

**CITY OF CHESAPEAKE**

**NUMBER: 1.04**

**ADMINISTRATIVE REGULATION**

**EFFECTIVE DATE: 3/16/17**

**SUBJECT: CITY MANAGER'S OFFICE  
CITY PROCEDURES FOR UNATTENDED  
CHILDREN ON CITY PROPERTY**

**SUPERSEDES: UNIFORM  
POLICY 03/20/07**

**I. PURPOSE**

- A. To promote the general welfare and to protect the general public.
- B. To foster and strengthen parental responsibility for children and to promote the safety and well-being of children.
- C. To set forth general procedures for City personnel to follow when addressing a child left unattended both during and after normal operating hours of City facilities.

**II. DEFINITIONS**

- A. Unattended child:
  - 1. Any person seventeen years of age or under, who has not been emancipated by court order pursuant to Code of Virginia §16.1-333; and
  - 2. Who is located in or on City property; and
  - 3. Who should be supervised by a parent, considering the child's age, maturity, level of development, behavior, or condition; and/or
  - 4. Who is without parental supervision for fifteen (15) minutes past the closing of the City facility or after the conclusion of a program or activity that the child was attending, and the child has no other safe, independent means of returning home.
- B. Unattended child at a Chesapeake Integrated Behavioral Healthcare (CIBH) facility:
  - 1. Any person under the age of fourteen (14) who is not either a prospective or current CIBH client, or who is not under the direct supervision of a responsible adult while on the premises of CIBH, shall be deemed an "unattended child" under this Administrative Regulation.
- C. Unattended child at a Department of Parks, Recreation and Tourism (PRT) park recreational center, program, or event:
  - 1. This Administrative Regulation may be supplemented by specific PRT policy and membership rules concerning:
    - a. PRT facilities with membership rules;
    - b. PRT facilities that are membership only areas;
    - c. PRT programs that provide supplemental child care;

- d. When a child is properly present at a PRT facility or program for structured or non-structured activities without a parent or guardian;  
and
  - e. When a child is attending a registration-required program
- D. Unattended child at a Chesapeake Public Library (Library):
- 1. This Administrative Regulation may be supplemented by specific Library policy regarding children present at registration-required programs and activities, or at Library special events.
- E. Unattended child at the Department of Human Services (DHS):
- 1. This Administrative Regulation may be supplemented by specific DHS policy regarding children present in or on DHS property.
- F. Parent:
- 1. The definition of “parent” under this Regulation shall have the same meaning as set forth in Section 46-7 of the City of Chesapeake Code of Ordinances, as amended:
    - a. A person who is a minor’s biological or adoptive parent and who has custody of the minor (including either parent, if custody is shared under a court order or agreement);
    - b. A person who is the biological or adoptive parent with whom a minor regularly resides;
    - c. A person who is judicially appointed as a legal guardian of the minor; and/or
    - d. A person who is eighteen years of age or older and is standing in loco parentis (as indicated by the authorization of an individual listed in parts (a), (b), or (c), of this definition, above, for the person to assume the care and physical custody of the child, or as indicated by any other circumstances).
- G. Appropriate activity:
- 1. An activity or program in which a child is engaged in that meets the guidelines, rules or regulations of the City Facility where the activity or program is held or located.

### III. PROCEDURE

**NOTE:** Each individual situation will be different and reasonable discretion must be exercised in determining the most appropriate course of action.

- A. Child left unattended during normal hours of operation:
- 1. **If the child is engaged in an appropriate activity, is well-behaved and does not appear in need of adult assistance or intervention:**
    - a. No intervention is necessary.

