

THE CITY OF EDMONTON
BYLAW 20700
PUBLIC SPACES BYLAW

Edmonton City Council enacts:

PART I - PURPOSE AND INTERPRETATION

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| PURPOSE | 1 | The purpose of this bylaw is to regulate the City’s public spaces and other areas in a manner that supports fairness, fosters safe and viable communities and the well-being of the environment, and promotes responsible stewardship of City assets and resources. |
| DEFINITIONS | 2 | <p>(1) Unless otherwise specified, words used in this bylaw have the same meaning as defined in the <i>Municipal Government Act</i>, RSA 2000, c M-26.</p> <p>(2) In this bylaw:</p> <ul style="list-style-type: none">(a) “bylaw enforcement officer” means a<ul style="list-style-type: none">(i) peace officer appointed pursuant to the <i>Peace Officer Act</i>, SA 2006, c P-3.5;(ii) bylaw enforcement officer appointed pursuant to the Enforcement Bylaw, Bylaw 16368; or(iii) police officer appointed pursuant to the <i>Police Act</i>, RSA 2000, c P-17;(b) “City” means The City of Edmonton;(c) “City Manager” means the City’s chief administrative officer or delegate;(d) “designated” includes identifying an area, location, or object by temporary or permanent signage or other marking, or publishing a list of designated areas, locations, or objects;(e) “Edmonton Transit Service” means the City’s municipal passenger transportation system; |

- (f) “**highway**” has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, c T-6;
- (g) “**off-leash area**” has the same meaning as defined in Bylaw 13145, Animal Licensing and Control Bylaw;
- (h) “**park**” means a public space, whether developed or not, that is intended to be used by members of the public for recreation or general enjoyment and includes:
 - (i) lands designated as a “park”;
 - (ii) lands registered as environmental or municipal reserve;
 - (iii) lands zoned as A - River Valley Zone, NA - Natural Areas Zone, PSN - Neighbourhood Parks and Services Zone, or PS - Parks and Services Zone;
 - (iv) a playground;
 - (v) a cemetery;
 - (vi) a sport field;
 - (vii) a skate park or bicycle park;
 - (viii) a golf course;
 - (ix) an outdoor theatre;
 - (x) an outdoor pool or water spray park;
 - (xi) an outdoor skating rink;
 - (xii) an off-leash area;
 - (xiii) squares, plazas, and promenades;
 - (xiv) school properties;
 - (xv) natural and naturalized areas; and

- (xvi) the North Saskatchewan River Valley, as defined in the North Saskatchewan River Valley and Ravine Protection Overlay;
- (i) “**sport field**” means an area designed and intended for use in a specific sporting activity and includes ski hills, soccer, football, and field hockey fields, baseball diamonds, basketball, tennis, beach volleyball, and pickleball courts, cricket ovals, golf courses, and similar areas;
- (j) “**patio**” means an area outside of a building intended for the consumption of food or beverages by patrons of businesses providing such food or beverages;
- (k) “**permit**” includes a licence, agreement, letter of permission, or other written approval;
- (l) “**public space**” means any property, whether publicly or privately owned, to which members of the public have access as of right or by express or implied invitation whether on payment of a fee or not, and includes:
 - (i) property owned or controlled by, or operated as part of, Edmonton Transit Service, including transit stations and transit vehicles;
 - (ii) a highway;
 - (iii) a vehicle for hire, as defined in the Vehicle for Hire Bylaw, Bylaw 17400; and
 - (iv) a park;
- (m) “**public space fixture**” means poles, traffic control devices, streetlights, waste receptacles, benches, bus shelters, trees, utility boxes, vending machines, public art, planters, bicycle racks, message boards, newspaper boxes, or any other similar item in a public space;
- (n) “**roadway**” has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, c T-6;
- (o) “**shared pathway**” means a thoroughfare intended for

use by pedestrians, cyclists, and other recreational users simultaneously that is improved by asphalt, concrete, brick, or other hard surface;

- (p) “**sidewalk**” has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, c T-6;
- (q) “**traffic control device**” has the same meaning as defined in the *Traffic Safety Act*, RSA 2000, c T-6;
- (r) “**transit station**” means a public space intended for awaiting the arrival of, boarding, and disembarking of transit vehicles and includes light rail transit stations, bus terminals, bus stops, and bus shelters; and
- (s) “**transit vehicle**” means a vehicle operated as part of Edmonton Transit Service, or other municipal transit service, and includes buses, light rail transit vehicles, and any other vehicle operated by or on behalf of Edmonton Transit Service.

RULES FOR INTERPRETATION

3 The marginal notes and headings in this bylaw are for ease of reference only.

PART II - GENERAL PROVISIONS

PERMITS

- 4 (1) Notwithstanding anything in this bylaw, a person may engage in any behaviour or activity otherwise regulated or prohibited by this bylaw if the person has been issued a permit allowing for the behaviour or activity.
- (2) A person must not contravene a term or condition of a permit issued pursuant to this bylaw.

SIGNAGE

- 5 (1) The City Manager may designate all or part of a public space as an area where any behaviour or activity that is otherwise permitted or restricted by this bylaw is permitted or restricted.
- (2) A person must comply with any designation made in accordance with this section.

CITY MANAGER ROLE

6 In addition to any other power, duty, or function prescribed by this bylaw, the City Manager may:

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- (a) issue, impose terms and conditions on, and revoke permits;
- (b) waive any requirement for the issuance of a permit, including reducing or waiving the applicable fee;
- (c) approve forms;
- (d) establish and impose fees;
- (e) establish guidelines for placement of election signs;
- (f) prescribe criteria for any permits, designations, or approvals not otherwise specified in this bylaw;
- (g) close a public space, or portion of a public space, on a temporary or permanent basis;
- (h) designate, on a temporary or permanent basis, a public space, or portion of a public space, as a smoking area or no smoking area;
- (i) designate, on a temporary or permanent basis, a public space, portion of a public space, or object in a public space, as a designated area, location, or object for the purpose of this bylaw;
- (j) grant exclusive or licensed use of a public space owned or operated by the City to a person, and impose terms and conditions for that use;
- (k) prescribe practices and determine the proper allocation of resources for the enforcement of this bylaw, including the discretion to defer enforcement and any enforcement protocols;
- (l) certify a record of the City as a true copy of the original;
- (m) carry out any inspection necessary to determine compliance with this bylaw; and
- (n) delegate any power, duty, or function under this bylaw.

