

CHAPTER 6
RESPONSIBILITY FOR MINORS

2-6-1: Definitions: As used in this Chapter:

LEGAL GUARDIAN A person appointed guardian, or given custody of, a minor by a circuit court of the State, but does not include a person appointed guardian or given custody of a minor under the “Juvenile Court Act”.

MINOR A person who is above the age of eleven (11) years but not yet eighteen (18) years of age.

2-6-2: Parental Responsibility: In the absence of evidence to the contrary, the parent or legal guardian of an unemancipated minor residing with such parent or legal guardian shall be presumed to have failed to exercise proper parental responsibility and said minor shall be deemed to have acted with the knowledge and permission of the parent or guardian in violation of this Chapter whenever such minor shall:

- A. Be adjudicated to be in violation of any ordinance, law or statute prohibiting willful or malicious acts causing injury to a person or property, or
- B. Have incurred nonjudicial sanctions from another governmental agency resulting from an admission of guilt or violation of any ordinance, law or Statute which prohibits willful or malicious acts causing injury to a person or property. However, said parent or legal guardian shall first receive from the Village Police Department a written notice following said minor's adjudication or nonjudicial sanction, by registered or certified mail, return receipt requested, or by person service with a certificate of such service, and the acts of said minor in violation of any ordinance, law or Statute prohibiting willful or malicious acts causing injury to a person or property which cause such presumption of failure to exercise proper parental responsibility shall have occurred within one year following receipt of said written notice.

2-6-3: Damages and Penalties: Any person violating the provision of this Chapter including any parent who has failed to exercise proper parental responsibility as provided in Subsection 2-6-2 hereof shall pay the actual damages resulting therefrom, but not exceeding any limit provided by Section 5 of “An act to authorize recovery of damages from parents or legal guardians due to the willful injury to person or property by minor children”, in addition to such fines as otherwise provided by this Code.

2-6-4: Parental Responsibility for Ordinance Violations:

- A. It is unlawful for any person, including but not limited to a parent or legal guardian, to knowingly or willfully cause, aid or encourage any unemancipated minor to violate or attempt to violate any provision of this Code or to knowingly or willfully act in such a manner as to directly cause a minor to violate or attempt to violate any provision of this Chapter.

- B. The parent or legal guardian or an unemancipated minor who has custody of such minor shall be liable for any fine, condition, or restitution or reparation imposed by a court upon the minor for a violation of this Chapter, provided, however, that the liability specified herein shall apply only if (1) the minor has not paid the fine or made restitution or reparation within the time ordered by the court; and (2) said parent or guardian has been served with summons or notice to appear in the original cause as provided by law. Nothing contained herein shall be deemed to limit the liability herein imposed to the parent named as custodial parent in a decree of dissolution of marriage, and the liability specified herein shall attach to a non-custodial parent if the minor violating this Chapter committed the violation while in the temporary custody of the said parent.