

**By-law #2008-06
TOWN OF TROCHU
CURFEW BY-LAW**

Being a bylaw of the Town of Trochu, in the Province of Alberta, respecting a curfew for Minors;

NOW THEREFORE, THE COUNCIL OF THE TOWN OF TROCHU ENACTS AS FOLLOWS;

SHORT TITLE

1. This by-law may be called the "Curfew By-law".

PURPOSE

2. In the spring and summer of 2008, Council became concerned with the great number of instances of vandalism by Minors. After discussion with the RCMP, it was decided that a curfew would help prevent future vandalism.

DEFINITIONS

3. In this By-law:
 - a. "MINOR" means a person under the age of 18 years;
 - b. "PEACE OFFICER" means:
 - (i) a member of the Town Detachment of the RCMP;
 - (ii) any employee of the Town named as a special constable under the provisions of the *Police Act*;
 - (iii) any formally contracted Police Officer
 - c. "PUBLIC PLACE" means any place to which the public have or are permitted to have access, including provincially or municipally owned or leased real property, and without restricting the generality of the foregoing includes streets, sidewalks, lanes, parks, and recreation areas.
 - d. "PROPER ADULT GUARDIANSHIP" means a parent or legal guardian.
 - e. "EMERGENCY" means an unforeseen combination of circumstances or the resulting event that requires immediate action. This includes but is not limited to a fire, natural disaster, a motor vehicle collision, or any situation beyond the control of anyone, and requiring immediate action to prevent injury or death.

APPLICATION

4. No Minor shall be in a public place within the corporate limits of the Town of Trochu after the hour of 11:00 p.m. and before 6:00 a.m. without Proper Adult Guardianship;
5. Notwithstanding anything contained herein, it shall not be a violation of this By-law for a Minor to be in a Public Place during the curfew period when:
 - a. Involved in an Emergency as defined in this Bylaw or within the definition of an Emergency as established by a Peace Officer;
 - b. in a motor vehicle travelling from one point to another without any detour;
 - c. acting in the interests of an employer or voluntary organization or while directly returning home, without detour, as soon as reasonably practical, from an organized school, religious, sporting, or cultural event or any other recreational activity, as determined by the Peace Officer, which has been supervised by an adult.
6. Any Minor to whom this by-law applies who is found in a Public Place without legitimate excuse after 11:00 p.m. and before 6:00 a.m., may be warned to go home by a Peace Officer and if after the warning the Minor refuses or fails to go home he/she either may be taken to his/her home or the Peace Officer may phone the Minor's Parent or Guardian and request that the Parent or Guardian attend at a mutually agreed upon location, to receive the Minor into the care of the Parent or Guardian.
7. The Proper Adult Guardian of any Minor violating any of the provisions of this Bylaw shall be guilty of an offense and shall be liable on conviction,
 - a. for the first offence, to a fine not exceeding one hundred (\$100.00) dollars and costs;
 - b. for the second offence, to a fine not exceeding three hundred (\$300.00) dollars and costs;
 - c. for the third and subsequent offence, to a fine not exceeding five hundred (\$500.00) dollars and costs.
8. If the Proper Adult Guardian of a Minor violating any provisions of this By-law fails to pay the fine, he/she is liable for a term of imprisonment of not more than three months.

9. The Peace Officer is hereby authorized and empowered to issue a violation ticket

READ A FIRST TIME IN OPEN COUNCIL this 14th day of October A.D. 2008

READ A SECOND TIME IN OPEN COUNCIL this 14th day of October A.D. 2008

READ A THIRD TIME IN OPEN COUNCIL this 14th day of October A.D. 2008

AND SIGNED BY THE MAYOR AND CAO this 3rd day of November A.D. 2008



MAYOR



CHIEF ADMINISTRATIVE OFFICER