

Not Knowing Can Cost You:



**State Laws and City Ordinances
Every Teen and Guardian Should Know**



Elmhurst Commission on Youth

Contents

Attending a Teen Gathering	4
Hosting a Teen Gathering.....	4
Curfew.....	5
Driving.....	5
Truancy	6
Alcohol, Tobacco and Other Drugs	6
Sale/Possession of Tobacco.....	6
Parental Responsibility.....	8
Cannabis (Marijuana).....	9
Drug Paraphernalia.....	9
Harassment.....	9
Disorderly Conduct.....	10
Battery	10
Weapons/Firearms	10
Discharging Fire Arms	10
Skateboards/In-Line Skates.....	11
Railroad Crossings.....	11
Trespassing on Railroad Property.....	11

As parents/guardians, we may feel uncertain in knowing what sorts of guidelines to establish for our children. We often feel isolated because we are unaware that other parents/guardians have the same concerns. We want to be responsible, yet we recognize that social pressures affect us as well as our children. This brochure is intended as an aid in establishing guidelines for teens. These suggestions may be too restrictive for some families and too permissive for others. Each family will need to consider them in light of their own values and attitudes. It is hoped this brochure will encourage further dialogue within families about these very important issues.

Attending a Teen Gathering

- A. Know where your teen will be:
 1. Obtain the address and phone number of the party giver.
 2. Let your teen know you expect a phone call if the location of the party is changed.
- B. Contact parents/guardians of the party giver:
 1. Verify that alcohol will not be allowed for any minors.
 2. Be sure a parent/guardian will be present.
 3. Offer assistance.
- C. Communicate concerns:
 1. Discuss with your son/daughter the possible situations which might arise.
 2. Let them know where you can be reached.
 3. Know the city curfew.
 4. Assure your teen that you, or other responsible adult, can be called, if needed.
- D. Have your teen check in with you upon returning home.
- E. Verify overnight arrangements, whether planned or spontaneous.



Hosting a Teen Gathering

- A. No adult supervision – no party! A home minus adult supervision is asking for trouble. As adults, we have a legal and moral responsibility to our children to see to it that parties are conducted in an appropriate manner.
- B. Set ground rules with your teen beforehand. Talk to your teens!
 1. Let your teen know your expectations of him/her; they do want guidelines.
 2. Discuss that it is illegal for a minor to use, tobacco, alcohol or other drugs and that criminal consequences are possible for the minor as well as the parent/guardian(s).
 3. Give your teen options, but at the same time, establish parameters.
 4. Remind your teens that they are accountable for their own behavior.
- C. Set limits. “Limits are love!”
 1. Make a guest list in an effort to discourage crashers (uninvited guests).

D. Know your responsibilities. As parents/guardians, it is important that we understand our liability, both to criminal charges and for monetary damages in case of a civil lawsuit where drugs and/or alcohol are used on our own private property.

Therefore. . .

1. Be alert to the signs of alcohol or other drug use.
2. Be aware of guests who leave the party and then return. Experience shows that in many instances these people have left the party with the intent of drinking or using drugs.
3. If you feel that despite your precautions things do get out of hand (i.e. loud music or disruptive behavior), call the Elmhurst Police for assistance: 911.
4. If you find any persons under the influence of alcohol or other drugs, call their family so that they can be safely transported home.
5. If a guardian cannot be reached, call 911.
6. Establish a specific starting and ending time. Check with your city for specific curfew regulations.
7. Other ideas:
 - a. Plan to have plenty of food and non-alcoholic drinks available.
 - b. Try to meet your teen's friends and parents/guardians.
 - c. Plan a wide variety of activities. (This is especially true for younger children.)