- b. Staff will periodically assess the situation for any changes that would require intervention.
2. **If the child should not be without adult supervision, due to factors such as the child's age, behavior, disability, or other circumstance, including a child who has previously been left unattended:**
- a. Immediate intervention is necessary.
  - b. Staff will attempt to obtain the child's name and the parent's name, address and telephone number.
  - c. At least one staff member will remain with the child as another staff member attempts to locate the child's parents on the premises.
  - d. If a loud speaker or intercom system is available, and the parent's name is known, the parent will be paged to come to the front desk or other specific location immediately.
  - e. **If a parent can be located:**
    1. Follow Section III(A)(2)(g)-(l) below.
  - f. **If a parent cannot be located:**
    1. Supervisory or senior staff will be contacted to assist.
    2. Staff are prohibited from providing transportation or escorting an unattended child home.
    3. If a telephone number for the parent is obtained, staff will call the parent.
    4. If no one answers the phone, staff will:
      - i. Leave a message.
      - ii. The message will contain:
        - a. The staff member's name, telephone number and location;
        - b. The time; and
        - c. A statement that the parent must immediately report to the City facility to pick up the minor child, and that if the parent fails to report to the City facility within thirty (30) minutes, the Chesapeake Police Department ("Police") will be contacted.
5. If the phone is answered, staff will:
- i. Determine if the person is the child's parent and advise the parent to immediately return to the facility.
  - ii. If the parent has authorized another person to act on his or her behalf, that person's contact information will be obtained. The parent is responsible for ensuring that either the parent or the authorized person arrives at the facility within thirty (30) minutes.
  - iii. Staff will inform parent to immediately report to the City facility to pick up the minor child, and that if the parent fails to report to the City facility within thirty (30) minutes, the Police will be contacted.

6. If no parent or guardian arrives within thirty (30) minutes, staff will call the Police.
  7. Staff will provide as much information as possible to assist the Police.
  8. Staff will remain with the child or monitor the child, as appropriate, until Police arrive.
  9. If or when the parent arrives, staff will also follow Section III(A)(2)(g)-(l) below.
- g. If the child appears to be abused or neglected, Child Protective Service (“CPS”) must be immediately contacted.
  - h. Staff will determine whether the adult who comes to pick up the child is the parent of the child or authorized to act on the parent’s behalf.
  - i. Staff will provide the parent with information regarding the City’s and facility’s policy regarding unattended children.
  - j. Staff will obtain the parent’s contact information, including name, mailing address and telephone number.
  - k. Staff will mail a follow-up letter to the parent attaching the City’s and facility’s policy regarding unattended children.
  - l. Staff will document the incident in accordance with their department’s protocol.

**B. Child left unattended after normal hours of operation:**

**1. Within fifteen (15) minutes of closing:**

- a. Staff will assess whether there are any unattended children present at the facility.
- b. If there are any unattended children, staff will assess whether the children have arrangements for returning home when the facility closes.
- c. Staff will only assist children without arrangements for returning home by contacting a parent by telephone.
- d. Staff are prohibited from providing transportation or escorting an unattended child home.
- e. If the child does not have a plan or the child should not be without parental supervision, due to factors such as the child’s age, behavior, disability, or other circumstance, including a child who has previously been left unattended after normal operating hours:
  1. Staff will follow the procedures of Section III(A)(2) above.

**2. At closing:**

- a. Staff will determine whether there are any unattended children present at the facility.
- b. If there are unattended children, staff will follow the procedures of Section III(B)(1) above.
- c. If contact cannot be made with a parent, staff will follow the procedures of Section III(A)(2) above.

