

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 168

AN ORDINANCE TO CONTROL THE TRUANCY OF MINORS

The Charter Township of Superior hereby ordains:

Section 168-01. Truancy in public places and motor vehicles.

- A. It is unlawful for a minor under the age of 16 years who is enrolled in a public or private educational program to be absent from school and in a public place, as defined in subsection B.
- B. A public place means any public street, avenue, highway, roadway, curb area, alley, park, playground or other public ground, place or building, amusement place, eating place, vacant lot or any place open to the public during the hours of 9:00 a.m. and 2:30 p.m. when school is in session.
- C. Exceptions. The provisions of subsection A shall not apply to persons under the age of 16 when:
1. The minor has in his or her possession a written excuse from the minor's parent, legal guardian, or other adult person having the legal care or custody of the minor.
 2. The minor is accompanied by his or her parent, legal guardian or other adult person having the legal care or custody of the minor;
 3. The minor is on an emergency errand directed by his or her parent, legal guardian or other person having legal care or custody of the minor;
 4. The minor is going directly to or returning from a medical, dental or orthodontic appointment;
 5. The minor has permission to leave school and has in his or her possession a valid school excuse to be absent from school;
 6. The minor is going directly to or returning from a public meeting or place of entertainment, such as a movie, play, sporting event, dance or school activity, provided such meeting, event or activity is a school approved activity or is otherwise supervised by school personnel;
 7. The presence of the minor in such place is connected with or required by a school approved or school related business, trade, profession or occupation in which the minor is lawfully engaged;

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8. The minor has graduated from high school or has fulfilled all requirements for high school graduation;
 9. The minor is in attendance at religious instruction classes in accordance with Section 156 (3Xd) of Public Act 451 of 1970 (MCL 380.1561(3Xd)); or
 10. The minor is being educated in an organized educational program at the minor's home by his or her parent or legal guardian in accordance with Public Act No. 451 of 1976 (MCL 380.1 et. Seq.).
- D. Violation of Section A shall be a misdemeanor punishable by a maximum fine in the amount of \$50 for a first offense and \$100 for a second or subsequent offense during a calendar school year.

Section 168.02. Enforcement procedure; parental responsibility.

- A. A minor cited for a violation under this section shall attend a court hearing and must be accompanied at the hearing by his or her parent, legal guardian or other adult person have legal care or custody of the minor.
- B. It is the responsibility of the parent, legal guardian or other adult person having the legal care of custody of the minor, upon receiving notification from the court or the township, to appear for a court hearing as described in Subsection A. Failure to attend a court hearing is a misdemeanor punishable by a maximum sentence of 90 days in jail and/or \$500 fine.
- C. It is the responsibility of the parent, legal guardian or other adult person having the legal care or custody of the minor to monitor the school attendance of the minor as required by law. Failure to monitor school attendance of the minor constitutes a misdemeanor punishable by a maximum sentence of 90 days in jail and/or \$500 fine.

Section 168-03. Severability. Should any section, subdivision, sentence, clause or phrase of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 168-04. Effective Date. This ordinance shall be effective on publication in a newspaper of general circulation as required by law.

CERTIFICATION

I, Kay Williams, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of Ordinance 168 adopted at a regular meeting of the Superior Charter Township Board held on March 19, 2007.

Kay Williams, Superior Charter Township Clerk