EMPLOYEES

7

Notwithstanding anything in this bylaw, a City employee or

agent may undertake any behaviour or activity otherwise regulated or prohibited by this bylaw if the behaviour or activity is reasonably within their scope of duties.

OBSTRUCTION 8 A person must not obstruct or hinder the City Manager or a bylaw enforcement officer in the exercise of any of their powers, duties, or functions under this bylaw, including its enforcement.

PART III - ANIMALS

DEFINITIONS 9 In this part:

- (a) “**dog**” means any domesticated dog;
- (b) “**wildlife**” means a non-domesticated vertebrate animal, or a vertebrate that is wild by nature and living in its natural habitat, including feral cats; and
- (c) a person in care or control of a dog includes the owner of a dog, as shown in a City licence record, or a person in actual or apparent possession or control of a property where the dog apparently resides

DOG ON LEASH 10 (1) A person having care or control of a dog must have it under control and held on a leash not exceeding 2 metres in length.

(2) Subsection (1) does not apply to:

- (a) an off-leash area;
- (b) property owned or occupied by the person in care or control of a dog; or
- (c) privately-owned property where the owner or lawful occupier has given permission for the dog to be off-leash.

RESTRICTED DOGS IN OFF-LEASH AREA 11 A person having care or control of a restricted dog, as defined in Bylaw 13145, Animal Licensing and Control Bylaw, must not permit it to enter or remain in an off-leash area.

TRANSIT SPACES 12 (1) A person must not bring an animal into a transit vehicle or transit station unless it is housed within a confined structure such as a cage, carrier, or kennel.

- (2) Subsection (1) does not apply to a service dog, as defined in the *Service Dogs Act*, SA 2007, c S-7.5.
- PARKS** 13 *A person having care or control of a dog in a park must ensure the dog is not within any playground, sport field, or picnic area.*
- WASTE REMOVAL** 14 A person having care or control of a dog must immediately remove any defecation left by the dog in a public space.
- DOG ATTACKS** 15 (1) A person having care or control of a dog must ensure that the dog does not:
- (a) damage property;
 - (b) chase, attack, or bite any person or animal; or
 - (c) chase, attack or bite any person or animal causing physical injury.
- (2) Subsection (1) does not apply if the chase, attack, bite, or damage is a direct result of the dog being provoked.
- FEEDING WILDLIFE** 16 (1) A person must not feed, attempt to feed, or deposit food in a public space where it is likely to be consumed by wildlife.
- (2) *Subsection (1) does not apply to feral cats or birds.*
- INJURY TO WILDLIFE** 17 (1) A person must not kill, injure, trap, or disturb wildlife in a park.
- (2) *A person must not touch, damage, disturb, or remove any wildlife den, bird nest, or eggs therein, in a park.*
- (3) *Subsection (1) does not apply to recreational fishing.*

PART IV - CLOSED PUBLIC SPACES

- CLOSED SPACES** 18 (1) *A person must not enter into, pass through, or remain in a public space, or portion of a public space, that has been temporarily or permanently closed.*
- (2) For the purposes of this section, a public space is deemed closed if:
- (a) signage is present indicating the area is closed;

- (b) physical barriers such as doors, fences, or gates are present;
- (c) it is a dedicated Edmonton Transit Service right of way, LRT tunnel, or contains tracks used by transit vehicles, except at designated crossing areas when all warning gates, lights, or bells are inactive;
- (d) it is an area beyond the safety line near the edge of a platform in a transit station, except when entering or exiting a transit vehicle; or
- (e) payment of a fee is required prior to entry or use of the public space, if the full amount of the fee is not paid.

PART V - COMMERCIAL ACTIVITY

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| COMMERCIAL ACTIVITIES | 19 | <p>In this part, “commercial activity” includes:</p> <ul style="list-style-type: none"> (a) selling, distributing, or displaying for sale any good or service; (b) offering services for a fee; and (c) conducting a business or commercial venture. |
| TRANSIT SPACES | 20 | <p>A person must not engage in commercial activity in a transit vehicle or transit station.</p> |
| PARKS & HIGHWAYS | 21 | <p>(1) A person must not engage in a commercial activity in a park or on a highway.</p> |
| PERMITTED VENDORS | (2) | <p>Subsection (1) does not apply to vendors holding a valid Food Truck / Food Cart business licence issued pursuant to the Business Licence Bylaw, Bylaw 20002.</p> |
| | (3) | <p>Nothing in this section exempts a vendor from complying with any other provision of this bylaw or any other enactment.</p> |

PART VI - CONSUMPTION OF SUBSTANCES

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| ALCOHOL | 22 | <p>(1) A person must not use or consume liquor, as defined in the</p> |
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Gaming, Liquor and Cannabis Act, RSA 2000, c G-1, in a public space.

- (2) Subsection (1) does not apply to:
 - (a) designated picnic areas during posted hours; and
 - (b) licensed premises, as defined in the *Gaming, Liquor and Cannabis Act, RSA 2000, c G-1*.

