

**TOWN OF EDSON
BYLAW NO. 2084**

**A BYLAW OF THE TOWN OF EDSON IN THE PROVINCE OF ALBERTA, TO
REGULATE CONDUCT IN PUBLIC PLACES WITHIN THE TOWN OF EDSON.**

WHEREAS pursuant to Section 7 of the Municipal Government Act RSA 2000, Chapter M-26, a Council may pass bylaws for municipal purposes respecting

- I. the safety, health and welfare of people;
- II. the protection of people and property; and
- III. respecting people, activities and things in, on or near a public place;

AND WHEREAS the Council of the Town of Edson has determined that it is in the public interest to pass a bylaw to discourage Bullying and Fighting in public places within the Town of Edson;

NOW THEREFORE the Council of the Town of Edson hereby **ENACTS AS FOLLOWS:**

PART ONE – DEFINITIONS

"**bully**" means comment, conduct or display by a person directed at another person:

(a) that intimidates, humiliates, ridicules, or isolates that person; or

(b) causes or is likely to cause physical or emotional distress;

"**Town**" means the Town of Edson;

"**Fight**" means violent physical contact between two or more persons;

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"Peace Officer" means:

- (a) a sworn member of the Royal Canadian Mounted Police or
- (b) a Community Peace Officer as defined in the Town of Edson Peace Officer Bylaw

"Public Place" means any place in the Town that is open to the public and to which the public is customarily admitted or invited and includes:

- (a) any building to which the public is ordinarily permitted access;
- (b) any vehicle used for the public transportation or a commercial vehicle for hire that is used to transport members of the public;
- (c) any street, highway, sidewalk, lane, alley, bridge, causeway or other place, whether publicly or privately owned, that is used or intended for the passage of pedestrians or vehicles;
- (d) any parking lot or other place, whether publicly or privately owned, that is used for parking a vehicle;
- (e) any park or open space to which the public is ordinarily permitted access, whether upon payment or otherwise; and
- (f) any school, including school grounds;

Administration and Enforcement

1. The Detachment Commander of the Edson Royal Canadian Mounted Police Detachment is authorized to:

- (a) administer and enforce the provisions of this Bylaw; and
- (b) delegate to any Peace Officer any power, duty or function assigned to the Detachment Commander by this Bylaw.

Fighting

2. (1) No person shall:

- (a) participate in a fight;
- (b) encourage other persons to fight;

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- (c) video, record, photograph or distribute any video, recording or other photograph of any person involved in a fight for any purpose other than documenting the breach of this bylaw or other law applicable in the Province of Alberta.
- (2) Violent physical contact between two or more persons that occurs in the context of sport or exercise is exempted from this bylaw.
- (3) News Media distribution or publication of a video, recording or photograph of any person involved in a fight is exempted from this section where the distribution or publication is in the legitimate pursuit of news gathering or reporting.

Bullying

- 3. (1) No person shall bully another person in any public place.
 - (2) No person shall bully another person through written or electronic communication.
 - (3) No person shall encourage or promote another person to engage in acts of bullying;
 - (4) No person shall video, record, photograph or distribute any video, recording or photograph of any person involved in bullying for any purpose other than documenting the breach of this bylaw or other law applicable in the Province of Alberta.

Penalty

- 4. (1) Any person who contravenes any provision of this Bylaw is guilty of an offence punishable on summary conviction and liable:
 - (a) to a fine upon first offence of not more than \$250.00;
 - (b) To a fine of not more than \$500.00 for a second conviction under this bylaw within a twelve month period from the date of the first conviction; and

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- (c) To a fine of not more than \$1,000.00 for a third conviction under this bylaw with a twelve month period from the date of the first conviction.

- (2) When a police officer issues a summary ticket for a violation of this Bylaw, that police officer will enter on the ticket the fine amount which, if paid within the time prescribed, will be accepted as a guilty plea to the offence.

- (3) Any person who is in default of payment of a fine imposed pursuant to this section may be liable to a term of imprisonment not exceeding ninety days.

Severability

- 5. If any section, subsection, sentence, clause, phrase or other portion of this Bylaw is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and the holding of the court shall not affect the validity of the remaining portions of the Bylaw.

Coming Into Force

- 6. This Bylaw comes into force on upon third reading.

READ A FIRST TIME THIS 6TH DAY OF OCTOBER 2009.

READ A SECOND TIME THIS 10th DAY OF November 2009.

READ A THIRD TIME AND PASSED THIS 10th DAY OF November 2009.

Mayor

Director of Legislative Services