Curfew

Local Ordinance 51.45, Curfew

It shall be unlawful for a person under 18 years of age to be present at or upon any public assembly building, place, or street at the following times, unless accompanied and supervised by a parent, legal guardian or other responsible companion at least 21 years of age approved by a parent or legal guardian or unless engaged in a business or occupation which the laws of the State of Illinois authorize a person less than 18 years of age to perform:

1. Between 12:01 a.m. and 6:00 a.m. Saturday;
2. Between 12:01 a.m. and 6:00 a.m. Sunday; and
3. Between 11:00 p.m. on Sunday to Thursday, inclusive, and 6:00 a.m. the following day.

Note: Be aware that different municipalities may have curfew hours that differ from above.



Teens and their parents should realize that a 16 year old's driver's license is not valid if the driver is in violation of the State curfew hours.

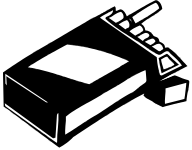
New Teen Driving Laws

As of January 1st 2008, there are new laws for graduated drivers licensing. Please visit <http://www.sos.state.il.us/>

Truancy

Local Ordinance 51.02, Truancy

It shall be unlawful for any minor enrolled in a public, private or parochial school within the corporate limits of the City of Elmhurst to absent himself or herself from attendance at school without permission of his or her parent or legal guardian.



ALCOHOL, TOBACCO AND OTHER DRUGS

Here is a summary of several Illinois laws and local ordinances that pertain to the possession and the use of alcohol and other drugs by minors, and to adult responsibility for the use of alcohol and other drugs by minors. For more information, please contact your attorney or local law enforcement agency.

Sale/Possession of Tobacco

Tobacco Sales to Minors

No minor under 18 years of age shall buy any cigar, cigarette, smokeless tobacco or tobacco in any of its forms. No person shall sell, buy for, distribute samples of or furnish any cigar, cigarette, smokeless tobacco or tobacco in any of its forms to any minor under 18 years of age (Illinois Compiled Statutes, Chap. 720, Sections 675/1).

Local Ordinance 31.285, Purchase by Minors Prohibited

It is unlawful for any person under the age of 18 years to purchase tobacco products, or to misrepresent his identity or age, or to use any false or altered identification for the purpose of purchasing tobacco products.

Local Ordinance 31.286, Possession by Minors Prohibited

It is unlawful for any person under the age of 18 years to possess any tobacco products; provided that the possession by a person under the age of 18 years under the direct supervision of the parent or guardian of such person in the privacy of the parent's or guardian's home shall not be prohibited.

Possession/Consumption of Alcohol

Minor in Possession of Alcohol

Any person under the age of 21 who has alcohol in his/her possession on any

street or in any public place may be guilty of a Class B misdemeanor punishable by a fine of up to \$500 and/or imprisonment of up to 6 months (Illinois Compiled Statutes, Chap. 235, Sections 5/6-16,20).

Illegal Consumption of Alcohol by a Minor

It is unlawful for any person under the age of 21 to consume alcohol unless it is done under the direct supervision and approval of the minor's legal guardian in the privacy of their own home. Consumption of alcohol by a minor under any other circumstances is a Class C misdemeanor punishable by a fine of up to \$500 and/or imprisonment of up to 30 days (Illinois Compiled Statutes, Chap. 235, Section 5/6-20).



Local Ordinance 36.22, Unlawful Sale or Purchase of Alcoholic Liquor

No person under the age of 21 years shall purchase or accept delivery of any alcohol, spirits, beer or wine from any licensed retail liquor dealer.

Local Ordinance 36.36, Unlawful Possession or Consumption by Persons Under Age

No minor shall possess or consume alcoholic liquor within the city; provided the possession and dispensing, or consumption by a minor of alcoholic liquor in the performance of a religious ceremony, the consumption by a minor under the direct supervision and approval of the parent or legal guardian of such minor in the privacy of the parent's or legal guardian's home.

Illegal Transportation of Open Liquor

It is unlawful for any person to transport, carry, possess, or have any alcoholic liquor within the passenger area of any motor vehicle except in the original container and with the seal unbroken (Illinois Compiled Statutes, Chap. 625, Section 11-502).

