

BYLAW 631/04

A BYLAW OF THE TOWN OF ELK POINT, IN THE PROVINCE OF ALBERTA TO PROVIDE FOR THE IMPLEMENTATION AND PROVISIONS OF A CURFEW.

WHEREAS, under the provisions of the Municipal Government Act of Alberta Chapter M-26.1, 2000 and amendments thereto, the Council of the Town of Elk Point has the authority to pass such a Bylaw.

AND WHEREAS, the Council of the Town of Elk Point is of the opinion that it would be in the best interest of the residents of the Town of Elk Point that a Bylaw be passed to regulate the time after which a child shall not be in a public place without a guardian present.

NOW THEREFORE, the Council of the Town of Elk Point enacts as follows:

Section One - Short Title

- 1.1 This Bylaw may be cited as the “Curfew Bylaw”.

Section Two - Definitions

- 2.1 “Child” means a person sixteen (16) years of age or younger.
- 2.2 “Public Place” includes any place to which the public has access as of right or by invitation, expressed or implied.
- 2.3 “Peace Officer” means a member of the Royal Canadian Mounted Police and/or their auxiliary force and or Bylaw Enforcement Officer appointed by the Town of Elk Point Town Council.
- 2.4 “Guardian” means a person of the full age of 18 and has a full knowledge and support of the parent.

Section Three - Infractions

- 3.1 That no child shall be in a public place in the Town of Elk Point between the hours of 10:00 p.m. and 7:00 a.m. of any day without the proper guardianship or supervision of a parent or guardian.
- 3.2 That a child found in a public place after the time set out in 3.1 may be warned by any peace officer to go home.

- 3.3 That a child found loitering in public places after being warned in section 3.2 may be taken by the peace officer to the child's home or referred to an appropriate agency.
- 3.4 That a parent or guardian who permits his child to contravene this Bylaw is guilty of an offence and liable upon summary conviction.
 - a) for a first offence to a fine of \$50.00;
 - b) for a second offence to a fine of \$100.00; and
 - c) for a third of subsequent offence to a fine of \$200.00

And in each case in default of payment to a term of imprisonment of not more than three months.

- 3.3 That Bylaw #602/99 is hereby rescinded.

READ A FIRST time in Council this 9th Day of August, 2004 A.D.

READ A SECOND time in Council this 9th Day of August, 2004 A.D.

UNANIMOUS CONSENT for third reading this 9th day of August, 2004. Resolution #04-110

READ A THIRD and final time in Council this 9th Day of August, 2004 A.D.

MAYOR

TOWN MANAGER