

COMMITTEE OF THE WHOLE

10-061-0

ORDINANCE NO. _____

AN ORDINANCE ADDING NEW SECTIONS 34-15 AND 34-16 TO THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING TRUANCY ABATEMENT.

BY PRESIDENT ANDERSON:

The city of Duluth does ordain:

Section 1. That the Duluth City Code, 1959, as amended, is hereby amended by adding a new Section 34-15 as follows:

Sec. 34-15. Truancy abatement.

(a) Prohibited acts. No minor under the age of 17 years who is subject to compulsory education shall loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, alleys, parks, playgrounds, wharves, docks or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places on days and times when said minor's school is in session; provided, that the provisions of this Section shall not apply under the following circumstances:

(1) When the minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor;

(2) When the minor is on an emergency errand directed by his or her parent, guardian or other adult person having the care and custody of the minor;

(3) When the minor is going to, or coming directly from, his or her place of school-approved employment;

(4) When the minor is going to, or coming directly from, a medical appointment;

(5) When the minor has permission to leave the school campus for lunch and has in his or her possession a valid, school-

issued, off-campus permit;

(6) When the minor is going to, or coming directly from, a compulsory alternative education program activity;

(7) When the minor is going to, or coming directly from, a school, religious or government-sponsored activity, or other recreational activity supervised by adults;

(8) When the minor is attending, going to or coming directly from an activity directly related to a medical condition of a sibling or parent;

(9) When the minor has passed a general educational development test and received a Minnesota high school equivalency certificate;

(10) When the minor is enrolled in a private school or "home school" qualified under Minnesota statutes;

Any minor violating the provisions of this Section shall be dealt with in accordance with juvenile court law and procedures;

(b) No minor under the age of 18 years of age shall misrepresent his or her age for the purposes of defeating the lawful application of subsection (a) of this Section.

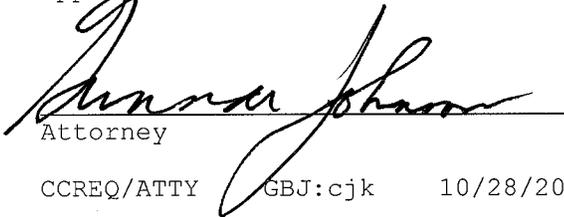
Section 2. That the Duluth City Code, 1959, as amended, is hereby amended by adding a new Section 34-16 as follows:

Sec. 34-16. Same--Responsibility of parents and guardians.

(a) No parent, guardian or other adult person having the care and custody of a minor under the age of 17 years who is subject to compulsory education shall knowingly permit such minor to be in violation of the provisions of Section 34-15(a).

Section 3. That this ordinance shall take effect 30 days after its passage and publication.

Approved as to form:


Attorney

CCREQ/ATTY GBJ:cjk 10/28/2010

STATEMENT OF PURPOSE: This ordinance adds new Sections 34-15 and 34-16 of the City Code pertaining to truancy abatement; adding regulations for minors under the age of 17 years who are subject to compulsory education.