landers
NOES: Larios
ABSENT:

City Clerk, City of Perris, California