

NORTHERN VILLAGE OF AIR RONGE  
BYLAW NO. 237/05

A BYLAW TO PROVIDE FOR A CURFEW

The Council of the Northern Village of Air Ronge, in the Province of Saskatchewan, enacts as follows:

Definitions

1. In this Bylaw,

- a) “Child” means any person who is under the age of majority.
- b) “Child and Family Services” means the branch of the Saskatchewan Social Services dealing with children’s and families’ issues.
- c) “Community Social Event” means a wedding, winter carnival, sports event, religious celebration, or other social event recognized as such by the Council.
- d) “Council” means the Council of the Northern Village of Air Ronge.
- e) “Parent” means a father, mother, tutor, guardian, or person having custody or care in law or in fact of a child.
- f) “Peace Officer” means a peace officer as defined in Section 2 of *The Criminal Code, R.S.C. 1985, c. C-46*.
- g) “Prohibited Hours” means that period of time when a child is prohibited from being unaccompanied in a public place, as follows:
- | <u>Age</u> | <u>Curfew Time<br/>(Winter Months)</u> | <u>Curfew Time<br/>(Summer Months<br/>and Weekends)</u> |
|------------|--|---|
| Under 18   | 10:00 p.m. to 6:00 a.m.                | 11:00 p.m. to 6:00 a.m.                                 |
- h) “Public Place” means any place to which the public have access as of right or by invitation, express or implied, and includes, without limiting the generality of the foregoing, the highways, streets, lanes, walk-ways, public parks, sporting facilities, and any business enterprise in the Village.
- i) “Summer Months” means the period of time from June 1 to August 31.
- j) “Village” means the Northern Village of Air Ronge.
- k) “Winter Months” means the period of time from September 1 to May 31.

### Prohibition

2. No parent(s) shall permit his or her child to be in any public place during the prohibited hours, unless such child:

- a) is accompanied by his or her parent(s);
- b) is accompanied by a person who is eighteen (18) years of age or over, with the authorization of such child's parent(s);
- c) is attending, or is directly returning home, from a community social event; or
- d) is authorized by resolution of Council.

### Powers of a Peace Officer

3. A Peace Officer who finds a child who is or, in the absence of evidence to the contrary, appears to be under the age of eighteen (18) years in a public place in the Village during the prohibited hours may:

- a) require the child to produce identification and proof of age;
- b) warn such child to immediately return to the child's residence and, if after said warning, the child refuses or neglects to return to his or her residence forthwith, the Peace Officer may use such reasonable force as necessary to escort such child to the child's residence and the care of the child's parent(s), or may arrest the child, detain him or her as necessary, and return him or her to his or her parent(s) as deemed appropriate; or
- c) if the parent(s) cannot be found, escort the child to a Child and Family Services worker.

### Notification of Parent(s)

4. A Peace Officer who finds a child in a public place during prohibited hours shall verbally or in writing notify the child's parent(s) that the child was in breach of curfew, and shall advise of the time and place the breach was observed.

5. A Peace Officer who finds a child in a public place during prohibited hours, for a second and/or subsequent time within a thirty-day period of the first breach, shall serve a written notice on the child's parent(s) containing the following information:

- a) the time and place of the breach;
- b) the time and place of the previous breach;
- c) a recommendation that the child be more closely supervised;
- d) a listing of the phone numbers and address of the Child and Family Services agency;
- e) information as to potential fines and penalties for breach of this Bylaw.

Copies of said written notice shall be forwarded to the Child and Family Services agency serving the Village.

6. A Peace Officer who finds a child in a public place in the Village during prohibited hours, for a third time and/or subsequent time within a thirty-day period of the second breach, shall provide a written notice to the child's parent(s) containing the information set out in Section 5 hereof, and shall request that representatives of the Child and Family Services Agency interview the child and his or her parent(s) to determine if they require advice or assistance.

#### Meeting with Parent(s)

7. The Council may, by way of resolution, direct any parent(s) who has received two or more notices, as set out in Sections 5 and 6 hereof, to meet and discuss the situation with the Child and Family Services agency.

#### Enforcement of Bylaw

8. Every individual shall comply with this Bylaw and with Council resolutions enacted pursuant to this Bylaw.

#### Offences and Penalties

9. Any parent(s) who:

- a) permits his or her child to be in any public place during the prohibited hours;
- b) refuses to be interviewed by the Child and Family Services agency, as requested per Section 6 hereof; or
- c) fails, upon receiving written notice of Council's resolution as provided for in Section 7 hereof, to meet with the Child and Family Services agency;

commits an offence and is liable, upon summary conviction, to a fine not exceeding One Thousand Dollars (\$1,000.00), or to imprisonment for a term not exceeding thirty (30) days, or both.

#### Power to Alter Curfew

10. Notwithstanding any other provision in this Bylaw, the Council may, by way of resolution, alter or suspend the hours of curfew for any designated day or days.

#### Waiver

11. Where a child, by reason of employment or family obligations, or other such reasons which the Peace Officer deems good and sufficient, is required or likely to attend public places in the Village during prohibited hours, then the Peace Officer may issue a permit of waiver, exempting the child from the Bylaw on such terms and conditions as the Peace Officer may deem appropriate.

Severability

12. In the event that a court of competent jurisdiction or any other body with jurisdiction determines that any provision herein is unlawful or beyond the jurisdiction of the Council, said provision shall be severable from this Bylaw and the remainder of the terms of this Bylaw and any resolutions enacted under this Bylaw shall remain in full force and effect.

Other

13. Bylaw No. 228/03 is hereby repealed.

Seal

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Mayor

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Administrator