

BYLAW NO. 7/2005

**A BYLAW TO PROVIDE FOR THE REGULATION
OF LOITERING AND PUBLIC NUISANCE**

Whereas council deems it necessary to provide an option or resource for the Royal Canadian Mounted Police officers in an effort to meet the desires of our residents and to make the Town of Regina Beach a safer place in which to live, do business and retain our quality of life.

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:

- a) the peace, order and good government of the municipality;
- b) the safety, health and welfare of people and the protection of people and property;
- c) people, activities and things in, on or near a public place or place that is open to the public;
- d) nuisances, including property, activities or things that affect the amenity of a neighborhood;

The council of the Town of Regina Beach in the Province of Saskatchewan, enacts as follows:

1. This bylaw may be referred to as the Loitering Bylaw.
2. In this bylaw, unless the context otherwise requires:
 - a) "Peace officer" means a member of the Royal Canadian Mounted Police;
 - b) "Street or road" means all or any part of a public highway, road, lane, place, alley, square, thoroughfare or way intended for or used by the general public for the passage of vehicles or pedestrians;
 - c) "Park" means any green space under the jurisdiction of the Town of Regina Beach;
 - d) "Loiter or loitering" means to stand idly or to remain in any area with no obvious reason or purpose.
3. Guidelines:
 - a) That no person shall by any manner or conduct commit any public nuisance by collecting, loitering, or standing as idlers, in any park, or any street or sidewalk, or parking lot in the Town of Regina Beach, or on the steps of, or approach to, a house or other premises open to the public street, whereby the public are liable to be subjected to any disturbance, annoyance or physical harm;
 - b) That any person contravening the provisions of this bylaw may be arrested without warrant by any peace officer having jurisdiction in the Town of Regina Beach.
 - c) No person shall loiter in a public place or on any street after the hour of 12:00 o'clock midnight and before the hour of 5:00 a.m. on any day.
 - d) For the purpose of this bylaw, a person is not unlawfully loitering if he/she is in the area designated for public gatherings where special events will be or are taking place.
 - e) For the purposes of this bylaw, a person is not unlawfully loitering if he/she is carrying out the duties of employment or traveling to or from his/her place of employment or residence.
4. Penalties:

Any person who contravenes this bylaw is guilty of an offense and liable to summary conviction:

 - a) to pay a fine not exceeding \$500.00;
 - b) to perform not more than 200 hours of community service under the supervision of the Town of Regina Beach;
 - c) each contravention of this bylaw shall be deemed to be a separate offense.
5. This bylaw shall come into force January 1, 2006.

Read a third time and adopted
this 13th day of September, 2005.

MAYOR

TOWN ADMINISTRATOR