

**TOWN OF KAMSACK
BYLAW NO. 24-2018**

**A BYLAW OF THE TOWN OF KAMSACK FOR THE PURPOSE OF REGULATING
SAFETY AND QUALITY OF LIFE MATTERS IN PUBLIC PLACES.**

WHEREAS people expect a safe and civil environment in public places within the Town of Kamsack where they may freely engage in the usual activities and enjoyments of the urban setting without obstructions; and

WHEREAS it is desirable to establish a bylaw to create a community standard for the conduct and activities of people in public places, and places open to the public, in order to promote the safe, enjoyable and responsible use of such property for the benefit of all residents of, and visitors to, the Town; and

WHEREAS Section 8(1) of *The Municipalities Act* states in part:

- A municipality has a general power to pass any bylaws for the purposes of the municipality that it considers expedient in relation to the following matters respecting the municipality:
- the peace, order and good government of the municipality;
- the safety, health and welfare of people and the protection of people and property;
- people, activities and things in, on or near a public place or place that is open to the public;
- nuisances, including property, activities, or things that affect the amenity of a neighborhood;

The Council of the Town of Kamsack in the Province of Saskatchewan, enacts as follows:

1. This Bylaw shall be known and may be cited as the **Community Standards for Public Places Bylaw**.
2. The purpose of this Bylaw is:
 - 2.1. to ensure public actions do not unreasonably interfere with the use and enjoyment of streets, sidewalks, and other public places by all members of the public..

Definitions

3. In this bylaw, unless the context otherwise requires:
 - 3.1. "Bylaw Officer" is an employee or contractor of the Town of Kamsack charged with the enforcement of non-criminal bylaws, rules, laws, codes or regulations enacted

by local governments.

3.2. "Disturbance" shall mean any interference with the ordinary or customary use of premises or a public place by a member or members of the public;

3.3. "Human waste" includes:

3.3.1. phlegm, saliva, chewing tobacco juice or any other substance ejected from the mouth;

3.3.2. urine from the body; or

3.3.3. waste matter from the bowels.

3.4. "Panhandling" means to beg for or, without consideration, ask for money, donations, goods or other things of value whether by spoken, written or printed work or body gesture for oneself or for any other person.

3.5. "Park" means any green space under the jurisdiction of the Town of Kamsack;

3.6. "Peace officer: means a member of the Royal Canadian Mounted Police;

3.7. "Public place" means a place to which the general public has a right to access or use, within the Town of Kamsack, including:

3.7.1. A road, street, land, alley, driveway, boulevard or sidewalk;

3.7.2. A public parking lot;

3.7.3. A building to which the public has or is permitted access, including its entrance areas;

3.7.4. A park or playground;

3.7.5. Any unoccupied land or building; and

3.7.6. Any privately owned property dedicated to a public use or which the public has usual access.

3.7.7. includes all or any part of a street as defined by The Municipalities Act as a park, a municipal reserve, environmental reserve, buffer strip or other property of the Town of Kamsack;

3.8. "Street or road" means all or any part of a public highway, road, land, place, alley, square, thoroughfare or way intended for use by the general public for the passage of vehicles or pedestrians;

3.9. "swearing" shall mean the use of bad, or profane or obscene language and is not limited to invoking a Deity or something sacred in condemnation of a person or object.

Regulations

4. Panhandling Prohibited

- 4.1. No person shall panhandle at any time on a street, sidewalk or other public place.
- 4.2. Sub-section 4.1. does not apply to soliciting for charitable purposes by a not-for-profit organization with the permission to do so from the Town.

5. Obstruction

- 5.1. No person or group of persons shall obstruct access to any public place, street or sidewalk, including, but not limited to:
 - 5.1.1. Steps, ramps or doorways to retail stores, professional or government offices or financial institution;
 - 5.1.2. An automated teller machine; or
 - 5.1.3. Restaurants or theatres.
- 5.2. Sub-section 5.1. does not apply in areas designated for public gatherings or where special events are taking place.

6. Causing a Disturbance

- 6.1. Any person causing a disturbance in a public place would be guilty of an offence under Section 175 of the *Criminal Code*.

7. Littering

- 7.1.1. No person shall place, deposit or throw or cause to be placed, deposited or thrown upon any Town property, including any street, lane, sidewalk, parking lot, park or other public place
- 7.1.2. a cardboard or wooden box, carton or container of any kind;
- 7.1.3. paper or plastic of any kind;
- 7.1.4. any human, animal or vegetable matter or waste;
- 7.1.5. any glass, crockery, breakable or sharp objects, including needles;

8. Offences and Penalties

- 8.1. Any person who contravenes this bylaw is guilty of an offense punishable on summary conviction:
 - 8.1.1. For a first offence, to a fine of \$150.00

- 8.1.2. For second offence, to a fine of \$300.00
- 8.1.3. For subsequent offences, to a fine of not less than \$500.00 and not more than \$2000;
- 8.2. Notwithstanding section 7.1, a notice of violation may be issued to any person committing an offence under this Bylaw.
 - 8.2.1. The Notice of Violation shall require the person to pay the Town a fine of \$150.00 for a first offence and \$300 for a second offence.
 - 8.2.2. The amount specified in the notice of violation will be reduced by half if paid within 48 hours of the Notice of Violation being ordered will be accepted as a guilty plea to the offence.
- 9. This Bylaw comes into force on the day of passage.
- 10. Bylaw 25-2017 is hereby repealed.

Introduced and read a first time this ____ day of _____, 2018.
Read a second time this ____ day of _____, 2018.
Read a third time and adopted this ____ day of _____, 2018.

Mayor

Administrator