

**BY-LAW 03/2012**  
**OF THE TOWN OF HIGH PRAIRIE, PROVINCE OF ALBERTA,**  
**A BYLAW TO REGULATE THE TIME AFTER WHICH CHILDREN SHALL NOT BE IN A PUBLIC**  
**PLACE AT NIGHT WITHOUT PROPER GUARDIANSHIP**

---

**WHEREAS:** Pursuant to the provisions of the Municipal Government Act, being Chapter M-26.1 R.S.A. 1994 and amendments thereto, the Council of the Town of High Prairie has the authority to pass such a law;

**AND WHEREAS:** The Council of the Town of High Prairie is of the opinion that it would be in the best interests of the residents of the Town of High Prairie that a Bylaw be passed to regulate the time after which a child shall not be in a public place without a guardian present;

**NOW THEREFORE:** The Municipal Council of the Town of High Prairie, duly assembled, hereby enacts as follows:

TITLE

1. This Bylaw may be cited as “The Curfew Bylaw”.

DEFINITIONS

2. (a) Child means a person seventeen (17) years of age or under as it pertains to this bylaw.
- (b) Peace Officer means a member of the Royal Canadian Police or a Community Peace Officer appointed by the Town of High Prairie authorized under the Peace Officer Act, S.A. 2006, c. P-3.5, as amended or repealed and replaced from time to time.
- (c) Curfew period means the period of time between 12:01a.m. and 6:00 a.m. in the same day;
- (d) Parent or Guardian means the actual parent, guardian or foster parent of a child and shall include any other person 18 years of age or over having the care and control of a child;
- (e) Public Place includes any place whether publicly or privately owned or leased, to which the public have access as a right or by invitations, express or implied.
- (f) Town shall mean the Town of High Prairie.
- (g) Violation Tag means a tag or similar document issued by a Peace Officer pursuant to the Act for the purpose of notifying a person that

an offence has been committed and are in contravention of the bylaw.

- (h) Violation ticket means a ticket issued pursuant to Part 2 of the Provincial Offenses Procedures Act.

### INFRACTIONS

3. a) No child shall be in a public place within the corporate limits of the Town of High Prairie during the curfew period unless accompanied by a parent or guardian.
- b) No parent or guardian shall suffer, permit or allow any child who is in his or her custody, care or control to be in a public place during the curfew period unless that child is accompanied by a parent or guardian.
- c) Notwithstanding anything contained herein, it shall not be an offence under this Bylaw for a child to be in a public place during the curfew period while acting in the interests of an employer or voluntary organisation or while returning home as soon as is reasonably practical from an organised sporting or other event that has been supervised by an adult.
- d) A child, parent or guardian who has contravened this Bylaw shall be guilty of an offence and shall pay a specified penalty:
- i) First offence to a fine of \$100.00;
  - ii) Second and subsequent offences a fine of \$200.00.
- e) Where a Peace Officer has reasonable grounds to believe that a person has contravened any provision of this Bylaw, such Officer may serve upon such person a Violation Tag allowing payment of the specified penalty to the Town, which payment shall be accepted by the Town in lieu of prosecution for the offence.

### EFFECTIVE DATE

4. This Bylaw shall take effect on the date of third and final reading.

CONFLICT

5. Bylaw 3/85 of the Town of High Prairie is hereby repealed and in the event that the provisions of this Bylaw conflict with any other Bylaw, this Bylaw shall govern.

**Bylaw 11/99 of the Town of High Prairie is hereby repealed.**

READ a first time this 14<sup>th</sup> day of March 2012.

READ a second time this 14<sup>th</sup> day of March 2012.

READ a third time and finally passed this 14<sup>th</sup> day of March 2012.

---

Mayor Rick Dumont

---

Interim CAO Keli Tamaklo