

**CITY OF MELVILLE
BYLAW NO. 11/2008**

**A BYLAW OF THE CITY OF MELVILLE, SASKATCHEWAN TO PROVIDE FOR THE
IMPLEMENTATION AND PROVISIONS OF A CURFEW.**

The Council of the City of Melville, in the Province of Saskatchewan, enacts as follows:

SHORT TITLE AND INTERPRETATION

1. (a) This Bylaw shall be called the “Curfew Bylaw”.
- (b) It is deemed advisable to regulate the time during which children are allowed to be in public places without the supervision of a parent or guardian, in an attempt to control the late night mischief and illegal conduct, which has occurred from time to time.

DEFINITIONS

2. (a) **“Child”** shall mean a person fifteen (15) years of age and under;
- (b) **“City”** shall mean the City of Melville;
- (c) **“Parent”** shall mean:
 - (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 Melville;
- (e) **“Public Place”** shall include any place to which the public has 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.

INFRACTIONS

3. (a) No child shall be in a public place in the City of Melville, Saskatchewan between the hours of 11:00 o'clock p.m. and 6:00 a.m. of any day unless accompanied and/or supervised by a parent as defined in Subsection 2(c) of this bylaw.
- (b) A child found in a public place in the time period set forth in Subsection 3(a) may be warned to go home by a peace officer, and if 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 Saskatchewan Community Resources & Employment, responsible for the care of the children.

PENALTIES

4. (a) Any parent or guardian 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:
- | | |
|-------------------------------|----------|
| First Offence | \$250.00 |
| Second and Subsequent Offence | \$500.00 |
- (b) The penalties prescribed in this bylaw can be voluntarily paid to the City of Melville at City Hall located at 430 Main Street during regular office hours. Upon such payment the person charged shall not be subject to prosecution for the offence in which respect payment was made.
- (c) The Notice of Violation shall be in Appendix "A" attached hereto and forming part of this bylaw.
5. This Bylaw shall come into force and take effect on, from and after the final passing thereof.
6. Bylaw No. 504 and Bylaw No. 685 are hereby repealed.

Mayor

City Manager

INTRODUCED and READ A FIRST TIME this 1st Day of December, 2008 A.D.

READ A SECOND TIME this 1st Day of December, 2008 A.D.

READ A THIRD TIME AND PASSED by consent of members present this 15th Day of

December, 2008 A.D.