
**THE VILLAGE OF WILLOW SPRINGS
COOK COUNTY, ILLINOIS**

**ORDINANCE
NUMBER 2011-O-16**

**AN ORDINANCE AMENDING TITLE 10 "POLICE
REGULATIONS", CHAPTER 1 "GENERAL OFFENSES" OF
THE VILLAGE CODE OF THE OF WILLOW SPRINGS, COOK
COUNTY, ILLINOIS**

**ALAN NOWACZYK, President
ADENA BASKOVICH, Village Clerk**

**GEORGE BARTIK
MARIO IMBARRATO
ANNETTE KAPTUR
KEVIN MALONEY
KATHRYN STANPHILL
JERRY STRAZZANTE**

Trustees

ORDINANCE NO. 2011-O-16

AN ORDINANCE AMENDING TITLE 10 "POLICE REGULATIONS", CHAPTER 1 "GENERAL OFFENSES" OF THE VILLAGE CODE OF THE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS

WHEREAS, the Village of Willow Springs (the "*Village*") is a duly organized and existing municipal corporation created under the provisions of the laws of the State of Illinois and under the provisions of the Illinois Municipal Code, as from time to time supplemented and amended; and

WHEREAS, the President and Board of Trustees of the Village of Willow Springs (the "*Corporate Authorities*") may from time to time amend the text of Village Code when it is determined to be in the best interests of the Village; and

WHEREAS, the Corporate Authorities have determined it necessary to establish truancy regulations of the Village in order to protect the health, safety and welfare of its citizenry.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Willow Springs, Cook County, Illinois as follows:

Section 1: That the above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

Section 2: Section 10-1-11 ("*Offenses Concerning Minors*") of Chapter 1 ("*General Offenses*") of Title 10 ("*Police Regulations*") of the Village Code of the Village of Willow Springs is hereby amended by adding the following language to read, as

follows:

F. Truancy:

1. DEFINITIONS: For the purpose of this subsection, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

PARENT. Any person having legal custody of a student who is:

- (1) A natural or adoptive parent;
- (2) A legal guardian;
- (3) A person who stands in loco parentis; or
- (4) A person to whom legal custody has been given by a court order.

SCHOOL. Any public, private, or parochial elementary, junior high or high school located within the corporate limits of the Village or in a school operated by a school district with which the Village has an intergovernmental agreement.

STUDENT. Any person enrolled in grades one (1) through twelve (12) of a public, private, or parochial school within the corporate limits of the Village. Students who are instructed in a home school program are not subject to this subchapter.

TRUANT. A child subject to compulsory school attendance and who is absent without valid cause from such attendance for a school day or portion thereof.

VALID CAUSE. Illness, observance of a religious holiday, death in the immediate family, family emergency, and shall include such other situations beyond the control of the student as determined by the principal or principal's designee of the school which the student attends, or such other circumstances which cause reasonable concern to the parent for the safety or health of the student.

2. TRUANCY PROHIBITED:

(a) *Truancy Prohibited.* It shall be unlawful for any student to be absent from school without a valid cause. Any student who shall absent himself from school without valid cause shall be guilty of truancy.

(b) *Contributing to Truancy Prohibited.* No person eighteen (18) years of age or older may, by act or omission, knowingly induce or attempt to induce any student to be absent from school in violation of this subchapter, or employ or harbor, while school is in

session, any student absent from school in violation of this subchapter. In the absence of evidence to the contrary, a parent shall be deemed to have violated this subsection whenever all three (3) of the following events occur:

- (1) A student has admitted to or been adjudicated to be in violation of subsection (a) of this section;
- (2) The parent shall have received written notice of the event described in subsection (b)(1) of this section; and
- (3) Within one (1) year of receipt of the notice described in subsection (b)(2) of this section, the same student admits or is adjudicated to be in violation of subsection (a) of this section for a second time.

(c) Emergency or unforeseen absence without the permission of his parent or legal guardian, because of illness or other cause beyond the control of such student, shall not constitute truancy within the meaning of this subchapter, provided such permission has been obtained in substance and is confirmed in writing by his parent or legal guardian to the proper school authorities within twenty-four (24) hours after such absence.

(d) *Procedure.* Any police officer who witnesses a person whom the officer reasonably believes to be in violation of this section may stop and detain the person for the purpose of verifying the person's identity, age, school enrollment and authority to be absent from school. The police officer shall immediately inform the person of the reason for the detention and that he or she will be released upon verification of authorization to be absent from school. Other than to transport the student to school or to his or her parent or legal guardian, the person shall not be removed from the scene of the investigatory stop unless he or she refuses to provide the officer with the necessary information. If the officer determines that the person is in violation of this division, he shall, if practical, transport the offender to school authorities or to the child's parent or legal guardian. In addition to any citation that might be issued to the student, the officer shall also notify the parent or legal guardian in writing of the offense.

Section 3: If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance.

Section 4: All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5: This Ordinance shall be in full force and effect upon its passage,

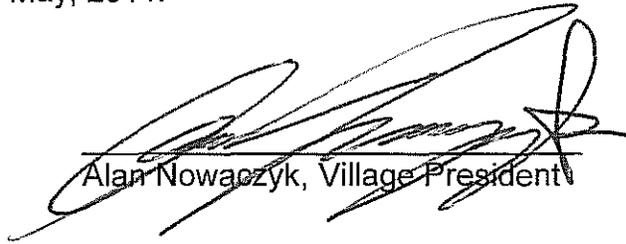
approval and publication as provided by law.

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ADOPTED this 12th day of May, 2011, pursuant to a roll call vote as follows:

	PRESENT	ABSENT	AYE	NAY	ABSTAIN
Bartik	✓		✓		
Imbarrato	✓		✓		
Kaptur	✓		✓		
Maloney	✓		✓		
Stanphill	✓		✓		
Strazzante	✓		✓		
(Mayor Nowaczyk)	✓				
TOTAL	7	0	6	0	0

APPROVED this 12th day of May, 2011.


 Alan Nowaczyk, Village President

ATTEST:


 Adena Baskovich, Village Clerk

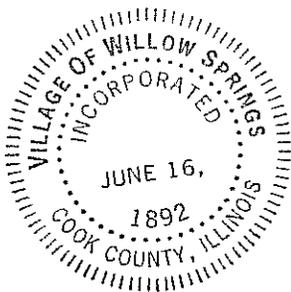
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION

I, Adena Baskovich, DO HEREBY CERTIFY that I am the duly qualified and appointed Clerk of the Village of Willow Springs, Cook County, Illinois, and that as such Clerk I do have charge of and custody of the books and records of the Village of Willow Springs, Cook County, Illinois.

I DO HEREBY FURTHER CERTIFY that the foregoing is a full, true and correct copy of **ORDINANCE No. 2011-O-16** "AN ORDINANCE AMENDING TITLE 10 "POLICE REGULATIONS", CHAPTER 1 "GENERAL OFFENSES" OF THE VILLAGE CODE OF THE OF WILLOW SPRINGS, COOK COUNTY, ILLINOIS" adopted and approved by the President and Board of Trustees of the Village of Willow Springs, Illinois, on May 12, 2011.

IN WITNESS WHEREOF, I have hereunto affixed my hand and the Corporate Seal of the Village of Willow Springs, Cook County, Illinois this 12th day of May, 2011.





Adena Baskovich, Village Clerk
Village of Willow Springs, Cook County, Illinois