



AGENDA

President and Board of Trustees

Village of Arlington Heights

Committee-of-the-Whole

Community Room

33 S. Arlington Heights Road, Arlington Heights, IL 60005

July 16, 2018

7:30 PM

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL OF MEMBERS

IV. NEW BUSINESS

- A. Proposed Code Amendments Related to Truancy and Electronic Smoking Devices
- B. Interview of Ryan Crain for Appointment to the Youth Commission
- Term Ending: 4/30/19

V. OTHER BUSINESS

VI. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847)368-5793 (Voice), (847)368-5980 (Fax) or drobb@vah.com.



Item: Code Amendment - Truancy and Electronic Smoking Devices

Department: Police/Legal

The School Resource Officers in the Police Department have requested certain changes to the Village Code.

The first request relates to truancy. The current Code language does not allow parents to be cited when they permit the student to be absent or do not call in a student's absence - only the student can be cited. According to information from District 25, the primary concern in relation to truancy is with parents who, for a myriad of reasons, do not regularly send their children to school. The ability to cite a parent would be helpful in those chronic cases. Police have had to engage in well-being checks when students are repeatedly absent from school without a parent having called them out. The proposed Code language would permit a parent to be cited when a child is not regularly going to school with the parent's knowledge.

The second request adds Electronic Smoking Devices to the items that cannot be used by minors. In 2014, the Village Code was amended to prohibit the use of Alternative Nicotine Products by minors, but that definition does not clearly include electronic smoking devices. The proposed amendment simply adds a definition of Electronic Smoking Devices and adds them to the section prohibiting use by minors. The use of these devices at schools is a significant problem and this amendment would make it clear that those devices are illegal for those under 18.

Recommendation

It is recommended that the Committee-of-the-Whole recommend to the Village Board adoption of the proposed amendments to Sections 8-524, 12-201, and 12-254 of the Arlington Heights Municipal Code.

ATTACHMENTS:

Description	Type
Code Amendment - 8-524, 12-201, 12-207	Ordinance

**AN ORDINANCE AMENDING CHAPTERS 8 AND 12
OF THE ARLINGTON HEIGHTS MUNICIPAL CODE**

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS:

SECTION ONE: That Section 8-524, Truancy Prohibited, in Chapter 8, Public Safety, Morals and Welfare, of the Arlington Heights Municipal Code is hereby deleted in its entirety and substituted with the following (the language being deleted is stricken and the language being added is highlighted):

~~**Section 8-524 Truancy Prohibited.** It shall be unlawful for any person under the age of 18 enrolled in a public, private or parochial school within the corporate limits of the Village of Arlington Heights to absent himself or herself from attendance at school without parental permission. Any person who shall so absent himself or herself shall be guilty of the offense of truancy and be subject to the penalties hereinafter set forth in this Chapter. Emergency or unforeseen absences due to illness or other causes beyond the control of the person so absenting himself or herself from school without parental permission shall not constitute truancy if permission for such absence has substantially been obtained from the parent and such permission is submitted in writing to the proper school authorities within 24 hours after such absence.~~

Section 8-524 Truancy Prohibited.

- a. It shall be unlawful for any person enrolled in grades 1 through 12 who:
 - 1. Is required by law to attend school; and/or
 - 2. Is subject to the compulsory attendance requirements of the Illinois School Code; and/or
 - 3. Is enrolled in a public, private or parochial school within the corporate limits of the Village, to absent himself or herself from attendance at school without parental or school permission. Any person who shall so absent himself or herself shall be guilty of the offense of truancy.
- b. It shall be unlawful for any person who induces or attempts to induce any child to be absent from school in violation of this Section, or who knowingly employs or harbors, while school is in session, any child absent from school in violation of this Section.

