

BYLAW NO. 1607

**A BYLAW OF THE CITY OF NORTH BATTLEFORD, IN
THE PROVINCE OF SASKATCHEWAN, TO PROVIDE
FOR THE IMPLEMENTATION AND PROVISIONS OF A
CURFEW PURSUANT TO SECTION 140 OF *THE
URBAN MUNICIPALITY ACT, 1984.***

WHEREAS it is deemed advisable to regulate the time after which children shall not be in a public place at night without proper guardianship within the City of North Battleford;

NOW THEREFORE the Council of the City of North Battleford, in the Province of Saskatchewan, enacts as follows:

1. This bylaw may be cited as the Curfew Bylaw.
2. In this bylaw:
 - a) “Child” means a person under 16 years of age;
 - b) “City” means the City of North Battleford;
 - c) “Parent” means:
 - i) the mother of a child;
 - ii) the father of a child;
 - iii) a person to whom custody of a child has been granted by a Court of competent jurisdiction or by a deed or agreement of custody;
 - iv) a person with whom a child resides and/or who stands in *loco parentis* to the child.
 - d) “Peace Officer” shall mean any member of the Royal Canadian Mounted Police or any special constable or bylaw enforcement officer of the City of North Battleford;
 - e) “Public Place” shall include any place to which the public have access as a right or by invitation, express or implied.
 - f) “Loiter” means to be present in a public place without unavoidable cause, the proof of which shall be upon the person asserting such cause.

3. No child shall be in a public place in the City of North Battleford between the hours of 11:00 o'clock p.m. and 6:00 o'clock a.m. of the following day unless accompanied and/or supervised by a parent as defined in Section 2c) of this bylaw.
4. A child found in a public place in the time period set forth in Section 3 may be warned to go home by a peace officer. If within 30 days after such warning, the child is found loitering in a public place, a peace officer may take the child to the child's home or to a representative of the Department of Social Services of the Government of the Province of Saskatchewan responsible for the care of children.
5. Any parent who permits his/her child to contravene Section 3 of this bylaw is guilty of an offence and liable on summary conviction to a fine of \$50.00 for the first offence and to a fine of \$100.00 for a second and each subsequent offence.
6. Any child who contravenes Section 3 of this bylaw is guilty of an offence and liable on summary conviction to a fine of \$50.00 for the first offence and to a fine of \$100.00 for a second and each subsequent offence.
7. The penalties prescribed in this bylaw can be voluntarily paid to the City Treasurer, North Battleford City Hall. Upon such payment the person charged shall not be subject to prosecution for the offence in which respect payment was made.
8. The enforcement of this bylaw shall be in accordance with the provisions and proceedings of *The Summary Offences Procedure Act*, 1990, Statutes of Saskatchewan, S-63.1.
9. This bylaw shall come into force and take effect on the date of the final passing thereof.

Wayne Ray
MAYOR

Doug McEwen
CITY CLERK

Read a third time and adopted this
11th day of August A.D., 1997.