CONTROLLED SUBSTANCES

- 23 (1) *A person must not visibly possess, consume, or use a controlled substance, as defined in the *Controlled Drug and Substances Act (Canada)*, in a public space.*
- (2) *Subsection (1) does not apply to supervised consumption services, as defined in the *Mental Health Services Protection Regulation, Alta Reg 114/2021*.*

SMOKING

- 24 (1) In this section:
 - (a) “**building**” means an enclosed or substantially enclosed building or structure, except a building designed, intended, and used exclusively as a private residence;
 - (b) “**cannabis**” has the same meaning as defined in the *Cannabis Act (Canada)*;
 - (c) “**no smoking area**” means any public space, or portion of a public space, designated as an area where smoking or vaping is prohibited;
 - (d) “**smoke**” means to smoke, hold, or otherwise have control over a heated or lit tobacco product, tobacco-like product, or cannabis;
 - (e) “**smoking area**” means any public space, or portion of a public space, designated as an area where smoking or vaping is permitted;
 - (f) “**tobacco product**” means a product composed in whole or in part of tobacco, including tobacco leaves, cigars, and cigarettes;
 - (g) “**tobacco-like product**” means a product, other than a tobacco product, composed in whole or in part of plants

or plant products, or any extract of them, and includes shisha and hookah;

- (h) “**vape**” means to inhale or exhale the vapour produced by a vaping product; and
 - (i) “**vaping product**” has the same meaning as defined in the *Tobacco, Smoking and Vaping Reduction Act*, SA 2005, c T-3.8.
- (2) A person must not smoke or vape:
- (a) inside a building;
 - (b) on a patio;
 - (c) inside a vehicle for hire, as defined in the Vehicle for Hire Bylaw, Bylaw 17400, or transit vehicle;
 - (d) within any hospital property, school property, child care facility property, cemetery, or transit station;
 - (e) within 10 metres of a bus stop, doorway, or openable window or air intake of a building or patio;
 - (f) within a playground, sport field, skate park, bicycle park, golf course, outdoor theatre, outdoor pool, water spray park, outdoor skating rink, or off-leash area;
 - (g) within Sir Winston Churchill Square and City Hall Plaza, Fort Edmonton Park, John Janzen Nature Centre, Edmonton Valley Zoo, Muttart Conservatory, or William Hawrelak Park; or
 - (h) within a no smoking area.
- (3) Notwithstanding subsection (2), a person may smoke or vape in a smoking area.
- (4) A person who owns or occupies a place where smoking or vaping is prohibited by this section shall not permit any individual to smoke in that place.
- (5) Nothing in this section affects the rights of Indigenous peoples respecting traditional spiritual or cultural practices or

ceremonies.

PROSECUTION

25

In a prosecution for a contravention of this part:

- (a) it is not necessary to specify or that a witness testify to the precise description, brand, or name of the liquor, tobacco product, tobacco-like product, cannabis, vaping product, or controlled substance used in the offence;
- (b) the Court may, in the absence of evidence to the contrary, infer that a product is liquor, a tobacco product, tobacco-like product, cannabis, vaping product, or controlled substance from the fact that a witness describes it by a name that is commonly used to describe liquor, a tobacco product, tobacco-like product, cannabis, vaping product, or controlled substance; and
- (c) evidence
 - (i) that a substance had an odour of liquor, a tobacco product, tobacco-like product, cannabis, vaping product, or controlled substance, or
 - (ii) that a substance appeared to be labelled or packaged as liquor, a tobacco product, tobacco-like product, cannabis, vaping product, or controlled substance

is, in the absence of evidence to the contrary, sufficient to establish that the substance was liquor, a tobacco product, tobacco-like product, cannabis, vaping product, or controlled substance.

PART VII - FIRE AND FIREWORKS

FIRES

26

- (1) A person must not start, or allow to remain lit, a fire in a public space.
- (2) Subsection (1) does not apply to:
 - (a) an outdoor recreational, traditional, cultural, ceremonial, or spiritual fire fuelled only by dry, preservative-free wood or wood products that is fully contained within a

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designated fire pit; or

- (b) a cooking fire fuelled by either propane gas or charcoal that is fully contained within a barbecue or other cooking appliance placed upon a concrete or other non-combustible surface intended for such use.
- (3) A person must not leave a fire permitted by this section unattended.
- (4) A person must ensure that a fire permitted by this section is fully extinguished and all embers and coals are cold.

FIREWORKS

- 27 (1) In this section:
- (a) “**firecracker**” means any device that explodes instantaneously when ignited and does not produce any subsequent display or visible effect after the explosion, but does not include paper caps containing not more than 16.2 mg of explosive per cap; and
 - (b) “**fireworks**” means display fireworks, consumer fireworks, and special effect pyrotechnics fireworks, as regulated by the *Explosives Regulations, 2013* (Canada).
- (2) A person must not discharge firecrackers or fireworks in a public space or any other location unless a permit has been issued for the discharge.
 - (3) A person applying for a discharge permit must provide all of the following to the City Manager at least ten business days prior to the discharge:
 - (a) a completed application form;
 - (b) a site map;
 - (c) proof that the applicant holds a valid Commercial General Liability insurance policy in an amount not less than \$5,000,000 per occurrence for personal and bodily injury and/or property damage, with the City named as an additional insured;
 - (d) proof of permission to discharge from the owner or occupant of the property where the discharge will occur;

- (e) proof that the applicant holds a valid fireworks operator certificate pursuant to the *Explosives Regulations, 2013* (Canada);
- (f) complete safety, emergency, and site remediation plans;
- (g) the applicable fee(s); and
- (h) any other information reasonably required by the City Manager to process the application.

PART VIII - INAPPROPRIATE ACTIONS AND BEHAVIOURS

WEAPONS

- 28 (1) In this section, “**weapon**” includes:
- (a) firearms, including pellet, BB, or air guns;
 - (b) bow and/or arrows;
 - (c) hunting or utility knives;
 - (d) machetes;
 - (e) oleoresin capsicum or capsaicin spray, or any other liquid, spray, powder, or substance that is capable of injuring, immobilizing, or incapacitating a person or animal;
 - (f) brass knuckles, including any similar device containing a band of hard material and one or more holes designed to fit over the fingers of a hand;
 - (g) any device that is designed to be capable of injuring, immobilizing, or incapacitating a person or animal by discharging an electrical charge produced by means of the amplification or accumulation of electrical current generated by a battery;
 - (h) prohibited weapons, as defined in the *Criminal Code* (Canada); and
 - (i) any loaded object capable of firing a projectile.

