

Sec. 66-27. - Parental control and responsibility.

- (a) *Definitions.* For the purpose of this section, the following words and phrases shall have the meanings respectively ascribed to them:

Delinquent acts means those acts which violate the laws of the United States, or the statutes of the State of Texas or the ordinances of the city, or those acts which would cause or tend to cause the minor to come under the jurisdiction of the state family code, the juvenile justice code, the alcoholic beverage code, the education code or other applicable laws of the state or the United States, but does not include traffic violations.

Illegal drugs means controlled substances obtained without a legal prescription.

Juvenile delinquent means those minors whose behavior interferes with the rights of others or menaces the welfare of the community.

Minor means any person under the age of 18 years residing with a parent.

Parent means mother, father, legal guardian and any other person having the care or custody of a minor or any person acting in the parents' stead who has custody or control of 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) Included (without limitation) in this continuous duty of reasonable parental control are the following parental duties:
 - a. To keep illegal drugs or illegal firearms out of the home and legal firearms locked in places that are inaccessible to the minor.
 - b. To know the curfew ordinance of the city, and to require the minor to observe the curfew ordinance.
 - c. To require the minor to attend regular school sessions and to forbid the minor to be absent from class without parental or school permission.
 - d. To take the necessary precautions to prevent the minor from maliciously or willfully destroying real, personal or mixed property which belongs to the city or is located in the city.
 - e. To forbid the minor from keeping stolen property, illegally possessing firearms or illegal drugs, or associating with known juvenile delinquents, and to seek help from appropriate governmental authorities or private agencies in handling or controlling the minor, when necessary.

- (b) *Notification of parents; record of notification.*

- (1) Whenever a minor is arrested or detained for the commission of any delinquent act within the city, the parent of the minor shall be immediately notified by the city police department, advising the parent of such arrest or detention, the reason therefor, and the parent's responsibility under this section.
- (2) A record of such notifications shall be kept by the city police department.

- (c) *Parental violation and penalty.*

- (1) No parent or guardian of any minor under the age of 18 years shall fail to exercise reasonable parental control over such minor. An adjudication that the minor has violated a provision of this Code which is a misdemeanor or a finding that the minor is responsible for a violation of this Code which is deemed a civil infraction shall be prima facie evidence that such parent or guardian failed to exercise reasonable parental control.
- (2) Pursuant to the violation of this Code, the parent or guardian of the minor shall be held civilly responsible for the damages caused by the commission of any delinquent act within the city.

- (3) Upon the first conviction of a violation of this section, the parent shall be subject to a fine of not less than \$75.00, nor more than \$100.00.
- (4) Upon the second conviction of a violation of this section, the parent shall be subject to a fine of not less than \$100.00, nor more than \$500.00, and in addition, shall be sentenced to probation with the condition that the parent participate in, through completion, a court approved, community-based treatment program (such as parenting skills, family services, employment and training, etc.).
- (5) Upon the third or subsequent violation and conviction, the parent shall be subject to a fine of not less than \$200.00, nor more than \$500.00.

(Code 1985, § 19-9; Code 2000, § 66-36)