

Bylaw 5-2026

TOWN OF CREIGHTON

LOITERING BYLAW AND COMMUNITY STANDARDS BYLAW

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TOWN OF CREIGHTON

**A BYLAW OF THE TOWN OF CREIGHTON
TO REGULATE LOITERING AND COMMUNITY STANDARDS**

A bylaw of the Town of Creighton, in the Province of Saskatchewan, to regulate and prohibit certain activities in order to keep peace and a safe community.

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

Whereas Section 8(1) of The Northern Municipalities Act states in part:

A Town has the general power to pass any bylaws for Town purposes that it considers expedient in relation to the following matters respecting the Town:

- (a) the peace, order and good government of the Town;
- (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; nuisances, including property, activities or things that affect the amenity of a neighbourhood.

And Whereas Council for the Town of Creighton deems it necessary and advisable to enact a bylaw for such purposes:

COUNCIL FOR THE TOWN OF CREIGHTON ENACTS AS FOLLOWS:

Short Title

- 1. This Bylaw shall be called the "Loitering Bylaw and Community Standards Bylaw"

Section 1 - General Definitions

- 2. **General Definitions:** In this Bylaw, the following definitions shall apply:
Unless otherwise defined in this bylaw, terms herein shall have the meanings as set out in *The Northern Municipalities Act, 2010*.
 - (a) **"Bullying"** means unprovoked, repeated and inappropriate comment(s) or action(s) meant to cause harm or fear in the recipient, either directly or through any medium whatsoever.

General Definitions continued

- (b) **"Drinking Establishment"** means a business, the primary purpose of which is the sale of alcoholic beverages for consumption on the premises in which the business is located and the secondary purposes of which may include entertainment, dancing, music, the preparation and sale of food for consumption on the premises, take-out food services, the sale of alcoholic beverages for consumption away from the premises, and entertainment. A Drinking Establishment includes any premises in respect of which the Saskatchewan Gaming and Liquor Commission has issued a "Class A" Liquor License and where the terms of the license prohibit minors.
- (c) **"Garbage Littering"** means discarded food, waste, or any other unwanted material.
- (d) **"Graffiti"** means the defacement or disfiguring of any property or object, through the performance of any of the following acts:
 - i. the application of any substance, including paint, ink, stain or whitewash to any surface; or
 - ii. the affixing of any substance, including paper, fabric or plastic, by any form of adhesion that does not remove cleanly when pulled away from the applied surface; or
 - iii. the marking, scratching, etching or other alteration or disfigurement of any surface.
- (e) **"Loitering"** means the act of remaining in a particular public place for a protracted time, without any apparent purpose. Peace Officer may ask a person to stop loitering in a public place (in other words, to leave the place) where they believe on reasonable grounds:
 - i. that an offence has been, or is about to be, committed by the person or by others in the area (as more usually happens);
 - ii. that a breach of the peace has occurred, is occurring, or is about to occur, in the area of the person or group;
 - iii. that there is, or is about to be, an obstruction to pedestrians or traffic caused by the presence of the person or of others in the area;
 - iv. that the safety of a person or people in the area is in danger.
- (f) **"Minor"** means an individual less than 18 years of age.
- (g) **"Notice of Violation"** means a notice issued by the Town allowing for the voluntary payment to the Town of a specified fine established by the Bylaw.
- (h) **"Panhandling"** means to ask for a gratuitous donation of money, food or goods of any kind, whether by spoken or printed word, or bodily gesture, but does not include the solicitation of charitable donations allowed or authorized pursuant to the Charitable Fundraising Act, or any other legislation permitting the solicitation of charitable donations.
- (i) **"Parent or Guardian"** means the parent, guardian or foster parent of a Minor.
- (j) **"Peace Officer"** means a Bylaw Enforcement Officer or a member of the Royal Canadian Mounted Police.

General Definitions continued

- (k) **"Public place"** means a place to which the general public has a right to access or use whether such place is publicly or privately owned, within the Town of Creighton, including:
 - i. A road, street, land, alley, driveway, boulevard or sidewalk.
 - ii. A public parking lot.
 - iii. A building to which the public has or is permitted access, including its entrance areas.
 - iv. A park or playground.
 - v. Any unoccupied land or building; and
 - vi. Any privately-owned property dedicated to public use or which the public has usual access.

- (l) **"Violation Ticket"** means a summons ticket as defined in The Summary Offences Procedure Act, 1990, as the same may be amended or replaced from time to time.

**Section 2 - Loitering, Assembly of Persons, Bullying, Fighting, Panhandling
Loitering/Assembly of Persons**

- (a) No person shall loiter and thereby obstruct any other person in any Public Place.

- (b) No person shall be a member of an assembly of three or more people in any Public Place where a Peace Officer has reasonable grounds to believe the assembly will disturb the peace of the neighborhood, and any such person shall disperse as requested by a Peace Officer.

Section 3 - Fighting/Bullying

- (a) No person shall participate in a fight or any physical confrontation in any Public Place.

- (b) Bullying by Minor
 - i No Minor shall bully any person in any Public Place.
 - ii No Minor shall participate in or encourage by verbal or public means the bullying of any person in any Public Place.

- (c) Bullying by Adult
 - i No adult shall bully any person in any Public Place.
 - ii No adult shall participate in or encourage by verbal or public means the bullying of any person in any Public Place.

Section 4 - Littering/Garbage

- (a) No Person shall drop, leave, bury, throw, or otherwise deposit garbage, junk, rubbish, advertisements, or other litter anywhere in Town, except in a container designated for that purpose.

