

BYLAW 2 - 2013

A BYLAW OF THE TOWN OF ESTON, IN THE PROVINCE OF SASKATCHEWAN, TO CONTROL AND REGULATE HARASSMENT AND BULLYING OF MINORS AND/OR PERSONS IN THE TOWN OF ESTON.

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 *The Municipalities Act*, The Council of the Town of Eston, 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 and social out-casting.
2. "Minor" means an individual less than 18 years of age.
3. "Peace Officer" means a member of the Royal Canadian Mounted Police, or a Special Constable appointed by the municipality.
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 Eston, including schools, recreational facilities, public parks and sports grounds.

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 the 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. 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 \$1,000.00; and in default of payment of the fine and costs, to imprisonment for six months.
3. 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 \$250.00; and in default of payment of the fine and costs, to imprisonment for six months.
4. 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 a voluntary payment.
5. 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 Notification Ticket.

PART IV ENACTMENT

1. This bylaw shall come into effect on January 23, 2013.