

ORDINANCE NO. 23-05

AN ORDINANCE TO AMEND THE MUNICIPAL CODE §320-13B. TO INCORPORATE  
WIS. STAT. § 118.15(1)(a) TO REQUIRE RESPONSIBILITY OF ANY PERSON  
HAVING UNDER CONTROL A CHILD, WITH REGARD TO  
SCHOOL ATTENDANCE TRUANCY

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WHEREAS, §320-13B. Truancy and school dropouts prohibited, of the Municipal Code, provides for requirements and forfeitures for violations of the requirements for a person under 18 years of age from being truant from school; and

WHEREAS, upon review of §320-13B. of the Municipal Code by the Municipal Court Judge and the Village prosecutor counsel providing the Code enforcement services for the Village, recommendation was made to incorporate Wis. Stat. § 118.15(1)(a), to additionally provide for requirements and forfeitures to any person having under control a child who is between the ages of 6 and 18 years who shall cause the child to attend school regularly, into §320-13B. of the Municipal Code; and

WHEREAS, the Village Board having considered and determined that such recommendation is in the public interest and serves the health, safety and welfare of the Community.

NOW, THEREFORE, the Village Board of the Village of Hales Corners, Wisconsin, do ordain as follows:

SECTION 1: §320-13B. Truancy and school dropouts prohibited, of the Municipal Code of Hales Corners, Wisconsin, is hereby amended as follows [*note: deletions appear in strike-through text; additions appear in double-underlined text; unchanged text is not highlighted*]:

Truancy and school dropouts prohibited. No person under 18 years of age shall be a truant, habitual truant or dropout. The definitions set forth under § 118.163(1), Wis. Stats., are incorporated herein by reference. Additionally, any person having under control a child who is between the ages of 6 and 18 years shall cause the child to attend school regularly, pursuant to Wis. Stat. § 118.15(1)(a), the entirety of which is incorporated herein by reference. Upon any violation of this subsection, all applicable penalties and dispositions as set forth under Wis. Stat. §§ 118.163(1m), (2) and (2m), respectively, may be ordered and entered by the Municipal Court. The Court may suspend the operating privilege of a person who is at least 16 years of age but less than 18 years of age and is a dropout, and the Court may


suspend such person's operating privilege until the person reaches the age of 18.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

PASSED and ADOPTED this 14<sup>th</sup> day of August, 2023.

  
Daniel J. Besson, Village President

Countersigned:  
  
Sandra M. Kulik, Administrator/Clerk

