

OFFICE CONSOLIDATION

BYLAW NUMBER 54M2006

**BEING A BYLAW OF THE CITY OF CALGARY
TO REGULATE PUBLIC BEHAVIOUR**

WHEREAS under the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, the Council of The City of Calgary may pass Bylaws respecting the safety, health and welfare of people and the protection of people and property;

AND WHEREAS under the provisions of the *Municipal Government Act*, RSA 2000, c. M-26, the Council of The City of Calgary may pass Bylaws respecting people, activities and things in, on or near a public place or place that is open to the public;

AND WHEREAS it is desirable to establish a Bylaw to regulate problematic social behaviours that may have a negative impact on the enjoyment of public spaces within the municipal boundary;

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

1. This Bylaw may be cited as the “Public Behaviour Bylaw”.

INTERPRETATION

2. (1) In this Bylaw unless the context otherwise requires:
 - a) “City” means the municipal corporation of the City of Calgary or the area contained within the boundary thereof as the context requires;
 - b) “defecate” means to discharge waste matter from the bowels;
 - c) “fight” means any confrontation involving violent physical contact between two or more people;
 - d) “officer” includes Bylaw Enforcement Officers and police officers;
 - e) “public place” means any place within the City to which the public may have either express or implied access;
 - f) “spit” means to eject phlegm, saliva, chewing tobacco juice or any other substance from the mouth;
 - g) “urinate” means to discharge urine from the body.
- (2) Each provision of this Bylaw is independent of all other provisions and if any provision is declared invalid for any reason by a Court of competent jurisdiction, all other provisions of this Bylaw remain valid and enforceable.

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- (3) Nothing in this Bylaw relieves a person from complying with any provision of any federal or provincial law or regulation, other bylaw or any requirement of any lawful permit, order or licence.
- (4) Any heading, sub-headings, or tables of contents in this Bylaw are included for guidance purposes and convenience only, and shall not form part of this Bylaw.
- (5) Where this Bylaw refers to another Act, bylaw, regulation or agency, it includes reference to any Act, bylaw, regulation or agency that may be substituted therefor.
- (6) All the schedules attached to this Bylaw shall form a part of this Bylaw.

FIGHTING

3. No person shall participate in a fight in any public place.

URINATION & DEFECATION

4. No person shall defecate or urinate in or on a public place or in public on any private property.

SPITTING

5. No person shall spit on any street, sidewalk, pathway, trail, or in or on any public place or in public on a private property.

LOITERING

6. (1) No person shall loiter in a public place and thereby obstruct any other person.
- (2) No person shall stand or put his feet on the top or surface of any table, bench, planter or sculpture placed in any public place.

POSSESSION OF VISIBLE KNIFE

7. No person shall carry a visible knife in any public place.

OFFENCES AND PENALTIES

8. (1) Every person who contravenes any of the provisions of this Bylaw by doing any act or thing which the person is prohibited from doing is guilty of an offence.
- (2) Any person who is convicted of an offence pursuant to this Bylaw is liable on summary conviction to a fine not exceeding \$10,000.00, and in default of payment of any fine imposed, to imprisonment for not more than six (6) months.
- (3) The specified penalty payable in respect of a contravention of a provision of this Bylaw is the amount shown in Schedule "A" of this Bylaw in respect of that provision.

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- (4) Where an officer believes that a person has contravened any provision of this Bylaw, he may commence proceedings by issuing a violation ticket in accordance with the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34.
- (5) This Section shall not prevent any officer from issuing a violation ticket requiring the court appearance of the defendant, pursuant to the provisions of the Provincial Offences Procedure Act, R.S.A. 2000, c. P-34. or from laying an information instead of issuing a violation ticket.

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

READ A FIRST TIME THIS 13TH DAY OF NOVEMBER, 2006.

READ A SECOND TIME THIS 13TH DAY OF NOVEMBER, 2006.

READ A THIRD TIME THIS 20TH DAY OF NOVEMBER, 2006.

(Sgd.) D. Bronconnier
MAYOR

(Sgd.) B. Clifford
DEPUTY CITY CLERK

SCHEDULE "A"
SPECIFIED PENALTIES

SECTION	OFFENCE	SPECIFIED PENALTY
3	Fight in public	\$250.00
4	Urinate or defecate in public	\$300.00
5	Spit in public	\$100.00
6(1)	Loitering and obstructing	\$250.00
6(2)	Stand or put feet on a table/bench/planter/sculpture	\$50.00
7	Carry a visible knife in public	\$50.00