

**BYLAW 20-004  
OF  
LAC LA BICHE COUNTY**

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A BYLAW OF LAC LA BICHE COUNTY IN THE PROVINCE OF ALBERTA TO CONTROL FIGHTING IN A PUBLIC PLACE, HARASSMENT OF PEOPLE AND FOR THE PURPOSES OF REGULATING THE TIMES WHICH A CHILD SHALL NOT BE IN A PUBLIC PLACE WITHOUT A GUARDIAN PRESENT.

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**WHEREAS** under the authority and pursuant to the *Municipal Government Act, Chapter M-26, R.S.A. 2000*, and amendments thereto, the Council of a municipality may pass bylaws respecting the safety, health and wellness of people and the protection of people and property and respecting people;

**AND WHEREAS** under the provisions of the *Municipal Government Act*, the Council of a municipality may pass bylaws respecting people, activities and things in, on or near a public place or a place that is open to the public;

**AND WHEREAS** under the provisions of the *Provincial Offences Procedure Act, Chapter P-34, R.S.A. 2000*, and under the provision of the *Municipal Government Act*, the Council of a municipality may by bylaw provide the payment of violation tickets or summons out of court;

**AND WHEREAS** Lac La Biche County Council deems it desirable in the best interest of community safety to control and prohibit fighting in a public place, prevent the harassment of persons and to set a curfew for minors within the boundaries of Lac La Biche County;

**NOW THEREFORE** under the authority and pursuant to the provisions of the said *Municipal Government Act*, and by virtue of all other enabling powers, the Council of Lac La Biche County, duly assembled, enacts as follows;

PART 1 - TITLE

1. This bylaw may be cited as "The Community Safety Bylaw".

PART 2 - DEFINITIONS

2. In this bylaw, unless the context otherwise requires:
  - (a) "**Child**" means a person who is or, in the absence of evidence to the contrary, appears to be less than 12 years old, as defined in the *Youth Criminal Justice Act*;
  - (b) "**Council**" means the Council of Lac La Biche County duly assembled and acting as such;
  - (c) "**County**" means Lac La Biche County;
  - (d) "**Harassment**" is any single or repeated incidents of objectionable or unwanted verbal or physical conduct, contact, attention, demands, jokes, comments, insults or actions by a person

that the person knows or ought reasonably to know will or would cause offence, humiliation or adversely affect the health and safety of another person; including any form of discrimination or bullying based on race, religious beliefs, color, sexual orientation, gender, gender identity of expression, physical or mental disability, age, ancestry, place or origin, marital status, source of income, or family status.

- (e) **“Highway”** is as defined in the *Traffic Safety Act, Chapter T6, R.S.A. 2000*.
- (f) **“Legitimate Reason”** means traveling to/from a child’s place of residence to attend public, school or religious events or take part in volunteering activities which are organized and supervised by adults
- (g) **“Parent or Guardian”** means the actual parent, guardian or foster parent of a child and any other person 18 years of age or over who has the care and control of a child;
- (h) **“Peace Officer”** means any sworn member of the Royal Canadian Mounted Police, a Peace Officer appointed under the *Peace Officer Act* or a Bylaw Enforcement Officer employed by the County;
- (i) **“Public Place”** includes any place, whether publicly or privately owned or leased, to which the public have access as of right or by invitation, express or implied and any Highway, parkland, public bridge, roadway, lane, footway, square, court, alley or passage, whether a thoroughfare or not, and includes any open space to which the public have or are permitted to have access, whether by payment or otherwise;
- (j) **“Violation Tag”** means a ticket or similar document issued by a Peace Officer on behalf of the County;
- (k) **“Violation Ticket”** means a ticket issued pursuant to the *Provincial Offences Procedure Act*.

