

TOWN OF TISDALE

BYLAW NO. 8/98

BYLAW OF THE TOWN OF TISDALE TO REGULATE AND CONTROL THE CONDUCT OF PERSONS ATTENDING THE PUBLIC PLACES OWNED OR OPERATED BY THE TOWN OF TISDALE.

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

1. INTERPRETATION

- 1) In this bylaw:
 - a) “Recreation Director” means the Recreation and Parks Manager for the Town of Tisdale and anyone acting or authorized by the Recreation Director to act on his behalf.
 - b) “Disorderly or disruptive conduct” includes;
 - i) fighting, swearing or spitting
 - ii) using insulting, obscene or threatening language or gestures
 - iii) impeding, molesting or obstructing other persons in the comfortable enjoyment of the Public Places
 - iv) unlawful possession of or intoxication from alcohol.
 - c) “Peace Officer” means a member of the Royal Canadian Mounted Police.
 - d) “Public Place” for the purpose of this bylaw shall mean a place or building owned and/or operated by the Town of Tisdale to which the public has or is permitted to have access, including a park or playground or other place or public resort or amusement.
2. All powers and authority granted to or vested in the Recreation Director under this bylaw may be delegated by him to any employee or agents of the Town of Tisdale under his supervision or direction.

2. OFFENCES

- 1) Any person who engages in disorderly or disruptive conduct in a public place is guilty of an offence and liable on summary conviction to the penalties prescribed by this bylaw.
- 2) Any person who engages in or has engaged in disorderly or disruptive conduct in a public place may be asked to leave the public place by the Recreation Director. If the person refuses to leave the public place when requested to do so, he or she may be forcibly removed therefrom by a Peace Officer.
- 3) Any person who refuses to leave a public place when requested by the Recreation Director under this bylaw is guilty of an offence and liable on summary conviction to the penalties prescribed by this bylaw.

3. SUSPENSIONS

1. a) The Recreation Director may impose on any person he considers to have engaged in disorderly or disruptive conduct in a public place the following periods of suspension:
 - i) a period of not more than 1 year for a first infraction;
 - ii) a period of not more than 2 years for a second or subsequent infraction.
- b) During the period of suspension, the person so suspended shall not enter or attend upon the public place or places to which the suspension relates.

- c) The Recreation Director shall give written notice of the suspension to the offender, which written notice may be delivered by:
 - i) personal service on the person, or;
 - ii) ordinary mail addressed to the mailing address of the person if known to the Recreation Director or the Town of Tisdale, or;
 - iii) publication in a newspaper distributed in the municipality in which the person resides.
- d) Notice of the suspension will be deemed to have been received by the person on the 3rd day following the mailing or publication of the notice, as the case may be.
- 2) The person so suspended shall have the right to appeal the suspension to the Council of the Town of Tisdale by filing a written request for an appeal within 10 days of the notice of the suspension being received by the person. Upon receipt of a request for an appeal, the Council shall notify the person in writing of the date and time set for the hearing of the appeal and shall give the offender the opportunity to be present and to be heard on the appeal. The decision of Council shall be final and not subject to further appeal. The suspension shall be stayed between the filing of the appeal and the decision of Council.
- 3) Any person who enters or attends upon a public place while suspended from doing so under this bylaw is guilty of an offence and liable on summary conviction to the penalties prescribed by this bylaw.

4. PENALTIES

- 1) A person who contravenes any of the provisions of this bylaw shall be guilty of an offence and upon conviction, shall be liable to:
 - i) a penalty of not more than \$500.00 upon the first conviction;
 - ii) a penalty of not more than \$1,000.00 for a second or subsequent conviction.

5. INDEMNIFICATION

No action lies or shall be instituted against the Town of Tisdale, its Council, the Recreation Director or any officer, employee, agent or adviser of the Town of Tisdale for any loss or damage suffered by any person by reason of anything in good faith done, caused, permitted or authorized to be done, attempted to be done or omitted to be done, by any of them, pursuant to or in exercise of or supposed exercise of power conferred by this bylaw.

6. COMING INTO FORCE

This bylaw shall come into force and take effect upon its date of passing.

MAYOR

TOWN ADMINISTRATOR