- (2) A person must not visibly possess, display, discharge, or use a weapon in a public space.
- (3) A person must not possess a weapon described in subsection (1)(e) in a public space if:
 - (a) the manufacturer’s safety features have been tampered with, removed, or disabled; or
 - (b) the label has been tampered with, removed, defaced, or obstructed.

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| DANGEROUS ACTIONS | 29 | A person must not aim, throw, propel, or drop any object or substance in or towards a public place if that object or substance may reasonably cause injury to another person or damage to property. |
| FIGHTING | 30 | A person must not participate in a fight or similar physical confrontation in a public space. |
| HARASSMENT | 31 | <ul style="list-style-type: none"> (1) In this section: <ul style="list-style-type: none"> (a) “communicate” and “communication” includes, but is not limited to, words spoken, written, or recorded electronically or electro-magnetically or otherwise, as well as gestures, signs, or other visible representations; and (b) “harassed” includes, but is not limited to: <ul style="list-style-type: none"> (i) feeling tormented, troubled, worried, plagued, or badgered; (ii) experiencing objectionable or unwelcome conduct, comment, bullying, or actions that could reasonably cause offence or humiliation, including conduct, comment, bullying, or actions because of race, religious beliefs, colour, disability, age, ancestry, place of origin, marital status, source of income, family status, gender, gender identity, gender expression, sexual orientation; or (iii) a sexual solicitation or advance. |

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| | | (2) | A person must not communicate, or cause or permit communication, in a public space with any person in a way that causes that person, reasonably in all the circumstances, to feel harassed. |
| INAPPROPRIATE BEHAVIOURS | 32 | | <p>A person must not engage in behaviour or actions in a public space that would reasonably be expected to interfere with the safety or comfort of others, including City employees and other public space users, including but not limited to:</p> <ul style="list-style-type: none"> (a) standing or being in any other position so as to obstruct an entrance to a building or other structure; (b) obstructing pedestrians or other users from using the public space for its intended purpose; or (c) crowding, jostling, or harassing other public space users. |
| CAUSING DAMAGE | 33 | | A person must not cause damage to or interfere with the intended use of property in a public space, or the public space itself, if the property or public space does not belong to that person. |
| INTERFERE WITH OTHERS | 34 | | A person must not interfere with the exclusive or licensed use of any portion of a public space granted to another person. |
| INAPPROPRIATE USE OF TRANSIT SPACE | 35 | (1) | A person must not remain in a transit vehicle or transit station while engaging in behaviours or activities other than related to using Edmonton Transit Service. |
| | | (2) | For the purpose of subsection (1), remaining on a transit vehicle while the vehicle passes the same destination more than once, or remaining in a transit station while more than one transit vehicles operating on the same route enter and exit the transit station, is deemed to be behaviour unrelated to using Edmonton Transit Service. |
| PANHANDLING | 36 | (1) | In this section: |
| | | (a) | “ aggressive manner ” includes, but is not limited to: |
| | | (i) | obstructing or impeding the passage of a person or vehicle; |
| | | (ii) | making continued requests or solicitations after |

receiving a negative response;

(iii) insulting, threatening, coercing, or intimidating a person;

(iv) making physical contact with a person; or

(v) being intoxicated; and

(b) “**panhandle**” means a request or solicitation made verbally or otherwise for the gratuitous provision of money, services, or goods from another person.

(2) A person must not panhandle in an aggressive manner in a public space.

(3) A person must not panhandle within a roadway, on a median between roadways, or on a boulevard adjacent to a roadway.

MOVING TRANSIT VEHICLES 37 A person must not enter or exit, or attempt to enter or exit, a moving transit vehicle.

PART IX - PERFORMANCES AND GATHERINGS

AMPLIFICATION 38 (1) A person must not operate or use a sound amplification system in a public space.

(2) Subsection (1) does not apply to the use of:

(a) an amplification system within a portion of a public space by a person who has been granted licensed or exclusive use over that portion;

(b) an amplification system by a person within a public space owned or operated by that person;

(c) an amplification system by the owner or operator of a patio or an indoor public space for the purpose of providing ambient music; or

(d) emergency or life-safety systems.

GATHERINGS 39 A person must not organize or participate in a gathering of 50 or more persons in a public space without permission from the

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owner or lawful occupier of the public space.

TRANSIT SPACES 40 A person must not offer or stage a live musical or other performance in a transit vehicle or transit station unless the person is within an area designated as a performance space.

PART X - PROTECTION OF PUBLIC SPACES

LITTERING 41 A person must not leave any garbage, litter, refuse, or other material in a public space except in a receptacle designed and intended for such use.

URINATING OR DEFECATING 42 A person must not urinate or defecate in a public space except in a facility designed and intended for such use.

SPITTING 43 A person must not spit in a public space.

CHEMICALS AND HAZARDOUS WASTE 44 (1) In this section,

- (a) “**biomedical waste**” has the same meaning as defined in the *Waste Control Regulation*, Alta Reg 192/1996;
- (b) “**hazardous waste**” has the same meaning as defined in the *Waste Control Regulation*, Alta Reg 192/1996; and
- (c) “**pesticide**” has the same meaning as defined in the *Environmental Protection and Enhancement Act*, RSA 2000, c E-12.

(2) A person must not leave or apply paint, grease, pesticide, biomedical waste, hazardous waste, or other chemicals in a public space.

REMAINS 45 (1) A person must not scatter or deposit cremated remains in a public space.

(2) Subsection (1) does not apply to the North Saskatchewan River or any other open water creek or ravine.

TEMPORARY SHELTERS 46 (1) In this section, “**temporary shelter**” means a tent, lean-to, or other similar temporary structure.

(2) A person must not establish or occupy a temporary shelter in a public space.

