

Chapter 27

Habitual Truancy Ordinance

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27.01 Authority. Pursuant to authority granted to the County Board of Supervisors for Kewaunee County under the provisions of Wisconsin Statutes section 59.07(64) to preserve the public peace and good order within Kewaunee County, and under Wisconsin Statutes 118.163(2) authorized the enactment of an ordinance prohibiting a child from being a habitual truant, the said Board of Supervisors does hereby enact and ordain the following provisions.

27.02 Purpose. The primary purpose of this ordinance is to prohibit truancy of children between the ages of 6 and 18 and cause the children to attend school on a regular basis.

27.03 General Provisions.

- (a) It shall be a violation of this ordinance, if a child between the ages of 6 through 18 years of age, is found to be habitually truant from school.
- (b) It shall be a violation of this ordinance for a child between the ages of 6 through 18 years of age to be truant from school.
- (c) It shall be a violation of this ordinance if one, 18 years of age or older, contributes to the truancy of a child.
- (d) It shall be a violation of this ordinance for a parent or legal guardian, who knows or should know, that their children are habitually truant and fails to make reasonable efforts to prevent such truancy. It is the parent's burden of proof to show that those reasonable efforts have been made.

27.04 Definitions.

- (a) "Truancy" and "Habitual Truancy" shall have the meanings defined in Wisconsin Statutes 118.163(1), as it may be amended from time to time.

- (b) “Acceptable Excuse” shall mean an excuse as defined in Wisconsin Statutes 118.15 and 118.16(4).
- (c) “Contributing to Truancy” shall mean any act or failure to act by one 18 years of age or older who, knowingly encourages or contributes to the child’s truancy and shall be subject to the penalties as set forth below.

27.05 Penalties.

- (a) Upon finding a violation of §27.03(a), the court shall impose one or more of the dispositions available under Wisconsin Statutes 118.163(2), as it may be amended from time to time.
- (b) Upon a finding of a violation of §27.03(b), the court shall impose one or more of the dispositions available under Wisconsin Statutes 118.163(1m), as it may be amended from time to time.
- (c) Upon conviction for violations of §27.03(c) or (d), the court shall impose a forfeiture of not more than \$500.00. Failure to make payment of such forfeiture and costs of prosecution shall subject the individual to imprisonment in the County jail until said forfeiture is paid, but not to exceed thirty (30) days.

27.06 Enforcement.

- (a) Enforcement shall be by citation.
- (b) Schedule of deposits. Deposits shall be made in cash, money orders, or certified check to the Clerk of Kewaunee County Circuit Court or the Sheriff of Kewaunee County. The amount of the bond schedule shall be \$100.00 or such amount that the Circuit Court of Kewaunee County hereafter determines.
- (c) Any person, firm, or corporation, violating any of the subsections of this ordinance, may stipulate to the guilt or no contest and may pay to the Sheriff or to the Clerk of Court, a bond according to a schedule prescribed by the Circuit Court of Kewaunee County. Such stipulation will make it unnecessary for the subject charged to appear in court, and will act as a basis for the court to enter judgement and order forfeiture of the bond. Forfeitures, penalty assessments, costs and fees shall be disbursed as provided in Wisconsin Statutes, Section 66.12.

27.07 Other enforcement not precluded. Adoption of this ordinance does not preclude the County Board from adopting another ordinance or providing for the enforcement of any other law or ordinance relating to the same or other matter. And issuance of a forfeiture hereunder, shall not preclude the county or any authorized officer from proceeding under any other ordinance or law or by any other enforcement method to enforce any ordinance, regulation or order.

27.08 Effective date. This Ordinance or any amendments thereto shall be effective upon adoption and publication.