

WEKWEETI COMMUNITY GOVERNMENT
BYLAW # 7

CURFEW BYLAW

Whereas the Tlicho Community Government Act, S.114(1), (2), allows the Council to pass a Bylaw for Municipal purposes including the safety, health and welfare of people, and the protection of people and property and people, activities and things in, on or near a place that is open to a Public place or place that is open to the Public;

AND WHEREAS some young people within the Tlicho Community are on the streets and in Public places late at night unsupervised by Adults and this may present a danger to the health, safety and welfare of such young people;

NOW THEREFORE the Council of Wekweeti Community Government, duly assembled, enacts as follows;

Section 1. Short Title

1.1. This Bylaw may be cited as the Community of Wekweeti "Curfew Bylaw"

Section 2. Definitions

- 2.1 "Curfew Period(s)" means the period of time between 9:00pm and 6:00am the following day.
- 2.2 "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
- 2.3 "Minor" means a person under the age of 12 years old.
- 2.4 "Youth" means a person under the age of 18 years old.
- 2.5 "Parent or Guardian" means the actual Parent or Guardian or foster Parent of a Minor or Youth and shall include any other person over the age of 18 years of age having the care and control of a Minor or Youth.
- 2.6 "Peace Officer" means a member of the Royal Canadian Mounted Police Or a Bylaw Officer or Special Constable appointed by the Wekweeti Community Government as allowed under Section 133 of the Tlicho Government Act.

Section 4 – Enforcement

- 4.1 Enforcement of this Bylaw lies within the sole discretion of the Peace Officer.
- 4.2 Notwithstanding Sections 3.1 and 4.1 and Sections 6 and 7, a Minor or Youth who violates this Bylaw will not receive a monetary penalty.
- 4.3 Under no circumstances shall any person contravening any Provision of this Bylaw be subject to the penalty of imprisonment
- 4.4 Where a Minor or Youth is found to be in contravention of this Bylaw, a Peace office may;
 - 4.4.1 Advise the Minor or youth to go directly to their home;
 - 4.4.2 Take the Minor or Youth to their home and deliver the Minor or Youth into the care of the Minor or Youth's Parent or Guardian; or
 - 4.4.2. Phone the Minor or Youth's Parent or Guardian and request That the Parent or Guardian attend at a mutually agreed upon location, to receive the Minor or Youth into the care of the Parent or Guardian.

Section 5- Penalties

- 5.1 Any Parent or Guardian who contravenes Section 3.2 of this Bylaw is guilty of An Offense and liable upon conviction to:
 - 5.1.1. For a first offense to a fine of One Hundred Dollars (\$100)
 - 5.1.2. For a second and subsequent offences to a fine of Two Hundred dollars (\$200)

Section 7- Violation Ticket

- 7.1 If the penalty specified on a Violation Tag is not paid within the prescribed time Period then a Peace Officer is hereby authorized and empowered to issue a Violation Ticket pursuant to the Offenses Procedures Act.
- 7.2 Notwithstanding Section 6.1 of this Bylaw, a Peace Officer is hereby authorized .. And empowered to immediately issue a Violation Ticket pursuant to the Offenses Procedures Act, to any person who the Peace Officer has reasonable grounds to Believe has contravened any provision of this Bylaw.

Section 8 – Effective Date

8.1 This Bylaw shall come into force and effect upon third reading

Read a first time this Day of , 2007

Read a second time this Day of , 2007.

Read a third time this Day of , 2007 and finally passed

Chief Charlie Football

SAO Wekweeti