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- (3) Subsection (2) does not apply to a public space operating as a permitted campground.
- STRUCTURES** 47 (1) A person must not build or place a permanent or semi-permanent structure in a public space.
- (2) Subsection (1) does not apply to structures built or placed by the owner or lawful occupier of the public space.
- PUBLIC SPACE FIXTURES** 48 A person must not climb on, or otherwise interfere with or damage, a public space fixture.
- UNAUTHORIZED USE OF PARKS** 49 (1) In this section, “**unauthorized use**” means
- (a) constructing, storing, erecting, or placing anything in a park, including but not limited to:
- (i) a driveway, parking pad or site, stairway, walkway, pool, deck, hard-surfaced area, wall, fence, or other temporary or permanent structure;
- (ii) landscaping, gardens, ice rinks, sport fields, or irrigation or electrical systems;
- (iii) drainage facilities including but not limited to pipes, catch basins, sumps, swales, detention ponds, and ancillary structures; or
- (iv) staging, scaffolding, material, machinery, or tools; or
- (b) maintaining or altering a park, including but not limited to digging, cutting, excavating, piling, or filling.
- (2) A person must not make unauthorized use of a park.
- (3) In a prosecution for a contravention of this section, evidence that a person owns land contiguous to the location in the park where the unauthorized use occurs is proof that the person is responsible for the unauthorized use.
- NATURAL FEATURES** 50 (1) In this section, “**damage**” includes but is not limited to mowing, landscaping, and pruning.
- (2) A person must not damage or remove any tree, shrub, or other vegetation in a public space, unless the person has permission

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from the owner or lawful occupier of the public space.

- (3) Subsection (2) does not apply to harvesting of edible or medicinal berries, produce, nuts, fruits, and plant products for personal use, provided the harvesting does not cause damage to the vegetation or public space.
- (4) Nothing in this section affects the rights of Indigenous peoples respecting traditional spiritual or cultural practices or ceremonies.

51 A person must not plant a tree, shrub, or other vegetation in a public space, unless the person has permission from the owner or lawful occupier of the public space.

TRANSIT SPACES

52 A person must not force open or closed, or otherwise interfere with the operation of, doors or windows of a transit vehicle.

53 A person must not place anything in the aisle of a transit vehicle that may impede or interfere with the movement of passengers.

54 A person must not spill or drop, or permit to be spilled or dropped, any food or drink in a transit vehicle or transit station.

PART XI - RECREATION

DRONES

55 (1) A person must not operate a remotely piloted aircraft system, as defined in the *Canadian Aviation Regulations* (Canada) from within or over a public space.

(2) Subsection (1) does not apply to the operation of a remotely piloted aircraft system that weighs less than 250 grams within a designated area.

AIRBORNE CRAFT

56 A person must not launch or land a hot air balloon, hang-glider, ultra-light aircraft, or other airborne craft in a public space.

ROCKETS

57 A person must not launch a rocket, model aircraft, or other power-assisted flying apparatus in a public space.

**STORMWATER
MANAGEMENT
FACILITIES**

58 A person must not skate, swim, wade, boat, fish, or engage in any similar activity in a stormwater management facility.

SKATING

59 A person must not skate or walk on ice on the North

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Saskatchewan River.

- BOATS** 60 (1) A person must not launch or remove a motorized watercraft into or from the North Saskatchewan River except at a designated location.
- (2) A person must not operate a motorized watercraft on any body of water in a manner that may cause damage to persons, property, or the environment.

- LIFEJACKETS** 61 (1) A person must wear an approved lifejacket or personal floatation device at all times while in, on, or holding on to any vessel being used as a means of water transportation on the North Saskatchewan River or other body of water.
- (2) The lifejacket or personal floatation device referred to in subsection (1) must be worn in a way and in a condition capable of adequately sustaining the person in the water without effort or motion of any kind.
- (3) This section does not apply to persons on the Edmonton Riverboat.

PART XII - SIGNS AND MARKINGS

- DEFINITIONS** 62 In this part, “**marking**” means any mark on a public space fixture or other surface, including sidewalks, roadways, and shared pathways, made using ink, pigment, dye, stencils, paint, etching, burning, or any other means.
- MARKINGS** 63 A person must not place any marking on any surface in a public space.
- PUBLIC SPACE FIXTURES** 64 A person must not place a marking on or attach a sign, sticker, decal, or poster to any public space fixture, except for a public space fixture designed and intended for such use, or with permission from the owner of the public space fixture.
- SIGN ON HIGHWAY** 65 (1) A person must not place a sign on a highway unless the sign is:
- (a) less than 0.6 square metres in total size;
 - (b) at least 15 metres away from an intersection;
 - (c) at least 30 metres away from a transit station;

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- (d) at least 20 metres away from another sign posted by the same person or depicting the same person or topic;
 - (e) at least 5 metres away from a fire hydrant;
 - (f) at least 10 metres away from a crosswalk;
 - (g) at least 2 metres from the curb or edge of, and not within, a roadway;
 - (h) not placed on a median or traffic island;
 - (i) not permanently affixed;
 - (j) not higher than 0.92 metres when measured from the surface to the top of the sign;
 - (k) not electrified or inflatable; and
 - (l) not damaged, derelict, or unsightly.
- (2) Notwithstanding subsection (1), a candidate, third party, or registered third party, as those terms are defined in the *Local Authorities Election Act*, RSA 2000, c L-21, *Election Act*, RSA 2000, c E-1, *Election Finances and Contributions Disclosure Act*, RSA 2000, c E-2, and *Canada Elections Act* (Canada), may place a sign on a highway as long as the placement complies with election sign guidelines issued by the City Manager.
- (3) Notwithstanding subsections (1) and (2), a person must not place a sign that
- (a) resembles, confuses the meaning of, or obstructs a traffic control device;
 - (b) creates a hazard for pedestrians or any public space user; or
 - (c) results in ground disturbance or other damage to the public space.