Driving Under the Influence (DUI)

It is unlawful for a person under the influence of intoxicating liquor to drive. Driving under the influence of alcohol is a Class A misdemeanor punishable by a fine of up to \$2,500 and/or imprisonment for up to one year. Any person who drives a motor vehicle anywhere in the state of Illinois thereby consents to a test to determine the alcoholic/drug content of his/her blood. If a person refuses to submit to the test his/her license will automatically be suspended for at least six months (Illinois Compiled Statutes, Chap. 625, Section 11-501).

Zero Tolerance

Any person under the age of 21 who has consumed alcohol and operated or been in actual physical control of a motor vehicle may be requested to submit to tests

to determine alcohol content. If that person refuses the test or has an alcohol concentration greater than .00 their driver's license will be suspended for 3 months to 2 years (Illinois Compiled Statutes, Chap. 625, Section 11-501a).

Local Ordinance 51.38, Allowable Blood-Alcohol Concentration for Motor Vehicle Operators Under the Age of 21 Years

It shall be unlawful for any person under the age of 21 years having in their blood, urine, breath or other bodily substance, alcohol concentration in excess of 0.00 percent to drive, operate, or be in actual physical control of any motor vehicle within the corporate limits of the city.

Parental Responsibility

Parental Liability – Alcohol

A guardian or other adult who furnished alcohol (such as at a home party) may be liable in a civil action for monetary damage totaling up to \$100,000 brought against them by someone who suffers personal injury, loss of support, or property loss through the actions of an intoxicated person whose intoxication is the result of a guardian or adult furnishing the alcohol (Illinois Compiled Statutes, Chap. 235, Section 5/6-21).

Parental/Guardian Liability – Alcohol to Minors

A guardian or adult who furnishes alcohol or other prohibited materials to a minor or allows their residence to be used for the unlawful possession or consumption of alcohol may be guilty of a Class A misdemeanor (Illinois Compiled Statutes, Chap. 235, Section 5/6-16a1).

Local Ordinance 36.37, Parental/Guardian Responsibility

No guardian shall give or deliver alcoholic liquor to his minor child for the minor's consumption unless the consumption of alcoholic liquor by such minor is in the performance of a religious service or ceremony under the direction, supervision, and approval of the guardian of such minor in the privacy of a home. No guardian shall intentionally, knowingly, recklessly or negligently give or deliver alcoholic liquor to, or permit possession of alcoholic liquor by his or her minor child, or any other minor. No guardian shall intentionally, knowingly, recklessly or negligently give, deliver, invite or permit the consumption of alcoholic liquor by any minors on or about the premises owned, leased or controlled by such guardian. Guardians shall restrain or prevent their minor children from consuming alcoholic liquor where the guardian knows, or in the exercise of ordinary care should know, of a substantial probability that his or her minor child is or will consume alcoholic liquor.

Other Locations

Guardian responsibility and liability extends to leaving minors in an unsupervised

location outside the home (i.e. vacation home, motel, hotel, etc.). This person will be guilty of a Class A misdemeanor (Illinois Compiled Statutes, Chap. 235, Section 5/6-16).

Cannabis (Marijuana)

Local Ordinance 51.53, Possession of Cannabis Prohibited

Within the corporate limits of the City of Elmhurst no person shall grow, possess, sell, give away, barter, deliver, exchange, distribute or administer cannabis. Any person, who violates this section with respect to not more than 10 grams of cannabis, shall be fined not less than \$250 nor more than \$500. Any person, who violates this section with respect to more than 10 grams but less than 30 grams, shall be fined not less that \$250 nor more than \$500.

Unlawful Possession of a Controlled Substance

Any person who knowingly and unlawfully or without authorization possesses, manufactures, delivers or possesses with intent to deliver any controlled substance is guilty of a felony (Illinois Compiled Statutes, Chap. 570, Section 402).

