

OFFICE CONSOLIDATION

BYLAW NUMBER 3M99

**BEING A BYLAW OF THE CITY OF CALGARY TO
REGULATE PANHANDLING**

(Amended by Bylaw number 6M2004, 40M2008)

WHEREAS the practice of panhandling has been identified as a significant social and safety concern;

AND WHEREAS public awareness and outreach programs to promote alternative income generating or support options are available for panhandlers;

AND WHEREAS a bylaw regulating panhandling is a required part of this coordinated approach to ameliorate the negative impact of panhandling activities;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF CALGARY ENACTS AS FOLLOWS:

1. This Bylaw may be cited as the "Panhandling Bylaw"
2. In this Bylaw:
 - (a) "*panhandling*" means the personal, verbal and direct solicitation by a person of gratuitous donations of money, food or goods of any kind from any member of the public, but does not include a solicitation allowed or authorized pursuant to the Charitable Fund-raising Act, R.S.A. 2000, c.C-9.
 - (b) "*pedestrian walkway*", means an elevated space which is enclosed and designed for the passage of pedestrians between buildings or open spaces, including any direct stairway from grade thereto, and also includes the sidewalk portion of any underpass;
 - (c) "*transit stop*" means the portion of a street signed by the City of Calgary for loading and unloading of Calgary Transit buses, including any shelter thereon, and station structures designed for the loading and unloading of passengers using the light rail transit system.

(d) "*verbal*" means spoken, written or gestural.

(B/L 40M2008, 2008 July 28)

3. No person shall engage in panhandling within 10 metres of the following:
 - (a) the entrance to a bank, credit union, trust company or other financial institution where cash can be withdrawn, or

- (b) an automated teller machine or other device from which cash can be electronically accessed, or
 - (c) a transit stop,
 - (d) any pedestrian walkway.
4. No person shall engage in panhandling between the hours of 8:00 p.m. and 8:00 a.m.
 5. No person shall engage in panhandling from any person who, at the time, is an occupant of a motor vehicle.
 6. No person shall continue to engage in panhandling, otherwise permitted by this Bylaw, with a person who has refused or declined the solicitation.
 7. No person shall, while engaging in panhandling, move to obstruct the passage of, walk next to, or follow the person being solicited.
 8. Any person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction to a fine of not more than Ten Thousand (\$10,000) Dollars and in default of payment to imprisonment for a term not exceeding one (1) year.
 - 8.1 The specified penalty for a contravention of any provision of this Bylaw is \$50.00.
(B/L 6M2004, 2004 January 26)
 - 8.2 Section 8.1 shall not prevent any enforcement officer from issuing a violation ticket requiring a court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedures Act, R.S.A. 2000 c. P-24, or from laying an information in lieu of issuing a violation ticket.
(B/L 6M2004, 2004 January 26)
 - 8.3 Notwithstanding the specified penalty set out in Section 8.1, if a person is convicted twice or more times of the same provision of this Bylaw within a 24 month period, the specified penalty for the second and subsequent convictions shall be \$100.00.
(B/L 6M2004, 2004 January 26)
 9. Section 16 of Bylaw 52M87, the Stephen Avenue Mall Bylaw is repealed.
 10. Section 8 (5) of Bylaw 17M84, the Barclay Mall Bylaw is repealed.

11. This Bylaw comes into force on the day it is passed.

READ A FIRST TIME THIS 8th DAY OF MARCH, 1999

READ A SECOND TIME, AS AMENDED, THIS 8th DAY OF MARCH, 1999

READ A THIRD TIME, AS AMENDED, THIS 8th DAY OF MARCH, 1999

(Sgd.) A. Duerr
MAYOR

(Sgd.) D. Garner
CITY CLERK

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