PARKS & TRANSIT SPACES 66

A person must not place a sign in a park, transit vehicle, or transit station.

| | | |
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| GRAFFITI | 67 | A person must not place graffiti on any building, structure, public space fixture, or vehicle in a public space. |
| PROSECUTION | 68 | In a prosecution for a contravention of this part, any person referred to in a sign, sticker, decal, poster, marking, or graffiti, whether directly or indirectly, is presumed to have placed the sign, sticker, decal, poster, marking, or graffiti. |
| REMOVAL | 69 | <p>(1) The City Manager or a bylaw enforcement officer may remove any sign, sticker, decal, poster, marking, or graffiti placed in a public space that does not comply with this part.</p> <p>(2) Notwithstanding anything in this part, the City Manager or a bylaw enforcement officer may remove any sign, sticker, decal, poster, marking, or graffiti that interferes with City operations or maintenance activities.</p> |

PART XIII - TRANSIT FARES

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| DEFINITIONS | 70 | <p>In this part:</p> <p>(a) “fare” means the fee established by the City Manager for transportation in a transit vehicle;</p> <p>(b) “payment card” means a credit card, debit card, or Arc Card;</p> <p>(c) “prepaid fare product” means proof of prepayment of a required fare, and includes a validated Edmonton Transit Service ticket, monthly or annual pass, transfer, or other fare medium issued by Edmonton Transit Service;</p> <p>(d) “proof of payment” means proof of payment of a required fare as demonstrated by:</p> <p style="margin-left: 40px;">(i) a valid, unexpired, and unaltered prepaid fare product; or</p> <p style="margin-left: 40px;">(ii) a payment card that, when used or contacted with an Edmonton Transit Service fare validation device, produces confirmation that the fare has been paid; and</p> |
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| | | (e) | “ proof of payment area ” means a transit vehicle and any portion of a transit station designated as a proof of payment area. |
| FARE PAYMENT | 71 | (1) | A person must pay the required fare prior to entering, or immediately upon entry to, a proof of payment area. |
| | | (2) | A person carrying a valid, unexpired, and unaltered prepaid fare product is deemed to be in compliance with subsection (1). |
| PROOF OF PAYMENT | 72 | | A person in a proof of payment area must present proof of payment when requested to do so by a bylaw enforcement officer. |
| RESTRICTED FARE OPTIONS | 73 | | A person must not present proof of payment of a fare that is subject to restrictions if the person does not qualify for that fare. |
| NON-TRANSFERABLE | 74 | | A person must not transfer or resell a prepaid fare product to another person unless the prepaid fare product indicates that it is transferable. |
| FRAUDULENT FARE PRODUCTS | 75 | | A person must not possess or present an altered, fraudulent, or stolen proof of payment. |
| PAYMENT CARD PRESUMPTIONS | 76 | | In a prosecution for a contravention of this part: |
| | | (a) | where a certified copy of a record of the City containing a list of payment cards provided as payment of a fare on or about the date and time of the alleged offence is tendered: |
| | | (i) | the Court may conclude that the absence of a payment card from the record is proof that the required fare has not been paid; and |
| | | (ii) | where a payment card is absent from the record, the onus of proving a person has paid the required fare is on the person alleging the required fare has been paid on a balance of probabilities; and |
| | | (b) | if a payment card is used or contacted with an Edmonton Transit Service fare validation device and the device does not produce confirmation that the fare has been paid: |
| | | (i) | the Court may conclude that the absence of confirmation is proof that the required fare has |

not been paid; and

- (ii) where confirmation is absent, the onus of proving a person has paid the required fare is on the person alleging the required fare has been paid on a balance of probabilities.

PART XIV - VEHICLES

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| DEFINITIONS | 77 | In this part: <ul style="list-style-type: none">(a) “bicycle” means any cycle propelled by human muscular power on which a person may ride regardless of the number of wheels the cycle may have;(b) “e-bicycle” means a bicycle that is equipped with an electric motor;(c) “e-scooter” means a vehicle that:<ul style="list-style-type: none">(i) consists of a footboard mounted on two or three wheels and a long steering handle; and(ii) is permitted to operate on a highway under the <i>Traffic Safety Act</i>, RSA 2000, c T-6;(d) “motor vehicle” has the same meaning as defined in the <i>Traffic Safety Act</i>, RSA 2000, c T-6;(e) “off-highway vehicle” has the same meaning as defined in the <i>Traffic Safety Act</i>, RSA 2000, c T-6; and(f) “vehicle” has the same meaning as defined in the <i>Traffic Safety Act</i>, RSA 2000, c T-6. |
| SIDEWALKS | 78 | <ul style="list-style-type: none">(1) A person must not ride a bicycle, e-bicycle, or e-scooter on a sidewalk.(2) Subsection (1) does not apply to a person under the age of 16 operating a bicycle with a wheel diameter of 50 centimetres or less. |
| TRANSIT SPACES | 79 | A person must not ride a bicycle, e-bicycle, e-scooter, inline |

skates, roller skates, or skateboard, or any similar device, on a transit vehicle or in a transit station, except on a shared pathway.

INDOOR PUBLIC SPACES

80

A person must not ride a bicycle, e-bicycle, e-scooter, inline skates, roller skates, or skateboard, or any similar device, in an indoor public space.

PARKS

81

- (1) A person must not ride a bicycle, e-bicycle, e-scooter, inline skates, roller skates, or skateboard in a park, except on a shared pathway or within a skate park or bicycle park.
- (2) A person must not operate an off-highway vehicle in a park.
- (3) A person must not operate or park a motor vehicle in a park except on a roadway or designated parking area.
- (4) A person must not park a motor vehicle overnight in a park.
- (5) Notwithstanding subsection (1), a person may ride a bicycle on a pre-existing, identifiable trail with a granular or natural surface in a park as long as the action does not result in damage to the park.
- (6) Notwithstanding subsection (1), a person may ride a bicycle, e-bicycle, or e-scooter on a roadway within a park.

CONDUCT

82

- When riding a bicycle, e-bicycle, e-scooter, inline skates, roller skates, or skateboard, or any similar device, a person must:
- (a) yield the right of way to pedestrians and slower moving persons;
 - (b) alert any person about to be overtaken by giving an audible signal and reasonable time before overtaking;
 - (c) use reasonable care when overtaking another person; and
 - (d) travel under control and at a reasonable rate of speed having regard to the nature, condition, and use of the sidewalk or shared pathway.

