

TOWN OF EDSON

BYLAW NO. 1884

Consolidated with Bylaw No. 2083

A BYLAW OF THE TOWN OF EDSON IN THE PROVINCE OF ALBERTA, TO REGULATE THE TIME AFTER WHICH CHILDREN SHALL NOT BE IN A PUBLIC PLACE AT NIGHT WITHOUT PROPER ADULT GUARDIANSHIP OR A LEGITIMATE REASON.

WHEREAS pursuant to the provisions of the Municipal Government Act, being Chapter M-26.1 of the Statutes of Alberta 1994 and amendments thereto, a Council may pass bylaws for the safety, health and welfare of people and the protection of people and property.

AND WHEREAS it is deemed necessary and desirable by the Municipal Council of the Town of Edson to regulate the time after which children shall not be in a public place at night without proper adult guardianship or a legitimate reason.

AND WHEREAS a curfew bylaw will assist parents and legal guardians in exercising authority over their children to keep their children safe from harm.

AND WHEREAS the Municipal Council of the Town of Edson is committed to preserving a community quality of life which emphasizes individual safety and well being as well as the protection of the use of public and private property.

NOW THEREFORE the Municipal Council of the Town of Edson, duly assembled, enacts as follows:

1. TITLE

- (1) This Bylaw shall be known as the "Town of Edson Curfew Bylaw".

2. DEFINITIONS

- (1) "Child" shall mean a male or female person who is under the age of sixteen (16).
- (2) "Peace Officer" shall mean a member of the Royal Canadian Mounted Police, an auxiliary member of the Royal Canadian Mounted Police, or a Bylaw Enforcement Officer of the Town of Edson.
- (3) "Public Place" shall mean a place to which the public have or are permitted to have access, including;
 - (a) Provincially or Municipally-owned or leased real property, and without restricting the generality of the foregoing includes streets, sidewalks, lanes, parks and recreation areas, and;
 - (b) Privately owned or leased real property, and without restricting the generality of the foregoing includes coffee shops, restaurants, shopping malls and movie theatres.
- (4) "Proper Adult Guardianship" shall mean being accompanied by a Guardian or Temporary Guardian.
- (5) "Guardian" shall mean a parent, legal guardian, or foster parent.
- (6) "Temporary Guardian" shall mean an adult person over the age of 18 years, who has been given prior permission by a Guardian to look after a Child for a specified time period.

- (7) "Legitimate Reason" means the following:
 - (a) travelling to or directly from a place of employment whether paid or volunteer work; or
 - (b) working a job (whether paid or volunteer) that requires the Child to be in a Public Place; or
 - (c) adult organized and supervised public, school or religious events.
- (8) "Town" shall mean the Town of Edson.
- (9) "Violation Ticket" shall mean a ticket issued pursuant to Part II of the *Provincial Offences Procedure Act, S.A. 1988 c. P 21.5*.

3. ENFORCEMENT AND PENALTIES

- (1) Any Child who is found in a Public Place within the corporate limits of the Town of Edson after 11:00 P.M. on any day and before 6:00 A.M. the following day, without Proper Adult Guardianship or a Legitimate Reason, is guilty of an offence and liable upon summary conviction:
 - (a) for a first offence, to a fine of \$115.00,
 - (b) for the second and subsequent offences committed within one calendar year of the first offence, to a fine of \$250.00.
- (2) Any Guardian or Temporary Guardian whose Child is found in a Public Place within the corporate limits of the Town of Edson after 11:00 P.M. on any day and before 6:00 A.M. the following day, without Proper Adult Guardianship or a Legitimate Reason, is guilty of an offence and liable upon summary conviction:
 - (a) for a first offence, to a fine of \$250.00,
 - (b) for the second and subsequent offences committed within one calendar year of the first offence, to a fine of \$500.00.
- (3) Under no circumstances shall any person contravening any provision of the Bylaw be subject to penalty of imprisonment.
- (4) A Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to Part II of the Provincial Offences Procedure Act, to any person, who the Peace Officer has reasonable and probable ground to believe has contravened any provision of this Bylaw.
- (5) Any person to whom a Violation Ticket has been issued may make voluntary payment in respect of the Violation Ticket by delivering the Violation Ticket along with an amount equal to that specified for the offence as set out in this Bylaw, to the Provincial Court office as specified on the Violation Ticket.

4. EFFECTIVE DATE

- (1) This Bylaw shall take effect on final reading thereof.

READ a first time this 25th day of May A.D. 1999.

READ a second time, as amended, this 15th day of June A.D. 1999.

READ a third time and finally passed this 15th day of June A.D. 1999.

Mayor

Director of Finance & Administration