

BY-LAW NO. 749

A BY-LAW OF THE VILLAGE OF BIG VALLEY, in the Province of Alberta, to regulate the time, which minors, shall not be on any of the streets and public places at night without proper guardianship.

WHEREAS, the Municipal Government Act Statutes of Alberta, 1994, Chapter M-26.1 with amendments thereto, provides that the Council of a municipality may pass a bylaw to regulate and control minors on any of the streets and public places.

AND WHEREAS, the Council of the Village of Big Valley is of the view that is it in the best interest of the residents of the Village of Big Valley that a bylaw be passed to regulate the time after which minors shall not be on any of the streets and/or in public places at night without proper guardianship.

NOW THEREFORE, the Council of the Village of Big Valley enacts as follows:

1. **THIS BYLAW MAY BE CITED AS “THE CURFEW BYLAW”.**

2. **DEFINITIONS**

- a). **“ACT”** means the Municipal Government Act of Alberta being Chapter M-26.1, 1994 as amended or replaced from time to time.
- b). **“COUNCIL”** means the Municipal Council of the Village of Big Valley.
- c). **“GUARDIAN”** means the biological parent(s) or a person over the age of eighteen (18) years empowered by the biological parent(s) or the Court to maintain the well being of the minor.
- d). **“MINOR”** means a child, male or female, fifteen (15) years of age or under.
- e). **“PEACE OFFICER”** means a member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer(s) for the Village of Big Valley.
- f). **“PUBLIC PLACE”** does not include any indoor business establishment open for business, indoor ice arena or any other recreation facility during a scheduled event, under adult supervision.
- g). **“VILLAGE “** means the Village of Big Valley, Province of Alberta, and where the context requires, means the areas contained within the corporate boundaries of the said Municipality.

3. **GENERAL PROHIBITION**

- a). No minor shall be on any of the streets or in public places within the corporate limits of the Village of Big Valley after the hour of midnight (12:00 a.m.) on any day and before 6:00 o'clock a.m. on any day without proper guardianship.
- b). Any minor to whom this bylaw applies, who is found on any of the streets or in public places without proper guardianship after the hour of midnight (12:00 a.m.) or before 6:00 o'clock a.m., on any day may be warned to go home by a Peace Officer. If after the warning, the minor refuses or fails to go home, he/she either may be taken to his/her home or a shelter by the Peace Officer.

4. **PENALTIES**

Any guardian who permits his/her minor to contravene this bylaw is guilty of an offence and liable upon summary convictions:

- a). For a first offence to a fine of Fifty (\$50.00) dollars,
- b). For a second offence to a fine of One Hundred (\$100.00) dollars.
- c). For a third offence to a fine of Three Hundred (\$300.00) dollars.
- d). and in each case in default of payment to a term of imprisonment of not more than three (3) months.

THIS BY-LAW SHALL CONTINUE IN FORCE AND EFFECT for year to year until amended or repealed.

THIS BYLAW shall come into force and effect on final reading thereof.

READ A FIRST TIME THIS 16TH, day of December, 2002 A.D.

READ A SECOND TIME THIS

READ A THIRD TIME BY UNANIMOUS CONSENT OF THE CONCILLORS PRESENT AND FINALLY PASSED THIS

Mayor

Chief Administrative Officer