- C. Police and CPS contact information:
1. **Department of Human Services:**
    - a. **Child Protective Services:**
      1. Monday-Friday, 8:00AM-5:00PM: call 382-2020
      2. After business hours and weekends: call Police Dispatch at 382-6161 to reach the Emergency Duty Worker
  2. **Chesapeake Police Department:**
    - a. Non-emergency Police Dispatch: 382-6161
    - b. Emergency: 911
- D. Emergencies:
1. In case of emergency, staff will immediately call 911 for emergency assistance.
  2. An emergency includes the definition set forth in Section 46-7 of the City of Chesapeake Code of Ordinances, as amended:
    - a. Unforeseen circumstances, or the status or condition resulting therefrom, requiring immediate action to safeguard life, limb or property. The term includes, but is not limited to, fires, natural disasters, automobile accidents or other similar circumstances.
- E. Abuse or neglect concerns:
1. Staff must immediately contact CPS.
  2. "Abuse or neglect" includes the definition set forth in Code of Virginia Section 16.1-228, as amended.
- F. When a child is left unattended after notice has been given to the parent:
1. If the child should not be without parental supervision during normal operating hours, or if the child is left unattended after normal operating hours, after notice has been given to the child's parent, staff must contact CPS.
- G. Protecting a child who poses an imminent risk of harm or death to self or others\*:
1. Staff will take all preventive measures to avoid physical contact with a child.
  2. Physical contact may only be used if staff reasonably believe that the child poses an imminent risk of harm or death to self or others.
  3. If staff reasonably believe that the child is at imminent risk of harm or death to self or others if allowed to leave the premises without parental supervision, staff may take protective measures to protect the child.
  4. Staff will immediately alert Police if a minor is, or becomes, an imminent risk or harm or death to self or others.

\*City Departments subject to state and federal Human Rights Regulations shall act in accordance with all applicable Human Rights regulations, as amended, when acting pursuant to this subsection. In the event of a conflict between this Administrative Regulation and the Human Rights regulations, the Human Rights regulations shall prevail.

- H. Chesapeake Police Department response to an unattended child:
1. A Police unit will be dispatched and make all efforts to arrive within forty-five (45) minutes of the initial call to Police, taking into consideration other priority matters.
  2. Upon arrival, the officer will assume responsibility for the child.
  3. The officer will obtain as much information as possible from facility staff.
  4. The officer will contact the CPS Emergency Duty Worker and will transport the child to the closest Police station.
  5. At the Police station, reasonable efforts in accordance with Departmental protocol will be made to locate the child's parent.
  6. If no parent or guardian arrives within forty-five (45) minutes, the CPS Emergency Duty worker will be contacted to come to the Police station to assume custody of the child.
  7. Police will remain with the child until the CPS Emergency Duty Worker arrives.
  8. Police will complete an incident report and provide copies to both the facility and CPS.
  9. If criminal activity is suspected, Police will follow Departmental protocol.
- I. Department of Human Services response to an unattended child:
1. The CPS Emergency Duty Worker will respond to the Police station within forty-five (45) minutes, taking into consideration other priority matters.
  2. Upon arrival at the police station, DHS assumes custody of the child and will follow Departmental protocol.
- J. Revocation of privilege to patronize City facilities or participate in program or activity:
1. The City reserves the right to prohibit a parent who has left a child unattended to patronize one or more City facilities, and to attend one or more City programs and activities.
- K. Public information:
1. City facilities will display in a prominent area at least one (1) poster detailing the City's policy on unattended children, in accordance with Subsection III(K)(3)(a) below.
  2. City departments where events or activities are hosted for children that require registration will provide information regarding the City's policy on unattended children at the time of registration.
  3. The Public Communications Department will periodically announce or broadcast, or otherwise inform the public of the following:
    - a. "Notice to parents: Parents are responsible for the care and custody of their children while on City property. Parents who leave their children unattended may be prohibited from patronizing one or more City facilities and attending City programs or activities. The Police and Child Protective Services may be contacted to assist unattended

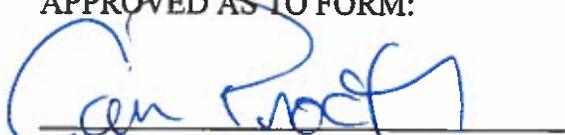
children. You may contact the City of Chesapeake at 382-CITY (2489) for further information.”

APPROVED AND ADOPTED:

  
James E. Baker, City Manager

3/16/17  
Date

APPROVED AS TO FORM:

  
Jan Proctor, City Attorney

3/16/17  
Date