

ORDINANCE NO. 14-06

By: Jeffrey McClelland

An Ordinance to amend Subsections (c), (d, 1 through 5), (e), and (f), and add subsections (g) and (h) of Section 648.10 of the General Offense Code. The purpose of the amendments and additions to Section 648.10 is to add a day-time curfew provision for students who have been suspended or expelled from school, to clarify the truancy law for minors, and to declare an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That subsections (c), (d, 1 through 5), (e), and (f), be amended and subsections (g) and (h) be added, to read as follows:

- (c) No minor under the age of eighteen years shall be truant from school when the laws of this State require such minor's attendance in school.
- (d) No minor under the age of eighteen years, who has been expelled or suspended from school, shall loiter, idle, wander stroll or play in or upon the public streets or other public places or upon private property, except upon private property where the minor resides or property where the minor is being cared for and with the permission of the parent or guardian of such minor, during the period of a school day, unless accompanied by the minor's parent, guardian or other adult person having the care and custody of the minor, or unless such minor is on an emergency errand or legitimate business at the direction of the parent, guardian or other adult person having the care and custody of the minor.
- (e) No parent, guardian or person having the care, custody or control of any minor shall permit such minor to violate any of the provisions of this section.
- (f) No person shall aid, abet, influence or encourage any minor under the age of eighteen years to:
 - (1) Violate subsection (a) hereof;
 - (2) Violate subsection (b) hereof;
 - (3) Violate subsection (c) hereof;
 - (4) Violate subsection (d) hereof; or
 - (5) Be truant from home when such minor has been reported as truant from home to the police or a Municipal official.
- (g) Whoever, being an adult, violates any of the provisions of this section is guilty of a minor misdemeanor. Punishment shall be as provided in Section 698.02.

(h) Whoever, being a minor, violates any of the provisions of this sections shall be dealt with in accordance with Juvenile Court law and procedure.

Section 2. That Subsections (c), (d, 1 through 5), (e), and (f) of Section 648.10 of the General Offense Code as presently in effect are hereby repealed and that the remaining Subsections of said Section 648.10 shall remain in full force and effect without amendment.

Section 3. That this is an emergency Ordinance necessary for the protection of the public health, safety or welfare, said emergency being the necessity of assuring uninterrupted enforcement of Section 648.10 of the General Offense Code in a manner which protects minors and preserves the general peace and welfare in the community, and shall be in full force and effect upon passage by Council and approval by the Mayor.

Passed: 3-28, 2006

Helen Mac Murray
President of Council

Attest: [Signature]
Clerk of Council

Approved: 3/28, 2006

[Signature]
David H. Madison, Mayor

2-28-06 First Reading
3-14-06 Second Reading
3-28-06 Third Reading Passed