

By-law No. GG-012: RESPECTING CURFEW

The Council of the Municipality of Grand Bay-Westfield under authority vested in it by Section 10 of the *Local Governance Act, 2017* – c.18 and amendments thereto enacts as follows:

SHORT TITLE

1. This by-law may be cited as the Curfew By-law.

DEFINITIONS

2. In this By-law
 - (a) “child” means a person under 16 years of age;
 - (b) “adult” means a person 19 years of age or older;

CURFEW

3. No child shall be in a public place in the Town of Grand Bay-Westfield after 10:00 p.m. unless accompanied by an adult.
4. Any child who violates section (3) of this By-law may be ordered by any peace officer to go home. In the event of neglect or refusal by the child to go home as ordered, the child may be taken into the peace officer’s custody.

OFFENCES

5. A parent who permits their child to violate any provision of this By-law commits an offense punishable under Part II of the *Provincial Offenses Procedure Act* as a category B offense.

ADMINISTRATIVE PENALTY

- 6.1 The municipality may require an administrative penalty to be paid with respect to a contravention of a provision of this by-law as set out in section [6.2] of this by-law.
 - (i) A person who contravenes [a provision of this by-law may pay to the municipality an administrative penalty in the amount of
 - a. where the person has not previously contravened this by-law, \$100.00, and

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b. where the person has previously contravened this by-law, the sum of the amount paid or to be paid by the person in respect of the most recent contravention and \$100.00, provided that in no event shall a person be required to pay an administrative penalty in an amount exceeding \$1,500.00,

(ii) and, upon such payment, the person who committed the contravention is not liable to be prosecuted therefor.

6.2 A person who may pay to the municipality an administrative penalty in accordance with this by-law may pay the administrative penalty in accordance with the Administrative Penalty By-law.

REPEAL

7. By-law No. 4, a By-law of the Town of Grand Bay-Westfield By-law Respecting Curfew enacted 23 February 1998, and amendments thereto, is hereby repealed.

READ A FIRST TIME by summary this 13th day of March, 2023.

READ A SECOND TIME by title this 13th day of March, 2023.

READ A THIRD TIME in its entirety and ENACTED on this ____ day of _____, 2023.

This By-law comes into force on the date of final passing thereof.

SIGNED AND APPROVED this ____ day of _____, 2023.

John Enns-Wind
CAO / Clerk

Brittany Merrifield
Mayor

Seal