

CITY OF MELFORT

Amended

BYLAW NO. 97-08

A BYLAW TO PREVENT PERSONS FROM LOITERING IN OR ABOUT PUBLIC PLACES IN THE CITY OF MELFORT.

THE COUNCIL of the City of Melfort, in the Province of Saskatchewan enacts as follows:

1. **THIS BYLAW** shall be known as "**THE LOITERING BYLAW**"
2. **LOITERING** for purposes of this bylaw shall mean "*Hanging Around*" and shall include inter alia remaining in or about or near the vicinity of a public place without any apparent purpose or reason.
3. **PUBLIC PLACE** for the purpose of this bylaw shall mean:
 - (a) a highway, road, street, sidewalk, lane or other thoroughfare; or
 - (b) parking lot; or
 - (c) a place or building to which the public has or is permitted to have access; or
 - (d) a park or playground or other place of public resort or amusement; or
 - (e) any unoccupied land or building; or
 - (f) in relation to a person who enters occupied land or an occupied building without the consent of the occupant, the land or building so entered; or
 - (g) no person or persons shall stand in groups or sit or lounge on a public street in front of a licensed premises, restaurant, poolroom, boarding house, hotel or place of public accommodation or place of public entertainment so as to cause any obstruction to the free use of the street, or by any manner cause any obstruction to the free egress and ingress and use of any doorways abutting on the street, or on the step of or approach to any premises or dwelling open to a street whereby the public are subjected to disturbance or annoyance.
 - (h) Any occupied land or building; or
 - (i) A conveyance while it is at, in, or on any place, building, thoroughfare or land that by virtue of sub-clauses (a), (b), (c), (d), (e), (g) and (h) is a public place.
4. Every one who, without lawful excuse, the proof of which lies upon him, loiters in or about or near the vicinity of a public place is guilty of an offence punishable on summary conviction.
5. Any person convicted of a breach of the provisions of this bylaw shall forfeit and pay at the discretion of the convicting Judge of the Magistrates Court or Justice of the Peace having jurisdiction in the City of Melfort, a penalty not exceeding Five Hundred (\$500.00) Dollars exclusive of costs and upon default of payment thereof, the person convicted may be committed to a jail; the guardroom of the The Royal Canadian Mounted Police, or to a public lockup for any time determined by the said Judge of the Magistrates Court or Justice of the Peace not exceeding thirty (30) days unless the penalty and costs, including the costs of committal and of the conveyance of the person convicted to the said jail, guardroom or lockup are sooner paid.

INTRODUCED AND READ a first time this 5th day of May, 1997

READ A SECOND TIME the 5th day of May, 1997

READ A THIRD TIME and passed this 5th day of May, 1997

“Arnold Orr”

Mayor

“Joanne Forer”

City Clerk

SEAL

**This is a Certified True copy of Bylaw No. 97-07
adopted by Resolution of Council on the 5th day of
May, 1997**

City Clerk