

**Franklin County Ordinance**  
**2025-\_\_ - \_\_**  
**Juvenile Offenses**

**The following words and phrases, whenever used in this chapter, shall be construed as defined herein unless from the context a different meaning is intended or unless a different meaning is specifically defined and more particularly directed to the use of such words or phrases:**

- 1. EMANCIPATED:** Any person either eighteen (18) years of age or older, or if under the age of eighteen (18); any person who is married or has been married; or any person who is in active military service; or any person who is both self-supporting and neither resides with nor is subject to parental control.
- 2. EMERGENCY:** Any unforeseen health, accident, or crime-related exigency calling for immediate action.
- 3. INCORRIGIBLE:** Any juvenile who is uncontrollable.
- 4. JUVENILE:** Any person less than the age of eighteen (18) and has not been duly emancipated.
- 5. PARENT:** Any person having legal custody of a juvenile; a) as a natural or adoptive parent; b) as a legal guardian; c) as a person who stands in loco parentis; or d) as a person to whom legal custody has been given by order of court.
- 6. REMAIN:** To stay behind, to tarry, and to stay unnecessarily upon the streets.
- 7. RUNAWAY:** A juvenile under the age of eighteen (18) who has physically removed himself from the supervision and control of his parents with the intent to remain beyond the control of his parents.
- 8. STREET:** A way or place, of whatsoever nature, open to the use of the public as a matter of right for purposes of vehicular travel. The term "street" includes the legal right of way, including, but not limited to, the cartway or traffic lanes, the curb, the sidewalks, whether paved or unpaved, and any grass plots or other grounds found within the legal right of way of a street. The term street applies irrespective of what it be called or formally named, whether ally, avenue, court, road, or otherwise.
- 9. TRUANT:** As defined by the policies and regulations of the board of trustees or their designee of the local school district.

**2025 (A) Runaway; Incurability**

**Purpose:** The County of Franklin, State of Idaho recognizes the importance of the family as crucial to a child's development.

**2025 (B) Prohibited Acts**

It shall be unlawful for any juvenile as defined by this title, living, visiting or found in Franklin County limits, to attempt to run away or to run away from his or her parents, guardian or other legal custodian, or who commits or has committed any act or acts which render him or her incorrigible or places said juvenile beyond the control of his or her parents, guardian, or other legal custodian. A violation of this provision shall constitute a status offense and is punishable by the provisions according to State code of the Juvenile Corrections Act of 1994 and as may be subsequently amended.

**2025 (C) Curfew Violations**

It is unlawful for any juvenile, as defined by this title, to loiter, idle, wander, or remain in any public place, such as a park, playground, parking lot, or public building, or on any street, within the county during the periods beginning at eleven o'clock (11:00) P.M. on Sunday through Thursday, and one o'clock (1:00) A.M. on Friday and Saturday and ending at five o'clock (5:00) A.M. each day. Any violation of this provision shall constitute an infraction and is punishable by a fine of one hundred fifty dollars (\$150.00) consistent with Idaho Code 20-549, as enacted and as may be amended from time to time. (Ord. 468 § 1, 1981).

**2025 (D) Exceptions**

The following will be exceptions, where the juvenile:

1. is accompanied by a parent or guardian;
2. has written permission from a parent or guardian so as to be abroad at such time; provided that any written permission shall be for the specific date;
3. is returning home, by a direct route from, and within one (1) hour or other reasonable travel time after: (i) the termination of any legitimate activity consented to by the parent, (ii) employment, or (iii) a school, religious, or community sponsored activity.

**2025 (E) Truancy**

Purpose: Franklin County recognizes the importance of education. Children must be taught in order to live in an ordered society.

**2025 (F) Prohibited Acts**

Any juvenile, as defined by this title, between the ages of seven (7) years and sixteen (16) years, who is deemed truant from school or class, under the attendance regulations of the school, without the consent of the student's parent, guardian, or school officials is guilty of a status offense and punishable by the provision according to State Code of the Juvenile Corrections Act of 1994 and as may be subsequently amended.

**2025 (G) Responsibility For Instruction**

The parent or guardian of any juvenile resident in this County who has attained the age of seven (7) years at the time of the commencement of school in their district but not the age of sixteen (16) years, shall cause the child to be instructed in subjects commonly and usually taught in the public schools for the State. Unless the juvenile is otherwise comparably instructed, the parent or guardian shall cause the child to attend a public, private, or parochial school during a period in each year equal to that in which the public schools are in session. The parent or guardian shall ensure that their juvenile shall conform to the attendance policies and regulations established by the board of trustees, or other governing body operating the school attended, or the attendance requirements of the parents in home schools.

**2025 (H) Exceptions**

Any exceptions to this requirement as codified by any school district or as contained in Idaho Code, Title 33, Chapter 2 are hereby recognized and given full force and effect.

**2025 (I) Violations By Parents Or Guardian**

Any parent or guardian who violates any of the provisions of this Chapter shall be guilty of a misdemeanor and may be punished by jail time of up to six (6) months, and a fine of five hundred dollars (\$500.00). Said parent or guardian may also be required to attend class instructions on parenting provided through the County Juvenile Probation Office.

**Tobacco****2025 (J) Findings And Purpose**

The Franklin County Commissioners find that it is harmful to the health, morals, and good conduct of students of the school district located within the county for students enrolled within said school district to be in the possession of or to use, smoke or chew any tobacco product as the same constitutes an influence upon other students within said school district who cannot legally use or consume said products, and it is necessary to preclude the same upon school property and within three hundred feet (300') of the boundaries of said property.

**2025 (K) Possession And Consumption Prohibited**

No student who is enrolled within any school district located within the County of Franklin, State of Idaho shall be in the possession of, use, consume, smoke or chew any tobacco product or electronic smoking devices

while upon school property owned by any school district located within the county or within three hundred feet (300') of the exterior boundary limits of the property owned by said school district. This prohibition shall apply regardless of the age of said student, and regardless of whether he can legally possess, consume or use tobacco products or electronic smoking devices at some other location.  
(Ord. 96-3 § 2, 1996).

**2025 (L) Violation; Penalty**

Any person violating the provisions of this ordinance shall be guilty of a misdemeanor and shall be punished by confinement in the county jail for a period not to exceed ninety (90) days or by a fine not to exceed three hundred dollars (\$300.00), or by both such fine and imprisonment.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, IDAHO

\_\_\_\_\_  
Camille Larsen, County Clerk

\_\_\_\_\_  
Robert Swainston, Chairman

\_\_\_\_\_  
Zan Bowles

\_\_\_\_\_  
Zach Stewart