SECTION TWO: That Chapter 12, Merchants, of the Arlington Heights Municipal Code, is hereby amended:

a. That Section 12-201, Definitions, is hereby amended by adding the following definition and relettering the existing definitions within the section accordingly (the language being added is highlighted):

Section 12-201 Definitions. For the purposes of this Article, the following words have the definitions listed:

Electronic Smoking Devices. A device as defined by federal, state, or nationally recognized health organizations which device is capable of providing nicotine or other substances through vapor or inhalation, also known as an electronic cigarette. This device shall be considered a tobacco product for purposes of this Municipal Code.

b. That Section 12-207, Prohibition of Sales to, Sales by Purchase by and Possession by Minors, is hereby amended by as follows (the language being added is highlighted:

Section 12-207 Prohibition of Sales to, Sales by, Purchase by and Possession by Minors.

- a. Possession. It shall be unlawful for any person under the age of 18 years to possess any tobacco products or alternative nicotine products **or electronic smoking devices**.
- b. Sales or delivery. It shall be unlawful for any person to sell, offer to sell, give away or deliver tobacco products, ~~or~~ alternative nicotine products **or electronic smoking devices** to any person under 18 years of age. It shall be unlawful for any licensee or any officer, associate, member, representative, agent or employee of such licensee to engage, employ or permit any person under the age of 18 years of age to sell tobacco products, ~~or~~ alternative nicotine products **or electronic smoking devices** in any licensed premises.
- c. Purchase. It shall be unlawful for any person under the age of 18 years to purchase tobacco products, ~~or~~ alternative nicotine products **or electronic smoking devices**, to misrepresent their identity or age or to use false identification for the purpose of purchasing tobacco products, ~~or~~ alternative nicotine products **or electronic smoking devices**.
- d. Signs required. Signs informing the public of the age restrictions provided for in this Section shall be posted by every retail tobacco dealer at or near every display of tobacco products or alternative nicotine products and on or upon every vending machine which offers tobacco products, ~~or~~ alternative nicotine products **or electronic smoking devices** for sale. Posted signs shall be plainly visible and shall measure at least 8-1/2 inches by 11 inches. Lettering on posted signs shall be at least one-inch in height. Each sign shall be plainly visible and shall state:

THE SALE OF TOBACCO PRODUCTS, ~~OR~~ ALTERNATIVE NICOTINE PRODUCTS **OR ELECTRONIC SMOKING DEVICES** TO, AND POSESSION OF TOBACCO PRODUCTS, ~~OR~~ ALTERNATIVE NICOTINE PRODUCTS **OR ELECTRONIC SMOKING DEVICES** BY, PERSONS UNDER 18 YEARS OF AGE IS PROHIBITED BY LAW.

- e. Penalties. Retail tobacco dealers engaging in the conduct prohibited by this Section may be subject to license suspension or revocation, in accordance with the applicable provisions of Chapter 9, General Licensing Procedure, concerning revocation and suspension of business licenses. Additionally, any person violating any provisions of this Section shall be subject to prosecution and a fine of not less than \$5 nor more than \$750.
- f. Enforcement at schools. The extent of enforcement of violations of this Section occurring on school property shall be within the discretion of the school officials.

SECTION FOUR: The various provisions of this Ordinance are to be considered severable, and if any part or portion of this Ordinance shall be held invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of

this Ordinance.

SECTION FIVE: This Ordinance repeals all ordinances or parts of ordinances in conflict with the provisions hereof and, except as set forth in this Section, shall be in full force and affect from and after its passage, approval and publication in the manner provided by law.

AYES:

NAYS:

PASSED AND APPROVED this _____ day of _____, 201_.

Village President

ATTEST:

Village Clerk

CodeAmendments: 8 Truancy – 12 Definitions Electronic Smoking Devices



Item: Interview of Ryan Crain for the Youth Commission

Department: Village Manager's Office

Interview of Ryan Crain for Appointment to the Youth Commission - Term
Ending: 4/30/19

ATTACHMENTS:

Description	Type
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No Attachments Available