

**TOWN OF SUNDRE
BYLAW NO. 06.11**

**A BYLAW OF THE TOWN OF SUNDRE IN THE PROVINCE OF ALBERTA TO PROVIDE FOR
THE IMPLEMENTATION AND PROVISIONS OF A CURFEW**

WHEREAS, pursuant to the provisions of the Municipal Government Act, being Chapter M-26, R.S.A. 2000, and amendments thereto, the Municipality is authorized to pass bylaws for the purposes respecting the safety, health and welfare of people and the protection of people and property; and people, activities and things in, on or near a public place or place that is open to the public;

AND WHEREAS, the Town of Sundre deems it vital and desirable to regulate the time period which a minor shall not be in a public place without proper guardianship or without a legitimate excuse, and;

AND WHEREAS, a curfew bylaw provides a tool for parents and guardians in ensuring the health and safety of minors within the community;

**NOW THEREFORE THE COUNCIL OF THE TOWN OF SUNDRE IN COUNCIL DULY
ASSEMBLED HEREBY ENACTS AS FOLLOWS:**

This Bylaw may be cited as the "Curfew Bylaw"

1.0 DEFINITIONS

- 1.1 **'Curfew'** is an order specifying a time after which certain regulations apply.
- 1.2 **'Child'** means a person who is or; in absence of evidence to the contrary, appears to be less than twelve (12) years of age.
- 1.3 **'Community Service'** means work for a specified amount of time, which is performed in the community for the community in lieu of a fine or imprisonment.
 - (a) Community Service will be served on the next date, which is a scheduled day off from school, or a suitable date determined by the Town of Sundre.
 - (b) Community Service will be monitored by the Town of Sundre and/or delegate.



- 1.4 **'Guardian'** includes a person who has in law or in fact the custody or control of a child or youth.
- 1.5 **'Minor'** includes a person that is not legally considered an adult.
- 1.6 **'Public Place'** includes any place, within the Town of Sundre, to which the public generally has access, whether public or private property.
- 1.7 **'Peace Officer'** means a member of the Royal Canadian Mounted Police, or a Bylaw Enforcement Officer or Community Peace Officer for the Town of Sundre.
- 1.8 **'Youth'** includes a person between the ages of twelve (12) and fifteen (15) years of age inclusive.

2.0 **INFRACTIONS**

- 2.1 No child or youth shall be in a public place in the Town of Sundre between the hours of 11:00 o'clock p.m. and 6:00 o'clock a.m. of any day without proper and direct supervision of a parent or guardian.
- 2.2 Any child found in a public place after the time set out in 2.1 may be warned to go home by any peace officer and if, after such warning, the child is found loitering in a public place
 - (a) that child may be taken by a peace officer to the child's home or referred to an appropriate agency.
 - (b) that peace officer shall, in writing, inform that child's parent or guardian of the offence committed by that child, and
 - (c) that peace officer may charge the parent or guardian of that child under Section 2.4 of the Curfew ByLaw.
- 2.3 Any youth found in a public place after the time set out in 2.1 may be warned to go home by any peace officer and if, after such warning, the youth is found loitering in a public place that youth
 - (a) may be taken by a peace officer to the youth's home or referred to an appropriate agency, and is guilty of an offence and is liable upon summary conviction to the fees set out in Schedule A.

2.4 Any parent or guardian who permits his/her child/youth or a child/youth in his/her care to contravene this Bylaw is guilty of an offence and liable upon summary conviction to the fees set out in Schedule A.

3.0 **FINES AND PENALTIES**

3.1 Schedule A of this Bylaw may, from time to time, be amended by resolution of Council.

4.0 **TRANSITION**

4.1 This bylaw shall come into force immediately upon passing of third reading.

4.2 The Town of Sundre Bylaw No. 710 is hereby repealed.

READ A FIRST TIME IN OPEN COUNCIL THIS 24TH DAY OF MAY 2011.
READ A SECOND TIME IN OPEN COUNCIL THIS 24TH DAY OF MAY 2011.
PRESENTED IN OPEN COUNCIL THIS 24TH DAY OF MAY 2011.
READ A THIRD TIME IN OPEN COUNCIL THIS 24TH DAY OF MAY 2011.



Mayor



Chief Administrative Officer

SCHEDULE A: FINES AND PENALTIES

	First Offence	Second Offence	Third Offence	Fourth and Subsequent Offences	Default of Payment on Fourth and Subsequent Offences
Section 2.3 (Youth)	No Penalty	\$50.00 or 4 hours Community Service	\$100.00 or 8 hours Community Service	\$200.00 or 16 hours Community Service	Not more than three (3) months imprisonment
Section 2.4 (Parent or Guardian)	No Penalty	\$100.00	\$200.00	\$400.00	Not more than three (3) months imprisonment