### PART 3 - HARASSMENT/FIGHTING

3. No person shall, in any Public Place or any place to which the public reasonably has access:
- (a) communicate, cause or permit communication, either directly or indirectly using any medium, with any person in a way that would cause a person, reasonably under any circumstances, to feel bullied or harassed;
  - (b) participate, encourage or support any person engaged in an act of bullying or harassing, under any circumstances, of another person or group or persons;
  - (c) cast, project or throw any object, stones or balls of snow or ice or other missiles or cause any object to be a projectile, including any firework, or use any bow or arrow, catapult or other such device on any of the highways or public places of the County in any manner which is dangerous to the public;
  - (d) participate in a fight or other similar physical confrontation;

- (e) Any person who contravenes section 3(a), (b) or (c) is guilty of an offence.

In the prosecution for a contravention of this section, the court may, in the absence of evidence to the contrary, infer from the evidence of a peace officer relating to the conduct of a person or persons, whether ascertained or not, that an offence described in section 3 was caused or occurred.

#### PART 4 - CURFEW

- 4. (a) No child shall be in a public place within the County during the curfew period, which is between the hours of 11:00 p.m. and 6:00 a.m. on any day of the week, without a parent or guardian present unless the child has a legitimate reason.
- (b) No parent or guardian shall 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 or has a legitimate reason.

#### PART 5 - ENFORCEMENT

- 5. A Peace Officer is hereby authorized and empowered:
  - (a) to issue a violation ticket pursuant to the current *Provincial Offences Procedure Act, Chapter P-34, R.S.A. 2000*, as amended, to any person who has contravened any provisions of this bylaw;
  - (b) to apprehend and deliver a child, whom the Peace Officer finds contravening Section 4(a) of this bylaw, to the child's home, a shelter or to a parent or guardian; And
  - (c) to lodge an apprehended child at the Royal Canadian Mounted Police Detachment cells until the child can be delivered to the child's home, a shelter or to a parent or guardian.

#### PART 6 – PENALTY

- 6. Any Person who contravenes any provisions of this bylaw is guilty of an offence and liable upon summary conviction:
  - (a) to a specified penalty for a first offence as set out in Schedule “A” attached hereto and forming part of this bylaw;
  - (b) to a specified penalty for a second/subsequent offence that occurs within one year from the first offence and is double the original penalty a set out in Schedule “A” attached hereto and forming part of this bylaw.

#### PART 7 - SEVERABILITY

- 7. Each provision of this bylaw is independent of all other provisions. If any provision is declared invalid by a court of competent jurisdiction, all other provisions of this bylaw will remain valid and enforceable.

PART 8 - REPEAL

8. Lac La Biche County Bylaw #08-036 shall be repealed upon passage of this bylaw

PART 9 - EFFECTIVE DATE

9. This bylaw shall come into effect upon passing of the third reading.

**THAT BYLAW 20-004 BE GIVEN FIRST READING THIS 4<sup>TH</sup> DAY OF FEBRUARY 2020.**

**THAT BYLAW 20-004 BE GIVEN SECOND READING THIS 4<sup>TH</sup> DAY OF FEBRUARY 2020.**

**THAT BYLAW 20-004 BE SUBMITTED FOR THIRD AND FINAL READING THIS 4<sup>TH</sup> DAY OF FEBRUARY, 2020.**

**THAT BYLAW 20-004 BE GIVEN THIRD AND FINAL READING THIS 4<sup>TH</sup> DAY OF FEBRUARY, 2020.**

“Original Signed”

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Mayor

“Original Signed”

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Chief Administrative Officer

**SCHEDULE "A"**  
**LAC LA BICHE COUNTY BYLAW 20-004**

<b>SPECIFIED PENALTIES</b>			
<b>Section</b>	<b>Offence</b>	<b>First Offence Penalties</b>	<b>Second Offence Penalties</b>
3(a)	Harassment of a person(s)	\$400.00	\$800.00
3(b)	Encourage/Cheer on a person committing offence	\$500.00	\$1,000.00
3(c)	Use object in a manner dangerous to the public	\$500.00	\$1,000.00
3(d)	Participate in a fight in a public place	\$500.00	\$1,000.00
4(a)	Child in a public place during curfew period	\$100.00	\$200.00
4(b)	Allow a child to be in a public place during curfew period	\$100.00	\$200.00