§ 278-34.2. Parental responsibility.

[Added 11-20-2006 by Ord. No. 2006-10]

A. As used in this section, the following terms shall have the following meanings:

CONTROLLED SUBSTANCE
A drug, substance, or immediate precursor included in Schedules 1 to 5 of Part 72 of the Michigan Public Health Code, as amended.

DELINQUENT ACT
An act which violates the laws of the United States, the laws of the State of Michigan, or an ordinance of the City of Royal Oak, or which would cause a minor to come under the jurisdiction of the Family Division of the Circuit Court, as defined by MCLA § 712A.2, as amended. "Delinquent act" does not include a traffic violation which is designated as a civil infraction.

MINOR
Any unemancipated person under the age of 17.

PARENT
The mother, father, legal guardian and any other person having the care of custody or a minor, or any person 17 years of age or older with whom the minor resides, at the time that the delinquent act is alleged to have been committed by the minor.

B. Parental duties.

(1) It is the continuous duty of the parent of any minor to exercise reasonable control to prevent the minor from committing any delinquent act.

(2) No parent of any minor shall fail to exercise reasonable parental control over the minor. The exercise of reasonable parental control shall include, but is not limited to, the following:

(a) Keeping controlled substances out of the home and out of the possession of the minor, except those drugs duly prescribed by a licensed physician or other authorized medical professional.

(b) Keeping firearms out of the possession of the minor, except those used for hunting in accordance with all applicable laws and regulations and with the knowledge and supervision of a parent.

(c) Requiring the minor to observe the curfew ordinance of the City of Royal Oak. *Editor's Note: See § 278-34 of this chapter.*

(d) Requiring the minor to attend regular school sessions and forbidding the minor to be absent from class without parental or school permission.

(e) Arranging proper supervision for the minor when the parent is absent.

(f) Forbidding the minor from willfully or maliciously destroying property belonging to another person.

(g) Forbidding the minor from knowingly possessing stolen property.

(h) Forbidding the minor from possessing alcoholic beverages.

(i) Seeking help from the appropriate governmental authorities or private agencies in handling or controlling the minor, when necessary.

(j) Assisting or cooperating with governmental authorities in their efforts to handle or control the

minor, including the production of the minor for court appointments and hearings.

(3) Notification of parents; record of notification. Whenever a minor is arrested or detained for the commission of any delinquent act within the City of Royal Oak, the Royal Oak Police Department shall immediately attempt to notify the parent of such arrest or detention, the reason for the arrest or detention, and the parent's responsibility under this section. A record of such notification efforts shall be kept by the Royal Oak Police Department.

C. Penalties.

(1) A violation of this section is a civil infraction.

(2) Upon the first conviction of a violation of this section, the parent shall be subject to a fine of not less than $100, plus the costs of prosecution.

(3) Upon the second conviction of a violation of this section, the parent shall be subject to a fine of not less than $250, plus the costs of prosecution.

(4) Upon the third or subsequent conviction of a violation of this section, the parent shall be subject to a fine of not less than $500, plus the costs of prosecution.

(5) Pursuant to the violation of this Code, the parent shall to the fullest extent permitted by law be held civilly responsible for any damages caused by the commission of any delinquent act within the City.