Delivery of Cannabis/Controlled Substances on School Grounds

Any person who possesses cannabis and/or controlled substances with the intent to deliver on or within 1000 feet of school grounds is guilty of a felony (Illinois Compiled Statutes, Chap. 550, Section 502).

Drug Paraphernalia

Local Ordinance 51.55, Sale or Possession of Drug Paraphernalia

It shall be unlawful for any person to possess, sell, offer to sell, dispense, give away, or otherwise transfer any item of drug paraphernalia. It shall be unlawful for any person to possess drug paraphernalia.

Harassment

Harassment Through Electronic Communications

Any person in this State who sends messages or uses language or terms which are obscene, lewd or immoral with the intent to offend by means of or while using a telephone, telegraph facilities or internet is guilty of a Class B misdemeanor (Illinois Compiled Statutes, Chap. 720, Section 135/1, 1-2). Computer stalking and cyber stalking.



Disorderly Conduct

Local Ordinance 51.01, Disorderly Conduct

A person shall be guilty of disorderly conduct if, with the purpose of causing public danger, alarm, disorder, nuisance, or if his conduct is likely to cause public danger, alarm, disorder or nuisance, he willfully does any such acts.

Battery

Local Ordinance 51.05, Battery

A person commits battery, which is prohibited, if he intentionally or knowingly without legal justification and by any means: 1) Causes bodily harm to an individual; or 2) Makes physical contact of an insulting or provoking nature with an individual.



Weapons/Firearms

Local Ordinance 51.19, Firearms to Minors

No person shall sell, loan or furnish to any minor, any gun, pistol or other firearm or any air gun or toy pistol on which percussion caps are used.

Local Ordinance 51.20, Carrying Concealed Weapons

It shall be unlawful for any person to carry, concealed about his person, any weapon of a deadly nature.

Local Ordinance 51.21, Brandishing Firearms

It shall be unlawful for any person to brandish, expose, throw or carelessly handle any firearm in a manner so as to endanger the life, limb or property of any person.

Discharging Fire Arms

Local Ordinance 51.18, Discharging Firearms

No person shall fire or discharge any gun, pistol or other firearm, or any air gun or toy pistol on which percussion caps are used.

BB and Air Soft Gun Ordinance

Skateboards/In-Line Skates

Local Ordinance 51.13, Skateboards and In-Line Skates

It shall be unlawful for any person to ride, propel, skate, glide or otherwise use a skateboard or in-line skates in commercial zoning districts.

Railroad Crossings

Bridge and Railroad Signals

No pedestrian shall pass through, around, over or under any crossing gate or barrier at a railroad grade crossing or bridge while such gate or barrier is closed or is being opened or closed, including during flashing lights. A violation of any part of this section shall result in a mandatory fine of \$500 or 50 hours of community service (Illinois Compiled Statutes, Chap. 625, Section 5/11-1011).



Obedience to Signal Indicating Approach of Train

Whenever any person driving a vehicle approaches a railroad grade crossing, the driver shall stop within 50 feet but not less than 15 feet from the nearest rail of the railroad and shall not proceed until he can do so safely. No person shall drive any vehicle through, around or under any crossing gate or barrier at a railroad crossing while such gate or barrier is closed or is being opened or closed. A violation of any part of this section shall result in a mandatory fine of \$500 or 50 hours of community service (Illinois Compiled Statutes, Chap. 625, Section 5/11-1201).

Trespassing on Railroad Property

Trespass on Railroad Rights of Way and Yards

No person may walk, ride, drive or be upon or along the right of way or rail yard of a rail carrier within the State, at a place other than a public crossing. Crossing on the railway easement or cutting through at a non-designated crosswalk is trespass. (Illinois Compiled Statutes, Chap. 625, Section 5/18c-7503)



Thank You to

**Elmhurst Police Department and
Elmhurst School District 205.**

**For more or updated information, please contact
Elmhurst Police Department,
(630) 530-3050.**

**This booklet is available on the Elmhurst City
Website, www.elmhurst.org.**