

## **CHAPTER 85**

### **CONTROL OVER A CHILD NOT IN COMPLIANCE WITH SCHOOL ATTENDANCE LAW**

Pursuant to the authority conferred by Wisconsin Statutes 59.07(106), the County Board of Supervisors of St. Croix County, Wisconsin, does ordain as follows:

#### **SECTION 1.**

Offenses Against State Laws Subject To Forfeiture. The following Statutes defining offenses against the peace and good order of the State are adopted by reference to define offenses against the peace and good order of St. Croix County, provided the penalty for a commission of such offenses hereunder shall be limited to a forfeiture imposed under this Ordinance, specifically:

118.15(5) HAVING CONTROL OVER A CHILD NOT IN COMPLIANCE WITH SCHOOL ATTENDANCE LAW. Whoever violates this section [requiring a person having under control a child who is between the ages of 6 and 18 years shall cause the child to attend school regularly] may be fined not less than \$5 nor more than \$50 . . . after evidence has been provided by the school attendance officer that the activities under 118.16(5) have been completed. In a prosecution under this subsection, if the defendant proves that he or she is unable to comply with the law because of the disobedience of the child, the action shall be dismissed and the child shall be referred to the Court assigned to exercise jurisdiction under Chapter 48.

#### **SECTION 2.**

Jurisdiction. Jurisdiction as to proceedings alleging a violation of this ordinance shall be in the Circuit Courts of St. Croix County, unless the Judges of the Circuit Court delegate the authority to hear and adjudicate such matters to a Court Commissioner, pursuant to Wisconsin Statutes 759.69.

**SECTION 3.** Other Offenses. Nothing herein shall be construed to deprive the Courts of jurisdiction to hear actions arising under Wisconsin Statutes 48.13, Wisconsin Statutes 118.15(5), Wisconsin Statutes 947.16, or any municipal or county ordinance adopted in conformity with those Statutes or with 1987 Act. 285.

**SECTION 4.** Forfeiture. Any person who violates any provision of this Ordinance shall, upon conviction, be subject to a forfeiture not to exceed \$500.00 together with costs of prosecution and penalty assessment; and in default of such payment of such forfeiture and costs, shall be subject to imprisonment in the County Jail until such forfeiture and costs be paid, but not to exceed 30 days.

**SECTION 5.** Amendments. Any future amendments, revisions, or modifications of Wisconsin Statutes 947.16, Wisconsin Statutes 118.15(5), or any other Statutes referred to in this Ordinance are intended to be made part of this Ordinance as such amendments, revisions, or modifications are made to said Statute.

This Ordinance shall take effect and be in force from and after its proper passage and publication pursuant to Wisconsin Law.

Ordinance No. 223 (89) - April, 1989