



**BYLAW NO. 1556-05**  
**of the**  
**Town of Pincher Creek**  
**A BYLAW IN THE TOWN OF PINCHER CREEK,**  
**IN THE PROVINCE OF ALBERTA, TO CONTROL**  
**AND REGULATE HARASSMENT AND BULLYING OF MINORS**  
**AND/OR PERSONS IN THE TOWN OF PINCHER CREEK**

**WHEREAS** the Municipal Government Act, R.S.A 2000, Chapter M-26, and amendments thereto authorize a municipality to pass bylaws respecting the safety, health and welfare of people and the protection of people and property and respecting people, activities and things in on or near public places.

**NOW THEREFORE**, the Council of the Town of Pincher Creek hereby enacts as follows:

This Bylaw may be cited as the "Bullying Bylaw".

**DEFINITIONS**

1. In this Bylaw:
  - a. "**Bullied**" means the harassment of others by the real or threatened infliction of physical violence and attacks, racially or ethnically-based verbal abuse and gender-based put-downs, verbal taunts, name calling and put downs, written or electronically transmitted, or emotional abuse, extortion or stealing of money and possessions and social out casting.
  - b. "**Minor**" means an individual under 18 years of age.
  - c. "**Peace Officer**" means a member of the Royal Canadian Mounted Police, or a Special Constable appointed pursuant to the provisions of the Police Act, Revised Statutes of Alberta, 2000, Chapter P-17 and all amendments or successors thereto.
  - d. "**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 Pincher Creek.
  - e. "**Violation Ticket**" means a violation ticket as defined in the Provincial Offences Procedure Act.

**ENFORCEMENT**

2. 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 2, Section 1(a), encourage or cheer on, any person described in Part 2, Section 1(a).
3. Any person who contravenes Part 2, 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 specified penalty of not less than \$250.00; and
  - b. For a second, or subsequent offences, to a fine not exceeding \$1,000.00; and
  - c. in default of payment of the fine and costs, to imprisonment for six months.

A handwritten signature in blue ink, appearing to be "J.K.", is located in the bottom right corner of the page.

- 4. Any person who contravenes Part 2, 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 specified penalty of not less than \$100.00; and
  - b. for a second offence or subsequent offences, to a fine not exceeding \$250.00; and
  - c. in default of payment of the fine and costs, to imprisonment for six months.
  
- 5. If a Violation Ticket is issued in respect of an offence, Violation 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.
  
- 6. A person who commits an offence, may;
  - a. if a Violation Ticket is issued in respect of the offence; and
  - b. if the Violation Ticket specifies the fine amount established by the Bylaw for the offence

make a voluntary payment equal to the specified fine by delivering the Violation Ticket and the specified fine to the Provincial Court Office specified on the Violation Ticket.

This Bylaw shall come into full force and effect upon final reading.

READ A FIRST TIME THIS 25 DAY OF July 2005, A.D.

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Mayor, Don Anderberg

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CAO, Fran Kornfeld

READ A SECOND TIME THIS 22 DAY OF August 2005, A.D.

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Mayor, Don Anderberg

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CAO, Fran Kornfeld

READ A THIRD TIME THIS 22 DAY OF August 2005, A.D.

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Mayor, Don Anderberg

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CAO, Fran Kornfeld