PART XV - ENFORCEMENT

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| DEFINITIONS | 83 | In this part: <ul style="list-style-type: none">(a) “municipal tag” has the same meaning as defined in the Enforcement Bylaw, Bylaw 16368; and(b) “violation ticket” has the same meaning as defined in the Enforcement Bylaw, Bylaw 16368. |
| OFFENCE | 84 | A person who contravenes this bylaw is guilty of an offence. |
| CONTINUING OFFENCE | 85 | In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine for each such day. |
| FINE AMOUNT | 86 | <ul style="list-style-type: none">(1) A person found guilty of an offence under this bylaw is liable to a fine in an amount not less than that established in Schedule A.(2) If a fine amount for an offence is not established in Schedule A, a person found guilty of that offence is liable to a fine in an amount not less than \$250.(3) If a person is guilty of a subsequent offence, the fine amounts established in this section are doubled. |
| MUNICIPAL TAG | 87 | <ul style="list-style-type: none">(1) A municipal tag may be issued for any offence under this bylaw.(2) If a municipal tag is issued for an offence, the municipal tag must specify the fine amount established by this bylaw for the offence. |
| PAYMENT IN LIEU OF PROSECUTION | 88 | A person who commits an offence may, if a municipal tag is issued for the offence, pay the fine amount established by this bylaw for the offence, and if the full amount is paid on or before the required date, the person will not be prosecuted for the offence. |
| VIOLATION TICKET | 89 | <ul style="list-style-type: none">(1) If a violation ticket is issued for an offence under this bylaw, the violation ticket may:<ul style="list-style-type: none">(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.

- (2) A person who commits an offence may, if a violation ticket is issued specifying the fine amount established by this bylaw for the offence, make a voluntary payment equal to the specified fine amount.

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| PROOF OF PERMIT | 90 | The onus of proving that a person has a valid permit for the purpose of this bylaw is on the person alleging the permit on a balance of probabilities. |
| PROOF OF DESIGNATION | 91 | The onus of proving that an area, location, or object is designated for the purpose of this bylaw is on the person alleging the designation on a balance of probabilities. |
| CERTIFIED COPY | 92 | A copy of a record of the City, certified by the City Manager as a true copy of the original, will be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it. |
| VICARIOUS LIABILITY | 93 | For the purpose of this bylaw, an act or omission by an employee or agent of a person is deemed to be an act or omission of the person if the act or omission occurred in the course of the employee's employment or agency relationship with the person. |
| CORPORATIONS & PARTNERSHIPS | 94 | (1) If a corporation commits an offence under this bylaw, every principal, director, manager, officer, employee, or agent of the corporation who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence. (2) If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorized, assented to, acquiesced, or participated in the act or omission that constitutes the offence is guilty of the offence. |

PART XVI - TRANSITIONAL

| | | |
|---------------------------------|----|---|
| COMING INTO FORCE | 95 | This bylaw comes into force on May 13, 2024. |
| CONSEQUENTIAL AMENDMENTS | 96 | (1) Bylaw 5590, Traffic Bylaw, is amended as follows: (a) in section 2(s), by deleting and replacing "has the same |

No policy changes

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New policy

meaning as in City of Edmonton Bylaw 2202 the Parkland Bylaw, as amended;” with “means a park, as defined in the Public Spaces Bylaw, Bylaw 20700”; and

- (b) by deleting sections 49, 49.1, 50, 51, 52, 60, 61, 63, 64, 64.1, 65, and 67.
- (2) Bylaw 13145, Animal Licensing and Control Bylaw, is amended as follows:
- (a) in section 2(i.i), by deleting “under this bylaw”;
 - (b) by adding section 2(i.i)(iv) following section 2(i.i)(iii):
 - (iv) section 14 of the Public Spaces Bylaw, Bylaw 20700;
 - (c) in section 2(o)(i), by deleting and replacing “under this bylaw” with “under this bylaw or the Public Spaces Bylaw, Bylaw 20700”;
 - (d) in section 2(o)(ii), by deleting and replacing “under this bylaw” with “under this bylaw or the Public Spaces Bylaw, Bylaw 20700”; and
 - (e) by deleting section 30.
- (3) Bylaw 18093, Drainage Bylaw, Bylaw 18093, is amended by deleting section 14(1).
- (4) Bylaw 20002, Business License Bylaw, is amended as follows:
- (a) in Schedule B - Application Requirements, adding “FRS” under “Notification” for the Business Category of Food Truck / Food Cart.

REPEAL

- 97 (1) Bylaw 2202, Parkland Bylaw, is repealed.
(2) Bylaw 8353, Conduct of Transit Passengers Bylaw, is repealed.
(3) Bylaw 12308, Unauthorized Use of Parkland Bylaw, is repealed.
(4) Bylaw 14614, Public Places Bylaw, is repealed.

Read a first time

Read a second time

Read a third time

SIGNED AND PASSED

THE CITY OF EDMONTON

MAYOR

CITY CLERK

SCHEDULE A - FINES

| Section | Offence | Minimum Fine |
|--|--|--------------|
| Part II - General Provisions | | |
| 4(2) | Contravening term or condition of permit | \$250 |
| 5(2) | Failure to comply with designation | \$250 |
| 8 | Obstruction | \$500 |
| Part III - Animals | | |
| 10(1) | Failure to control/leash dog | \$100 |
| 11 | Restricted dog in off-leash area | \$500 |
| 12(1) | Animal on transit | \$250 |
| 13 | Dog within playground, sport field, or picnic site | \$250 |
| 14 | Failure to remove defecation | \$100 |
| 15(1)(a) | Dog damaging property | \$100 |
| 15(1)(b) | Dog attack | \$250 |
| 15(1)(c) | Dog attack causing injury | \$500 |
| 16(1) | Feeding wildlife | \$250 |
| 17(1) | Killing or injuring wildlife in park | \$500 |
| 17(2) | Interfering with nest or den in park | \$250 |
| Part IV - Closed Public Spaces | | |
| 18(1) | Entering closed public space | \$250 |
| Part V - Commercial Activity | | |
| 20 | Commercial activity in transit space | \$250 |
| 21(1) | Commercial activity in park or highway | \$250 |
| Part VI - Consumption of Substances | | |
| 22(1) | Consuming liquor in public space | \$250 |

