

STAFF REPORT
City of Lancaster

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07/13/10
MVB

Date: July 13, 2010

To: Mayor Parris and City Council Members

From: Vice Mayor Smith
David R. McEwen, City Attorney

Subject: **Introduction of an Ordinance adding Chapter 9.44 to the Lancaster Municipal Code relating to parental responsibility**

Recommendation:

Introduce **Ordinance No. 949**, adding Chapter 9.44 to the Lancaster Municipal Code relating to parental responsibility.

Fiscal Impact:

Unknown.

Discussion:

This Ordinance was prepared at the request of Vice-Mayor Smith in response to concerns regarding juvenile crime and the failure of some parents to adequately supervise and control minors.

This Ordinance prohibits the parent of a minor (including a natural parent, legal guardian and/or any other adult who has assumed the responsibility of a natural parent with respect to the custody, care and control of a minor) from assisting, aiding, abetting, allowing, permitting suffering or encouraging such minor to commit a violation of the public peace (which means a violation of any federal, state or local law or regulation), either by overt act, by failure to act or by lack of supervision and control over such minor. The Ordinance provides that whenever a minor has been detained or taken into custody for committing a violation of the public peace, the minor's parent shall be notified by the Los Angeles County Sheriff's Department of such custody or detention, the reason(s) for such custody or detention, the responsibility of the parent under the Ordinance and the availability of counseling services. The Ordinance also provides that if there has been such notification, three (3) subsequent violations of the public peace by a minor within a ninety (90) day period shall create a presumption that the minor's parent has failed to exercise reasonable and adequate supervision and control over such minor.

Any parent violating any of the provisions of the Ordinance is guilty of a misdemeanor, and each such parent shall be deemed guilty of a separate offense for each and every violation of the public peace committed by the minor, and upon conviction of any such violation such parent shall be punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment for not more than six months, or by both fine and imprisonment. In addition to the foregoing, any parent violating any of the provisions of this chapter may be ordered by a

court of competent jurisdiction to pay restitution to a victim of the minor's violation of the public peace; provided, however, that the aggregate amount of restitution ordered pursuant to the Ordinance shall not exceed Two Thousand Five Hundred Dollars (\$2,500.00) for each violation of the public peace committed by the minor.

Attachment:

Ordinance No. 949