

ORDINANCE NO. 13, 2000

**ESTABLISHING PARENTAL
RESPONSIBILITY IN THE VILLAGE OF CLEVES**

Effective July 28, 2000

Section 1. That the definition of a “parent” is: a parent who has parental rights and responsibilities for the care of a child under 18 years of age and is the residential parent and legal custodian of such child, a guardian who has custody of such child, or other custodian of such child, who is charged with control of the child and shall have the power to exercise parental control and authority over the child.

Section 2. That it shall be unlawful for a parent, legal custodian, legal guardian, or other person lawfully charged with the care of a child under 18 years of age, to fail to supervise such child. Parental responsibility to supervise such child and exercise parental control with regard to such child includes but is not limited to the following duties:

A. To keep illegal drugs out of the home and out of possession of such child, except those drugs duly prescribed by a licensed physician or other authorized medical professional;

B. To keep firearms out of the possession of such child except those used for hunting in accordance with state law and with knowledge and supervision of a parent;

C. To exercise and have in place reasonable controls so as to prevent such child from maliciously or willfully damaging, defacing or destroying real or personal property belonging to others, including the Village of Cleves;

D. To exercise and have in place reasonable controls so as to prevent such child from engaging in theft of property or keeping in his or her possession property known to be stolen;

E. To exercise and have in place reasonable controls so as to prevent such child from engaging in violent or

assaultive behavior directed at persons.

Section 3. That an adjudication that a child under the age of 18 years of age has been found a “delinquent child”, as such is defined in Section 2151.02 ORC for criminal conduct other than that which would lead to a “status” crime violation, such as a curfew or truancy violation, or has been found guilty of a criminal conviction when said child has been tried as an adult, three times within any two year period, shall be prima facie evidence that said parent or guardian failed to supervise the child.

Section 4. That in a prosecution of a person for failing to supervise a child under this Ordinance, it is an affirmative defense that the person:

- A. Is the victim of the act that brings the child within the jurisdiction of the juvenile court, or
- B. Reported the act to the appropriate authorities.

Section 5. That whoever violates this section is guilty of failing to supervise a child. Upon first conviction, the offender shall be subject to a fine of up to \$250 and/or ordered to perform community service. The fine and/or community service will be suspended if the person charged completes a parenting training class designated by the Village of Cleves.

For a conviction of a second offense and/or additional offenses, the offender shall be subject to a fine of up to \$100.00 and/or ordered to perform community service for each offense.