

TOWN OF PENSE

BYLAW 5/2017

**A BYLAW TO CONTROL AND REGULATE HARASSMENT AND BULLYING OF YOUNG PERSONS
AND OR PERSONS IN THE TOWN OF PENSE**

Whereas, pursuant to Section 8(1) a of *The Municipalities Act* as amended, a Council may pass bylaws respecting the safety, health, and welfare of people and the protection of people and property and respecting people, activities and things in or near public places.

Now therefore under the authority of *The Municipalities Act*, the Council of the Town of Pense, in the Province of Saskatchewan, **ENACTS AS FOLLOWS:**

PART I BYLAW TITLE

1. This bylaw shall be known as the "*Anti-Bullying Bylaw*"

PART II DEFINITIONS

1. "**BULLIED**" means the *repeated or habitual* harassment of others by the real or threatened infliction of physical violence and attacks, racially, ethnic, gender or sexual orientation based abuse, taunts, name calling and put-downs that are verbal, written, or electronically transmitted, or emotional abuse, extortion or stealing of money and possessions or social out-casting.

3. "**Peace officer**" means a member of the Royal Canadian Mounted Police.

4. "**Public Place**" means any place, including privately owned or leased property, to which the public reasonably has or is permitted to have access, whether on payment or otherwise, within the corporate limits of the Town of Pense, including schools, recreational facilities, public parks and sports grounds.

5. "**Young Person**" as per the *Youth Criminal Justice Act* means a person who is 12 years of age or older but less than 18 years of age at time of committing an offence.

Part III ENFORCEMENT

1. No person shall, in any public place:

a. Communicate either directly or indirectly, with any person in a way that causes the person, reasonably in all circumstances to feel bullied.

b. While not taking part in any action described in Part 3, Section 1 (a) encourage or cheer on, any person described in Part 3, Section 1(a).

2. Schools

a. Should an investigation require to be conducted and/or a ticket required to be issued that has resulted from a complaint or an incident that occurred during attendance at school, the Peace Officer is to conduct such after hours, or contact the Principal to arrange special permission(s).

3. Any person who contravenes Part 3, Section 1 (a) of this Bylaw is guilty of an offence punishable on summary conviction and is liable

a. For a first offence, to a minimum specified penalty of \$250.00 and

b. For second, or subsequent offences, to a fine not exceeding \$1000.00 and in default of payment of the fine and costs, to imprisonment for six months.

4. Any person who contravenes Part 3, Section 1(b) of this bylaw is guilty of an offence punishable on summary conviction and is liable:

a. For a first offence, to a minimum specified penalty of \$100.00 and

b. For second, or subsequent offences, to a fine not exceeding exactly \$250.00; and in default of payment of the fine and costs, to imprisonment for six months.

5. If an Offence Notification Ticket is issued in respect of an offence, the Offence Notification Ticket may;

a. Specify the fine amount established by this Bylaw for the offence; or

b. Require a person to appear in court without the alternative of making voluntary payment.

6. A person who commits an offence may:

a. If an Offence Notification Ticket is issued in respect of the offence, and

b. If the Offence Notification Ticket specifies the fine amount established by the Bylaw for the offence, make a voluntary payment equal to the specified fine by delivering the Offence Notification Ticket and the specified fine to the Provincial Court Office specified on the Offence Specification Ticket.

PART IV ENACTMENT

1. This bylaw shall come into effect on September 13th, 2017.



Shawn Young
Mayor

Andrew
Administrator

Read a first time the 12 day of July, 2017
Read a second time the 15 day of August, 2017
Read a third time the 13 day of September, 2017