

## Bylaw No. 02(2022)

### A BYLAW OF THE TOWN OF OUTLOOK TO CONTROL HARASSMENT AND BULLYING OF PERSONS IN THE TOWN OF OUTLOOK, KNOWN AS THE “ANTI-BULLYING and HARASSMENT BYLAW”

The Council of the Town of Outlook, in the Province of Saskatchewan, enacts as follows:

1. This Bylaw may be cited as the Anti-Bullying and Harassment Bylaw.
2. **Purpose:**
  - 2.1. The purpose of this Bylaw is to promote the safety, health and welfare of people by prescribing certain anti-social behavior not otherwise covered by the Criminal Code of Canada.
  - 2.2. Pursuant to Section 4(1) of the Municipalities Act as amended, a municipality’s purpose includes developing and maintaining safe and viable community, and to foster economic, social and environmental well-being,
  - 2.3. Pursuant to Section 8(1) of the Municipalities Act as amended, a Council may pass Bylaws respecting the safety, health and welfare of people and the protection of people and property and the respecting of people, activities and things in or near public places.
  - 2.4. Bullying, cyber-bullying and harassment in any community should not be tolerated and every effort should be made between all agencies, organizations and levels of government to curb bullying.
  - 2.5. Bullying, cyber-bullying and harassment in schools, the workplace, and in everyday life is an ongoing concern because of the short and long-term lasting effects on the victim(s).
  - 2.6. Bullying and cyber -bullying has evolved to having a presence on the World Wide Web known as cyber-bullying;
3. **DEFINITIONS:**
  - 3.1. In this Bylaw:
    - 3.1.1. “Bullied” means the person or persons subjected to bullying.
    - 3.1.2. “Bullying” means the deliberate repeated or habitual harassment or hostile treatment of another or others by an individual or group, and intend to harm others. Bullying is a physical or verbal action. It can be, but not limited to, the real or threatened infliction of physical violence or attack, racially, ethnic, gender or sexual orientation based abuse or taunts, name calling and put-downs that are verbal, written or electronically or cyber transmitted and or posted; emotional abuse; spreading of false and ill-intended information; denigration; extortion or stealing of money and possessions; social out-casting.
    - 3.1.3. “Cyber-bullying” means bullied as defined in this section where the actions are conducted over any form of digital or information technology space.
    - 3.1.4. “Harassment” includes unwanted physical or verbal behavior that offend or humiliates another person. Harassment is a behavior that persists over time. Serious one-time incidents can also be considered harassment. It can include, but is not limited to: unwelcome remarks or jokes about your race, religion, sex, age, disability or any other of the grounds of discrimination, threats or intimidates because of race, religion, sex, age, disability or any other of the grounds of discrimination, makes unwelcome physical contact with you such as touching, patting or pinching.
    - 3.1.5. “Peace Officer” means a member of the Royal Canadian Mounted Police or other police service.
    - 3.1.6. “Public Place” means any place within the corporate limits of municipality that is meant to encourage any form of interaction between persons and to which a member, or members, of the public reasonably have access, or is permitted to have access, whether on payment or otherwise. This place can be a physical place (i.e. schools, recreational facilities, restaurants, parks, grocery store, retail centers, sports grounds, commercial

work places, places of worship, hotels, etc.), private or publically owned or leased; or, this space can be digital or information technology space, private or publically owned or leased, where digitized content is transmitted over the internet, computer networks, or other cyber technology.

**4. ENFORCE, INFRACTION AND PENALTY**

4.1. No person shall, in any public place:

- 4.1.1. Communicate either directly or indirectly, with any person in a way that causes the person, reasonably in all circumstance, to feel bullied;
- 4.1.2. While not taking part in any action described in Section 4.1.1 encourage or cheer on any person who communicates either directly or indirectly, with any person in a way that causes the person, reasonably in all the circumstances, to feel bullied.

4.2. Any person who contravenes Section 4.1.1 of this Bylaw is guilty of an offence punishable on summary conviction and is liable:

- 4.2.1. For a first offence, to pay a penalty of \$250.00 dollars and/or 25 hours of community service, or otherwise determined by a Saskatchewan Provincial Court.
- 4.2.2. For a second offence, or subsequent offences, to a fine of \$1000.00 and/or 50 hours of community service; and in default of payment of the fine and costs, to imprisonment for six months, or otherwise determined by the Saskatchewan Provincial Court.

4.3. Any person who contravenes Section 4.1.2 of this Bylaw is guilty of an offence punishable on summary conviction and is liable:

- 4.3.1. For a first offence, to pay a penalty of \$100.00; and
- 4.3.2. For a second or subsequent offence, to a fine not exceeding \$250.00 and/or 25 hours of community service; and in default of payment of the fine costs, to imprisonment for six months, or otherwise determined by the Saskatchewan Provincial Court.

4.4. If a summary conviction is issued in respect of an offence, the summary conviction may:

- 4.4.1. Specify the fine amount established by this bylaw for the offence; or
- 4.4.2. Require a person to appear in Saskatchewan Provincial Court without the alternative of making a voluntary payment.

4.5. A person who commits an offence, may:

- 4.5.1. If a summary conviction is issued in respect of the offence; and
- 4.5.2. If the Summons conviction specifies the fine amount established by the Bylaw for the offence.
- 4.5.3. Make a voluntary payment equal to the specified fine by delivering the Summary Conviction ticket and the specified fine to the Provincial Court Office specified on the Offence Notification Ticket.

4.6. The Town should, upon receipt of payments of fines, dedicate the payment or a portion thereof received by the Town, to a local charitable organization helping victims of harassment or similar unjust actions

**5. MISCELLANEOUS**

This Bylaw shall come into force and take effect on the date of final reading thereof.



Mayor

Administrator