No policy changes

Revised or expanded policy

New policy

| Section | Offence | Minimum Fine |
|---|--|--------------|
| 23(1) | Visible drug use | \$500 |
| 24(2)(a) | Smoking in building | \$250 |
| 24(2)(b) | Smoking on a patio | \$250 |
| 24(2)(c) | Smoking in vehicle for hire or transit vehicle | \$250 |
| 24(2)(d) | Smoking on prohibited property | \$250 |
| 24(2)(e) | Smoking within 10m of doorway | \$250 |
| 24(2)(f) | Smoking in recreation area | \$250 |
| 24(2)(g) | Smoking in attraction area | \$250 |
| 24(2)(h) | Smoking in no smoking area | \$250 |
| 24(4) | Owner permitting smoking where prohibited | \$500 |
| Part VII - Fire and Fireworks | | |
| 26(1) | Lighting fire in public space | \$500 |
| 26(3) | Leaving fire unattended | \$500 |
| 26(4) | Failure to extinguish fire | \$500 |
| 27(2) | Discharging fireworks without permit | \$1000 |
| Part VIII - Inappropriate Actions and Behaviours | | |
| 28(2) | Possessing, displaying, or discharging weapon | \$500 |
| 28(3) | Removing safety features | \$500 |
| 29 | Dangerous actions | \$500 |
| 30 | Fighting in public | \$500 |
| 31(2) | Harassment | \$250 |
| 32 | Inappropriate behaviours | \$250 |
| 33 | Causing damage to public space | \$250 |
| 34 | Interfering with other users | \$250 |

No policy changes

Revised or expanded policy

New policy

| Section | Offence | Minimum Fine |
|--|---|--------------|
| 35(1) | Inappropriate use of transit space | \$250 |
| 36(2) | Aggressive panhandling | \$250 |
| 36(3) | Panhandling in roadway | \$250 |
| 37 | Entering/exiting moving transit vehicle | \$250 |
| Part IX - Performances and Gatherings | | |
| 38(1) | Use of amplification system | \$250 |
| 39 | Participating in large gathering | \$250 |
| 40 | Performance in transit space outside of designated area | \$250 |
| Part X - Protection of Public Spaces | | |
| 41 | Littering | \$250 |
| 42 | Urinating/defecating in public space | \$500 |
| 43 | Spitting | \$250 |
| 44(2) | Depositing chemical or hazardous waste | \$500 |
| 45(1) | Depositing remains | \$500 |
| 46(2) | Occupying temporary shelter | \$250 |
| 47(1) | Placing structure | \$250 |
| 48 | Interfering with public space fixture | \$250 |
| 49(2) | Unauthorized use of park | \$500 |
| 50(2) | Damaging or removing vegetation | \$250 |
| 51 | Planting tree in public space | \$250 |
| 52 | Interfering with transit vehicle | \$250 |
| 53 | Impeding aisle of transit vehicle | \$250 |
| 54 | Spilling food in transit space | \$250 |

No policy changes

Revised or expanded policy

New policy

| Section | Offence | Minimum Fine |
|--------------------------------------|--|--------------|
| Part XI - Recreation | | |
| 55(1) | Operating drone | \$250 |
| 56 | Operating airborne craft | \$250 |
| 57 | Launching rocket | \$250 |
| 58 | Unauthorized use of stormwater management facility | \$500 |
| 59 | Skating on North Saskatchewan River | \$500 |
| 60(1) | Launching boat outside of designated area | \$250 |
| 60(2) | Operating boat improperly | \$250 |
| 61(1) | Failure to wear lifejacket | \$250 |
| Part XII - Signs and Markings | | |
| 63 | Surface marking | \$250 |
| 64 | Sign on public space fixture | \$250 |
| 65(1)(a) | Oversized sign | \$250 |
| 65(1)(b) | Sign too close to intersection | \$250 |
| 65(1)(c) | Sign too close to transit station | \$250 |
| 65(1)(d) | Sign too close to similar sign | \$250 |
| 65(1)(e) | Sign too close to fire hydrant | \$250 |
| 65(1)(f) | Sign too close to crosswalk | \$250 |
| 65(1)(g) | Sign on roadway | \$250 |
| 65(1)(h) | Sign on center median | \$250 |
| 65(1)(i) | Sign permanently affixed | \$250 |
| 65(1)(j) | Overheight sign | \$250 |
| 65(1)(k) | Electrified/inflatable sign | \$250 |
| 65(1)(l) | Derelict sign | \$250 |

No policy changes

Revised or expanded policy

New policy

| Section | Offence | Minimum Fine |
|----------------------------------|---|--------------|
| 65(2) | Improper election sign | \$250 |
| 65(3)(a) | Sign resembling traffic control device | \$500 |
| 65(3)(b) | Sign creating hazard | \$500 |
| 65(3)(c) | Sign causing damage | \$500 |
| 66 | Sign in park or transit space | \$250 |
| 67 | Graffiti | \$250 |
| Part XIII - Transit Fares | | |
| 71(1) | Failure to pay fare | \$150 |
| 72 | Failure to produce proof of payment | \$150 |
| 73 | Improper use of restricted fare | \$250 |
| 74 | Transfer non-transferable fare | \$250 |
| 75 | Possessing fraudulent fare | \$250 |
| Part XIV - Vehicles | | |
| 78 | Riding bicycle on sidewalk | \$250 |
| 79 | Riding bicycle in transit space | \$250 |
| 80 | Riding bicycle in indoor public space | \$250 |
| 81(1) | Riding bicycle off path in park | \$250 |
| 81(2) | Operating off-highway vehicle in park | \$250 |
| 81(3) | Operating vehicle in park outside roadway | \$250 |
| 81(4) | Overnight parking in park | \$250 |
| 82 | Inappropriate conduct | \$250 |

No policy changes

Revised or expanded policy

New policy