- (b) No person shall cause or permit to be caused the open burning of trash, refuse, garbage, junk, industrial waste, or any other materials or waste in an open fire or incinerator in a manner that causes air pollution within the Town.

Section 5 - Panhandling

- (a) No person shall engage in Panhandling in any Public Place.

Section 6 - Nuisance, Graffiti

- (a) No person shall place or cause Graffiti to be placed on any property. Without limiting the generality of the foregoing:
 - i. Every property owner shall ensure that Graffiti placed on their property is removed, painted over, or otherwise permanently blocked from public view; and
 - ii. In a prosecution for an offence under this Part, the consent of the property owner to place Graffiti on the property shall not be a defense under this bylaw.
- (b) Temporary art or advertising on property approved by the owner of the property is not Graffiti.

Section 7 - Spitting/Urinating/Human Waste

- (a) No person shall urinate or deposit any human waste in any Public Place other than in a public washroom.
- (b) No person shall spit at any person in a Public Place or on any public property or on private property that they do not own.

Section 8 - Enforcement

Penalties

1. Any person who breaches any provision of this Bylaw is guilty of an offence and liable upon summary conviction to a mandatory penalty:
 - (a) in the amount specified in Schedule "A"; or
 - (b) for any offence for which there is no penalty specified, to a penalty of not less than \$200.00 and not more than \$10,000.
 - (c) and in default of payment of any penalty, to imprisonment for up to 6 months.
2. Any person who commits a second or subsequent offence under this Bylaw within 12 months of committing a first offence under this Bylaw, is liable to an increased fine as set out in Schedule "A".
3. For an offence that is of a continuing nature, a contravention constitutes a separate offence for each day or part of day on which it continues. Any person guilty of such an offence is liable to a fine in an amount not less than that established by the Bylaw for each such day.
4. A Peace Officer who has reasonable grounds to believe that a person has contravened any provision of this Bylaw, may issue and serve upon the person:
 - (a) A Notice of Violation allowing payment of the specified penalty as set out in Schedule "A" of this Bylaw to the Town, which payment will be accepted by the Town in lieu of prosecution for the offence. If the penalty is paid to the Town within seven calendar days of the Notice of Violation, the amount of the fine shall be reduced by 50%. Should payment of the specified penalty not be made to the Town within the time specified on the Notice of Violation, a Violation Ticket may be issued and served upon the person; or

Section 8 - Enforcement continued

- (b) A Violation Ticket, allowing a voluntary payment of the specified penalty as set out in Schedule "A" of this Bylaw, or requiring a person to appear in court without the alternative of making a voluntary payment.
- 5. Nothing in Section 8 prevents a Peace Officer from issuing a Violation Ticket without having first issued a Notice of Violation.
- 6. The fine may be paid:
 - (a) in person, during regular office hours, to the cashier located at 300 First Street East, Creighton, Saskatchewan
 - (b) by deposit, at the depository located at the main entrance to Town Office, 300 First Street East, Creighton, Saskatchewan or;
 - (c) by mail addressed to the Office of the Town Clerk, Town Hall, Box 100, Creighton, Saskatchewan, S0P 0A0
- 7. If the fine imposed is paid within 7 calendar days of the date of the notice of bylaw violation, the fine shall be discounted by 50%.
- 8. If payment of the fine is made prior to the date when the person contravening Section 17 is required to appear in court to answer a charge, the person shall not be liable to prosecution for that offence.

Section 9 - Miscellaneous

Severability

- 1. Should any provision of this bylaw be found void or unenforceable, then it is the express intention of Town Council that such void or unenforceable sections be severed from this bylaw and the balance remain in full force and effect.

Section 10 - Coming into Force

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

Read a first time this 8th day of July, 2026.

Read a second time this 8th day of July, 2026.

Passed and read a third and final time this 8th day of July, 2026.

(Seal)

Mayor

Chief Administrative Officer

Schedule “A”
Schedule of Fines

<u>Section</u>	<u>Offence</u>	<u>Fine</u>
2	Loitering	
	(a) First offence	\$200.00
	(b) Second offence and subsequent offences	\$500.00
2	Being a member of an assembly and failing to disperse as directed by a Peace Officer	
	(a) First offence	\$200.00
	(b) Second offence and subsequent offences	\$500.00
3	Fighting in a Public Place	
	(a) First offence	\$200.00
	(b) Second offence and subsequent offences	\$500.00
3 (b)	Bullying by a Minor	
	(a) First offence	\$200.00
	(b) Second offence and subsequent offences	\$500.00
3 (c)	Bullying by an Adult	
	(a) First offence	\$200.00
	(b) Second offence and subsequent offences	\$500.00
4	Littering/Garbage	
	(a) First offence	\$500.00
	(b) Second offence and subsequent offences	\$1,000.00
5	Panhandling	
	(a) First offence	\$200.00
	(b) Second offence and subsequent offences	\$500.00
6	Nuisance Graffiti/Placing Graffiti on property	
	(a) First offence	\$1,000.00
	(b) Second offence and subsequent offences	\$2,000.00
6 (a) (i)	Failure to remove Graffiti	
	(a) First offence	\$1,000.00
	(b) Second offence and subsequent offences	\$2,000.00
7	Urinating/Depositing Human Waste in public place/Garbage/Littering	
	(a) First offence	\$200.00
	(b) Second offence and subsequent offences	\$500.00
7 (b)	Spitting in Public Place	
	(a) First offence	\$200.00
	(b) Second offence and subsequent offences	\$500.00