

THE CURFEW BY-LAW

WHEREAS: Pursuant to the provisions of the Indian Act, Sec. 81 (1)(c), the Chief and Council of the Driftpile First Nation Reserve has the authority to pass such a by-law; and

WHEREAS: The Chief and Council of the Driftpile First Nation Reserve is of the opinion that it would be in the best interests of the residents of the Driftpile First Nation Reserve that a Bylaw be passed to regulate the time after which a child shall not be in a public place without a guardian present;

THEREFORE: The Chief and Council of the Driftpile First Nation Reserve, duly assembled, hereby enacts as follows:

TITLE

1. This Bylaw may be cited as "The Curfew By-law".

DEFINITIONS

2. "Child" means a person fifteen (15) years of age or under.

"Peace Officer" means a member of the Royal Canadian Mounted Police or a Bylaw Enforcement Officer or Regional Police Officer or Special Constable of the Driftpile First Nation Reserve.

"Curfew period" means the period of time between:
11:00 pm, and 6:00 am from Sunday to Thursday and
12:01 am and 6:00 am on Friday and Saturday.

"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.

"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.

"Reserve" shall mean the reserve of the Driftpile First Nation.

INFRACTIONS

2. No child shall be in a public place within the boundaries of the Driftpile First Nation Reserve during the curfew period unless accompanied by a parent or guardian.

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.

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 organization or while returning home as soon as is reasonably practical from any event that has been supervised by an adult.

A parent or guardian who permits his or her child to contravene this Bylaw shall be guilty of an offence and:

- i) for a first offence there will be a verbal warning;
- ii) for a second offence there will be a verbal warning with a written warning;
- iii) for a third offence the child will not be eligible to participate in any trips, camps or other functions that are sponsored by the Driftpile First Nation.

EFFECTIVE DATE

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

READ a first time the 24 day of February, 2000
 READ a second time this 24 day of February, 2000
 READ a third and finally passed this 24 day of February, 2000

QUORUM OF COUNCIL (6)

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